



## Legislation Text

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**File #:** 1020-2014, **Version:** 2

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### **Rezoning Application Z14-005**

**APPLICANT:** Nationwide Children's Hospital; c/o Jill Tangeman, Atty.; 52 East Gay Street, P.O. Box 1008; Columbus, Ohio 43216.

**PROPOSED USE:** Commercial development and parking.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (6-0) on April 10, 2014.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested CPD, Commercial Planned Development District, will incorporate 1.56 acres into an existing CPD District that is currently used as employee parking lots for Nationwide Children's Hospital. Future development of the property will be primarily for office, institutional, and hospital-related uses. The CPD text amends the current permitted uses and development standards, and increases the height district from 60 feet to 110 feet. The text also provides use restrictions, building height limits, and safe pedestrian means, and includes variances to building lines, vision clearance, landscaping, and parking and loading related reductions. The site is located within the boundaries of the *Near East Area Plan* (2005), which does not contain specific land use recommendations for this area. The Plan does contain a series of criteria that can be used to determine if proposed commercial uses should be supported within residential areas. Key factors include whether the site has a history of commercial activity and parking considerations. This request can be supported because the proposal brings desirable businesses to the area, and is located in a dense, pedestrian-oriented neighborhood within close proximity to Nationwide Children's Hospital.

To rezone **830 EAST FULTON STREET (43205)**, being 3.3± acres located at the northeast and northwest corners of East Fulton Street and South Eighteenth Street, **From:** CPD, Commercial Planned Development, P-1, Private Parking, and R-2F, Residential Districts, **To:** CPD, Commercial Planned Development District (Rezoning # Z14-005).

**WHEREAS**, application #Z14-005 is on file with the Department of Building and Zoning Services requesting rezoning of 3.3± acres from the CPD, Commercial Planned Development, P-1, Private Parking, and R-2F, Residential Districts to the CPD, Commercial Planned Development District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the Near East Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval because the proposal brings desirable businesses to the area, and is located in a dense, pedestrian-oriented neighborhood within close proximity to Nationwide Children's Hospital. The proposed CPD, Commercial Planned Development District will allow primarily office, institutional, and hospital-related uses. The *Near East Area Plan* contains a series of criteria that can be used to determine if proposed commercial uses should be supported within residential areas, and Staff has determined that this request can be supported; 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:

**830 EAST FULTON STREET (43205)**, being 3.3± acres located at the northeast and northwest corners of East Fulton Street and South Eighteenth Street, and being more particularly described as follows:

**Zoning Description ~ 2.9± Acres  
South side of E. Mound Street  
East side of Seventeenth Street**

Situated in the State of Ohio, County of Franklin, City of Columbus, Range 22, Township 5, Section 15, Refugee Lands, being 2.9± acres of land, being all of Tract 1, Tract 2 and Tract 3 as conveyed to Nationwide Children's Hospital of record in Instrument Number 200905280075809, all of Parcel 1 and Parcel 2 as conveyed to Nationwide Children's Hospital of record in Instrument Number 200901210007502, all of Parcel 1 and Parcel 2 as conveyed to Nationwide Children's Hospital of record in Instrument Number 201111100146014, all of that tract of land conveyed to Nationwide Children's Hospital of record in Instrument Number 200904020045801, all of that tract of land conveyed to Nationwide Children's Hospital of record in Instrument Number 201002010012313, all of that tract of land conveyed to The Children's Hospital of record in Instrument Number 200601110007670, all of that tract of land conveyed to Nationwide Children's Hospital of record in Instrument Number 201401100004084, all of Tract I as conveyed to The Children's Hospital of record in Instrument Number 2005011100007130, all previous parcels and tracts being the same as Lots 1-10 as recorded in M. McAlister's Executors of record in Plat Book 4, Page 121, 0.2± acres of alleys (part of a 12.5' and 20' alley) as dedicated in said M. McAlister's Executors, all of that tract of land as conveyed to The Children's Hospital of record in Instrument Number 200610270216161, all of that tract of land as conveyed to The Children's Hospital of record in Instrument Number 201012030165255, the previous two tracts being the same as Lots 1-6 as recorded in George B. Stewart's Subdivision of record in Plat Book 7, Page 11, all of Tract II as conveyed to The Children's Hospital of record in 2005011100007130, the same being Lots 8-13 as recorded in AA Stewart's Heir's Subdivision of record in Plat Book 4, Page 298, and 0.2± acres of vacated alleys (part of a 10', 15' and 20' alley) as dedicated in said AA Stewart's Heir's Subdivision, and described as follows:

**Beginning** at the intersection of the east right-of-way line of Seventeenth Street and the south right-of-way line of E. Mound Street as dedicated in said M. McAlister's Executors;

