



City of Columbus

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

Legislation Text

File #: 1694-2014, **Version:** 2

Rezoning Application Z14-028

APPLICANT: Jai Guru, LLC; c/o Matthew A. LaBuhn, Atty.; 266 North Fourth Street, Suite 1200; Columbus, OH 43215.

PROPOSED USE: Hotel.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on July 10, 2014.

CITY DEPARTMENTS' RECOMMENDATION: Approval. More than half of the site is subject to Ordinance No. 0499-2012 (Z11-031A) which rezoned a property developed with a car wash from L-C-5, Limited Commercial District to CPD, Commercial Planned Development District for the development of a hotel with a raised parking deck to accommodate required parking. The applicant has recently acquired the C-4 District tract to the south, and would like to use it for parking and eliminate the parking deck, thereby necessitating incorporation of this property into the CPD District. The requested CPD District will allow the site to be redeveloped with a hotel in accordance with the C-4, Commercial District and the Regional Commercial Overlay. The site is within the planning area of the *West Olentangy Plan* (2013), which encourages community commercial development for this location. The request is consistent with the Plan's land use recommendations and with the zoning and development pattern of the area.

To rezone **3121 OLENTANGY RIVER ROAD (43202)**, being 1.31± acres located at the northwest corner of Olentangy River Road and Riverview Drive, From: CPD, Commercial Planned Development, and C-4, Commercial Districts, To: CPD, Commercial Planned Development District (Rezoning # Z14-028).

WHEREAS, application #Z14-028 is on file with the Department of Building and Zoning Services requesting rezoning of 1.31± acres from CPD, Commercial Planned Development, 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 City Departments recommend approval of said zoning change because the request is consistent with the land use recommendations of *West Olentangy Plan*. The requested CPD, Commercial Planned Development District will allow the site to be redeveloped with a hotel in accordance with the C-4, Commercial District and the Regional Commercial Overlay in a manner that is consistent with the zoning and development pattern of the area; 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:

3121 OLENTANGY RIVER ROAD (43202), being 1.31± acres located at the northwest corner of Olentangy River Road and Riverview Drive, and being more particularly described as follows:

Tract 1

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

Being located in Section 3 of Township 1 Range 18, United States Military Lands, and being parts of Lot Nos. 2 and 3 of Exhibit "A" of an amicable partition made among heirs of Henry T. Slyh, deceased, as the same is shown of record in Plat Book 5, Page 238, and being the tracts conveyed to August J. Cosentino by deed of record in Deed Book 2006, Page 57, Recorder's Office, Franklin County Ohio, and bounded and described as follows:

Beginning at a point in the original centerline of Olentangy River Road, said point being located North 19 degrees 07' West, 71.0 feet from the point of intersection of the said centerline with the easterly extension of the northerly right of way line of Riverview Drive;

thence along the southerly line of the tract conveyed to August J. Cosentino by deed of record in Deed Book 2006, Page 57, Recorder's Office, Franklin County, Ohio, North 88 degrees 45' 30" West, (passing an iron pin in the existing right of way line of the said Olentangy River Road at 49.71 feet), 331.67 feet to an iron pin at the northwesterly corner of the 0.509 acre tract conveyed to August J. Cosentino by deed of record in Deed Book 2097, Page 414, Recorder's Office, Franklin County, Ohio;

thence along the easterly line of the tracts conveyed to "465 SOUTH HIGH. INC." by deeds of record in Deed Book 2538, Pages 62 and 66, Recorder's Office, Franklin County, Ohio, being the westerly lines of the above mentioned lots Nos. 2 and 3, North 1 degree 20' 30" East, (passing an iron pin at the northwesterly corner of the said Lot No. 3 and the southwesterly corner of the said Lot No. 2 at 75.51 feet), 125.51 feet to an iron pin at the northeasterly corner of the said "465 SOUTH HIGH, INC." tract, and the southerly line of the 10.302 acre tract conveyed to Crosley Broadcasting Corporation by deed of record in Deed Book 1461, Page 608, Recorder's Office, Franklin County, Ohio;

thence along the southerly line of the said 10.302 acre tract, (being parallel to and 50 feet Northerly at right angles from the southerly line of the said Lot No. 2), South 88 degrees 39' 30" East, (passing an iron pin in the existing westerly right of way line of Olentangy River Road at 2452.37 feet), 285.06 feet to a point in the original centerline of the said Olentangy River Road;

thence along the said centerline, South 19 degrees 07' East, (passing the southerly line of said Lot No. 3 at 53.36 feet), 133.36 feet to the place of beginning, containing 0.887 acre, more or less.

Subject, however, to all legal highways and/or rights-of-ways, if any, of previous record.

To Rezone From: CPD, Commercial Planned Development District

To: CPD, Commercial Planned Development District

Tract 2

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

Being located in Section 3 of Township 1, Range 18, United States Military Lands and being a part of lot No. 3 of Exhibit "A" of an amicable partition made among the heirs of Henry T. Slyh, deceased, as the same is shown of record in Plat Book 5, page 238, and being the 0.509 acre tract conveyed to August J. Cosentino by deed of record in Deed Book 2097, Page 414, Recorder's Office, Franklin county, Ohio, and bounded and described as follows:

Beginning at a point in the original centerline of Olentangy River Road, said point being intersection of the said centerline with the easterly extension of the northerly right-of-way line of Riverview Drive;

Thence along the northerly right-of-way line of the said Riverview Drive, North 88° 49' 30" West, (passing an iron pin in the existing right-of-way line of the said Olentangy River Road at 52.07 feet), 333.06 feet to an iron pin found at the southwesterly corner of the said August J. Cosentino 0.509 acre tract;

Thence along the westerly line of the said 0.509 acre tract North 17° 57' West, 70.91 feet to an iron pin at the southwesterly corner of the tract conveyed to August J. Cosentino by deed of record in Deed Book 2006, Page 57, Recorder's Office, Franklin County, Ohio, said iron pin being the northwesterly corner of said August J. Cosentino 0.509 acre tract;

Then along the northerly line of the said tract South 88° 45' 30" East, (passing an iron pin in the existing westerly right-of-way line of Olentangy River Road at 281.67 feet) 331.67 feet to the northeasterly corner of the said 0.509 acre tract in the original centerline of the said Olentangy River Road;

Thence along the said centerline, South 19° 07' East, 71.0 feet to the place of beginning, containing 0.509 acre, more or less;

Less and excepting therefore on the following described 0.086 acre tract known as Parcel WD, as conveyed by the owner to the City of Columbus in Instrument No. 200801220010100:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Section 3 Township 1 Range 18, United States Military Lands, being a part of Lot 3 of the "Amicable partition made among the Heirs of Henry T Slyh", Plat Book 5, page 238, Franklin County Recorder's Office, being a part of Lot 72 of the unrecorded "Frank P. Colwell's Riverview Parcels", Auditors Plat Book 12, pg. 36, Franklin County Auditor's Office, and being a part of a 0.509 acre tract conveyed to Frank S. Alexander in Deed Book 3333, pg. 539, Franklin County Recorder's Office.

The basis of bearings is the north right of way line of Riverview Drive as being North 88 degrees 49 minutes 30 seconds West, as shown in Deed Book 3333, pg. 539, and is use to denote angles only.

Beginning at a "MAG" nail set at the intersection of the centerline of Riverview Dr. (50' wide) and the original centerline of Olentangy River Rd. (width variable), as shown on sheet 14 of 14 of the Right Of Way plans for Riverview Dr., dated 4/22/2004;

THENCE North 19° 09 minutes 52 seconds West, 26.66 feet, along the said original centerline of Olentangy River Rd., to a set "MAG" nail, being the southeast corner of the Lot 72 and of the said 0.509 acre tract and the True Point of Beginning.