Thence **S 87° 48' 45" E**, along the north perimeter of said 2.9± acre tract, **362.90 feet** to the intersection of said south right-of-way line and the west right-of-way line of Eighteenth Street as dedicated in said AA Stewart's Heir's Subdivision;

Thence **S 02° 54' 14" W**, along the east perimeter of said 2.9± acre tract, **395.03 feet** to the intersection of said west right-of-way line and the north right-of-way line of Fulton Street as dedicated in said AA Stewart's Heir's Subdivision;

Thence along the south perimeter of said 2.9± acre tract, the following courses;

**N 87° 48' 45" W**, along the said north right-of-way line, **195.46 feet** to a corner thereof;

**N 02° 11' 15" E**, **93.00 feet** to a corner thereof;

**N 87° 48' 45" W**, **162.50 feet** to a corner thereof, the same being in the east right-of-way line of said Seventeenth Avenue;

Thence **N 02° 11' 15" E**, along the west line of said 2.9± acre tract, **302.00 feet** to the **Point of Beginning**. Containing **2.9± acres**, more or less.

The above description was prepared by Advanced Civil Design, Inc. on January 13th of 2014 and is based on existing records.

This description is based on information obtained from Franklin County Recorder's Office. A drawing of the above description is attached hereto and made part thereof.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

This description is not to be used for the transfer of land.

**Zoning Description ~ 0.4± Acres**

**North side of Fulton Street**

**East side of Eighteenth Street**

Situated in the State of Ohio, County of Franklin, City of Columbus, Range 22, Township 5, Section 15, Refugee Lands, being 0.4± acres of land, being all of Tract III as conveyed to The Children's Hospital of record in Instrument Number 200501110007130, and described as follows:

***Beginning*** at the intersection of the north right-of-way line of Fulton Street and the East right-of-way line of Eighteenth Street as dedicated in AA Stewart's Heir's Subdivision of record in Plat Book 4, Page 298;

Thence **N 02° 54' 09" E**, along the west perimeter of said 0.4± acre tract, **187.51 feet** to the intersection of the south right-of-way line of a 20 foot alley (E. Engler Street) as dedicated in said AA Stewart's Heir's Subdivision and the east right-of-way line of said Eighteenth Street;

Thence **S 87° 48' 45" E**, along the north perimeter of said 0.4± acre tract, **94.50 feet** to a corner thereof;

Thence **S 02° 54' 09" W**, along the east perimeter of said 0.4± acre tract, **187.51 feet** to the north right-of-way line of said Fulton Street;

Thence **N 87° 48' 45" W**, **94.50 feet** to the ***Point of Beginning***. Containing **0.4± acres**, more or less.

The above description was prepared by Advanced Civil Design, Inc. on January 14th of 2014 and is based on existing records.

This description is based on information obtained from Franklin County Recorder's Office. A drawing of the above description is attached hereto and made part thereof.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

This description is not to be used for the transfer of land.

**To Rezone From:** CPD, Commercial Planned Development, P-1, Private Parking, and R-2F, Residential Districts

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

**SECTION 2.** That a Height District of One Hundred Ten (110) feet is hereby established in 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 changes on the said original zoning map in the office of the Department of Building and Zoning

Services 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 plan being titled, "**CENTRAL NORTH CAMPUS ZONING**," and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," both signed by Jill Tangeman, Attorney for the Applicant, dated April 16, 2014, and the text reading as follows:

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

PROPOSED DISTRICT: Commercial Planned Development District

PROPERTY ADDRESSES: 830 East Fulton Street

OWNERS: Nationwide Children's Hospital

APPLICANT: Nationwide Children's Hospital

DATE OF TEXT: April 16, 2014

APPLICATION NUMBER: Z14-005

I. **INTRODUCTION:** The property consists of fifteen tax parcels which, together, contain a total of approximately 3.3 +/- acres (the "Subject Property"). The Subject Property is north of Fulton Street, south of Mound Street and east of Seventeenth Avenue. The CPD plan dated April 16, 2014, is incorporated into this zoning for the purposes of schematically showing the Subject Property, the parking and building setbacks and the height district.

Five parcels of the Subject Property were rezoned in 2007 per Ordinance No. 0986-2007 (Z06-084) to CPD. The applicant is seeking to add the additional parcels to the existing CPD zoning in order to allow for the future development of hospital uses.

The requested zoning classification is compatible with existing city zoning in this area.

The subject real property falls within the jurisdiction of the Near East Area Commission.

II. **PERMITTED USES:**

A. All uses permitted by Columbus City Codes Sections 3349.03, 3353.03, hotels, parking lots and garages and all other uses listed in the Columbus City Codes as being permitted in the I or C-2 zoning district.