THENCE North 88° 49 minutes 30 seconds West, 107.07 feet, along the south line of said Lot 72 and of the said 0.509 acre tract, and the north line of the said Riverview Dr., to a set "MAG" nail;

THENCE North 16° 40 minutes 30 seconds West a distance of 54.99 feet, crossing the said Lot 72 and the said 0.509 acre tract, along the west right of way line of the said Olentangy River Rd., to a set iron pin, being a point in the north line of the said Lot 72 and of the said 0.509 acre tract, and a point in the south line of Lot 71 of the said "Frank P. Colwell's Riverview Parcels", conveyed to Platinum Auto Wash, LLC in Instrument No. 200402040025567;

THENCE South 88° 45 minutes 07 seconds East a distance of 48.81 feet, along the north line of the said Lot 72 and of the said 0.509 acre tract, and the south line of the said Lot 71, to a set "MAG." Nail, being the northeast corner of the said Lot 72 and the said 0.509 acre tract, the southeast corner of the said Lot 71, and a point on the original centerline of the said Olentangy River Rd.;

Thence South 19° 09 minutes 52 seconds East a distance of 71.00 feet, along the original centerline of the said Olentangy River Rd. and the east line of the said Lot 72 and the said 0.509 acre tract, to the True Point of Beginning, Containing an area of 3751 square feet or 0.086 acres, of which 0.077 acres are occupied by the present road leaving a net take of 0.009 acres, according to a survey by Jed Surveying Services, Inc. in November of 2007, under the direct supervision of Raymond J. Wood, P.S. 7745.

All iron pins set are 5/8" in diameter, 30" long, with a cap stamped "JJSURVEYING".

The basis of bearings is the north right of way line of Riverview Drive as being North 88° 49 minutes 30 seconds West, as shown in Deed Book 3333, pg. 539, and is used to denote angles only.

To Rezone From: C-4, Commercial District

To: CPD, Commercial Planned Development District

SECTION 2. That a Height District of sixty (60) 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 plan being titled, "**SITE PLAN**," signed by Shashi Savla, Engineer for the Applicant, dated July 10, 2014, and text titled, "**COMMERCIAL PLANNED DEVELOPMENT DISTRICT (CPD) TEXT**," signed by Jagdeep Singh, Manager of Jai Guru, LLC, Applicant, dated July 10 21, 2014, and reading as follows:

Commercial Planned Development District (CPD) Text

Current District: CPD, Commercial Planned Development and C-4, Commercial Districts

Proposed District: CPD, Commercial Planned Development District

Property Address: 3121 Olentangy River Rd.

Applicant/ Property Owner: Jai Guru LLC

Date of Text: 7/10 21/2014

1. INTRODUCTION:

This application involves the site (approximately 1.31 acres) that was combined from two parcels (0.887 and 0.432 acres) which were zoned CPD and C-4. This CPD text is one element of a rezoning application which aims to consolidate the zoning of the two parcels and have the combined parcel zoned CPD for the development of a hotel.

2. PERMITTED USES:

Unless otherwise indicated herein, the permitted uses in, or upon the subject property shall be those allowed in Chapter 3356 (C-4). The applicant desires to redevelop 3121 Olentangy River Road as a hotel property pursuant to the site plan submitted herewith (the "Site Plan").

3. DEVELOPMENT STANDARDS:

Unless otherwise noted herein, the applicable development standards are contained in Section 3356 (C-4 Commercial District) and 3372 (Regional Commercial Overlay) of the Columbus City Code, and the accompanying site plan subject to minor modifications to the building footprint, parking, and vehicular circulation, based upon final design and engineering considerations.

A. Density, Height, Lot Coverage, and Setback Requirements:

(1) Setback: The building setback shall be 20 feet.

(2) Setback: The parking setback shall be 3 feet along the Olentangy River Road frontage of the property.