B. To the extent not otherwise permitted in II.A above, all uses permitted by Columbus City Codes Sections 3351.03, 3355.03 and 3356.03 and all other uses listed in the Columbus City Codes as being permitted in the C-1, C-3 or C-4 zoning district, subject to the following: Each use permitted by this Section II.B. must be a medical- or health-related use or a use oriented primarily toward providing for the convenience or comfort of the staff or clientele of the uses permitted by II.A. above.

C. Uses listed in the Columbus City Codes as special or conditional uses in I, C-1, C-2, C-3 or C-4 zoning district are special or conditional uses for the Subject Property.

D. Each use which is accessory to a principle use, building or structure may be located off of the parcel(s) on which

such principle use, building or structure is located so long as it is located on the Subject Property.

E. Billboards are prohibited.

III. **DEVELOPMENT STANDARDS:**

A. Development Standards.

1. Density, Height, Lot and/or Setback commitments.

a. The height district shall be the one hundred ten (110) foot height district, subject to the limitation that for all buildings and parking garages, the maximum height (measured as provided in Section 3303.08) shall be ninety (90) feet.

b. Subject to the approval of the Department of Public Utilities, Division of Water, the building setback shall be a minimum of zero (0) feet.

c. Subject to the approval of the Department of Public Utilities, Division of Water, the parking and maneuvering setback shall be zero (0) feet along all Streets.

d. Subject to the approval of the Department of Public Utilities, Division of Water, the building setback from side or rear lot lines which are not along a Street shall be zero (0) feet.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

b. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

c. Maneuvering for loading spaces shall be permitted in the right-of-way of Mound Street and Fulton Street.

d. Subject to the approval of the Department of Public Service, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05, Columbus City Codes, are eliminated.

e. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

f. Subject to the approval of the Department of Public Service, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.09, Columbus City Codes.

g. The number of off-street parking spaces required for each use referred to in III.B below will be determined in accordance with III.B below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of III.B below.

h. The required minimum width of one way driveways shall be ten (10) feet.

i. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing

such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel (s) on which that parking space, loading space or dumpster is located. The intent of this paragraph is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

j. Off-street parking spaces required for any use may be located off of the parcel(s) on which that use is located so long as such parking spaces are located on the Subject Property, except as provided in the next sentence. So long as the zoning for The Children's Hospital Main Campus (defined below) includes a provision substantially the same as this paragraph with The Children's Hospital Main Campus and the Subject Property reversed, off-street parking spaces required for any use on the Subject Property may be located off of the parcel(s) on which that use is located so long as such parking spaces are located on the Subject Property or The Children's Hospital Main Campus. Parking spaces required for any use may be located on a parcel or parcels not owned by the owner of the parcel(s) on which that use is located only if the owner(s) or lessee(s) of the parcel(s) on which such parking spaces are located consent(s) thereto.

k. Off-street parking spaces located on the Subject Property shall be used solely for the uses located on the Subject Property and for the uses located on the real property that is, from time to time, subject to Ordinance No. 1014-2014 and any amendments to or replacements of that Ordinance ("The Children's Hospital Main Campus"). As a part of any zoning clearance for development (other than parking) on the Subject Property, the property owner shall establish that both of the following will be satisfied: (a) the number of off-street parking spaces required by this text for all of the uses on the Subject Property and (b) the number of off-street parking spaces required by Ordinance No. 1014-2014, as then amended or replaced, for The Children's Hospital Main Campus.

l. Subject to approval by the Department of Public Service at the time of zoning clearance, signage shall be installed at all parking lot/garage driveways that cross sidewalks warning drivers to be aware of pedestrians.

m. Any allowed reduction or agglomeration of motor vehicle parking shall not affect the amount or placement of bicycle parking as required by Section 3312.49.

n. Sidewalks from buildings to parking areas shall be provided. Said sidewalks shall be a minimum of 5 feet in width subject to the approval of the Department of Public Service at the time of zoning clearance.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. No internal parking lot landscaping will be required. However, one (1) shade tree for every ten (10) parking spaces or fraction thereof shall be planted along those portions of the perimeter of the parking lots along Streets.

b. A fee in lieu of dedication to meet the requirements of the parkland dedication ordinance will be paid for the 1.3+/- acres converting from R-2F to CPD.

4. Building design and/or Interior-Exterior treatment commitments.

a. There will be at least one main entry door along Fulton Street, Eighteenth Street or Mound Street.

b. Exterior materials will reflect area historic buildings by including some element of brick or stone, manufactured brick or stone, glass, ornamental steel, stucco or stucco-equivalent.

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

Light poles shall be no higher than twenty-six (26) feet, except where lighting is within 100 feet of residentially zoned property in which case light poles will not exceed eighteen (18) feet in height.

6. Graphics and Signage commitments.

All graphics and signage shall comply with the Graphics Code, Title 33, Article 15 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Miscellaneous commitments. N/A.

**B. Parking Requirements.**

1. To the extent that the following uses are located on the Subject Property, the following shall be the parking requirements for those uses:

- a. Outpatient/Day Surgery Clinic - one (1) parking space for each two hundred fifty (250) square feet of gross floor area.
- b. Research Facility - one and three-quarters (1.75) parking spaces for each one thousand (1,000) square feet of gross floor area.
- c. Meeting/Conference Facility - one (1) parking space for each fifty (50) square feet of gross floor area of meeting room area. Zero (0) parking spaces shall be required for lobby area, corridors, restrooms and other space ancillary to those meeting rooms.
- d. Sleeping quarters (including, but not limited to, houses and apartments) which are not part of a hospital or part of a facility described in III.B.1.e below, - one (1) parking space for every sleeping room provided in such sleeping quarters.
- e. Living quarters for use of families of patients - one (1) parking space for every sleeping room provided in such living quarters.
- f. Corridors and atria utilized as connections between buildings - zero (0) parking spaces shall be required.
- g. Vacated space, regardless of the use for which the same shall have been constructed - zero (0) parking spaces shall be required.

**C. Variances.**

1. The foregoing development standards effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

- a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements to zero (0) feet.
- b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
- c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
- d. Variance from Section 3312.15 to permit maneuvering for loading spaces in the right-of-way of ~~18<sup>th</sup> Street~~, Fulton Street or Mound Street.
- e. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the

Department of Public Service.

- f. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
- g. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3312.13, subject to the approval of the Department of Public Service.
- h. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with III(A)(2) above and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of III(A)(2) above.
- i. Variance from Section 3312.13 c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
- j. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.
- k. Variance from Section 3312.21 to eliminate the requirement for any interior parking lot landscaping.
- l. Variance from Section 3321.01 to eliminate the requirement that a dumpster be screened from view on all sides for each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

#### **IV. CPD REQUIREMENTS:**

- A. Natural environment: The Subject Property is essentially flat and contains no wetlands or streams. The only vegetation is street trees and landscaping which have been provided in connection with the existing development of the property.
- B. Existing land uses: Some of the parcels of the Subject Property are developed with parking lots. The portions of the Subject Property located on the west side of Seventeenth Avenue and on the south side of Mound Street are improved with residential buildings.
- C. Transportation and circulation facilities: The Subject Property is located across Fulton Street from an entrance ramp for I-71 North. Eighteenth Street runs north and south from Livingston Avenue through the Subject Property beyond Main Street, a main arterial street for the east side of Columbus. COTA's East Main Street local bus route runs along Main Street servicing this area. Fulton Street runs east and west and borders the Subject Property to the south. Mound Street runs east and west and borders the Subject Property to the north.
- D. Visual form of the environment: As previously discussed, the Subject Property is developed with surface parking facilities and residential structures. The Subject Property is one block south of Main Street, considered by the Near East Area Plan as a historic commercial district. Along with the commercial development along Main Street, located on the corner of Mound Street and Seventeenth Street is a two story office building and across Seventeenth Street from the



office building is an electric substation. There are also several apartment buildings in the area.

E. View and visibility: Visibility at intersections is good for the urban environment in which the Subject Property is located and is compatible with the speed limits on the various streets in and surrounding the Subject Property.

F. Proposed development: It is anticipated that the Subject Property will be developed and redeveloped with a combination of the following: facilities for medical- and health-related uses; other office uses; and parking facilities. Because the Subject Property is in a fully-developed urban location, public infrastructure improvements are in place. As discussed above, the area around the Subject Property contains a mix of commercial and residential uses. As such, the uses currently on and proposed for the Subject Property are compatible with the development patterns of the area.

G. Behavior patterns: The principal use of the Subject Property will be for hospital facilities, including but not limited to clinic space, research facilities, medical office uses, outpatient surgery centers and a medical education facilities. The hospital operates 24-hours a day seven days a week, although the more intensive activity is during the daytime. The other activities operate primarily during normal business hours. Approximately 85% of the staff utilizes private vehicles for transportation to and from the Subject Property, while approximately 15% utilize public transportation. As previously discussed, there are several commercial uses surrounding the Subject Property and as such, the behavior patterns regarding the uses on the Subject Property, including primary activity during business hours, are similar to the behavior patterns of the commercial uses in the area.

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