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

C. Buffering, Landscaping, Open Space and/or Screening Commitments: N/A

D. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments: N/A

E. Graphics and/or Signage Commitments:

(1) All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4, Commercial District, and as further restricted by Section 3372.806 (Graphics) of the Regional Commercial Overlay text, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

F. Miscellaneous Information/Commitments:

(1) Variance: The applicant is requesting a variance to Columbus City Code Section 3372.809, Parking and Circulation. Due to the necessity to provide a parking space for each room of the hotel, no more than nine additional parking spaces are needed on the southern front and two additional parking spaces on the northern front of the hotel for future guests. This additional parking will most efficiently utilize the available space on the parcel while at the same time allowing the hotel to achieve its maximum occupancy.

(2) Variance: The applicant is requesting a variance to Columbus City Code Section 3312.51, Loading Space. Due to the necessity to provide a parking space for each room of the hotel, the developer would like to remove the dedicated loading space from the site to allow the necessary number of parking spaces for the hotel. The area adjacent to the canopy can be utilized for the expected short-term deliveries during hotel business hours.

(3) Variance: The applicant is requesting a variance to Columbus City Code Section 3312.21(A)(2), Interior Parking Lot Landscaping. Due to the parking and circulation requirements of the site, one (1) of the proposed landscaped islands or peninsulas in the parking lot will be slightly less than the required 162 square feet in area at least 9 feet in width. Two (2) additional proposed landscape islands or peninsulas will be significantly more than the required size. The islands that are much larger will more than offset the one that is slightly less than the required area.

(4) Variance: The applicant is requesting a variance to Columbus City Code Section 3312.27, Parking setback line. Due to the additional right-of-way dedication required for the rezoning of this property, it is necessary to have the parking setback along the Olentangy River Road frontage of the property be three (3) feet to ensure all parking spaces are located within the parking setback.

(5) Variance: The applicant is requesting a variance to Columbus City Code Section 3309.142, Height district exceptions. Due to the required height of the elevator shaft, it is necessary to have the allowable building height be 81 feet 6 inches.

(5) (6) The site shall be developed in general conformance with the attached CPD Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. Any slight adjustment to the Site Plan is subject to review and approval by the Director of the Department of Building and Zoning Services or his designee, upon submission of the appropriate data regarding the proposed adjustment.

4. CPD REQUIREMENTS:

A. Natural Environment: The property is mostly flat with landscape buffers surrounding the parking lot areas and bordering the east side of the former car wash building.

B. Existing Land Use: The subject site is developed with a drive -thru and carryout convenience store occupying the southern portion of the site. The northern portion of the site is where a self-serve coin operated car wash was located until

it was recently demolished. The Channel 4 Broadcasting Studio with transmission towers is located to the north of the site. An apartment complex and adjacent parking lot are located to the west. Commercial uses, including restaurants and hotels, are developed opposite the site on the east side of Olentangy River Road.

C. Transportation and Circulation: Vehicular access and circulation will be as indicated on the Site Plan. Access to the hotel will be from Olentangy River Road and Riverview Drive.

D. Visual Form of the Environment: Surrounding uses include an apartment building to the west, television news studio to the north, and an automotive service business to the south. Mixed commercial uses, including restaurants and hotels, are developed on the east side of Olentangy River Road.

E. View and Visibility: Applicant believes that the proposed use and improvements will enhance the site. Applicant will give priority to the public realm and will ensure that views into and out of the hotel are pleasant.

D. Proposed Development: The proposed development for the site is a hotel.

E. Behavior Patterns: Primary access to the site shall occur via existing curb cuts on Olentangy River Road and Riverview Drive designed to accommodate parking for the hotel. The proposed development will enhance the appeal and the economy of businesses along Olentangy River Rd. and the surrounding neighborhoods.

F. Emissions: No adverse effects from emissions should result from the proposed development. Measures will be taken to ensure site lighting does not directly reflect on adjacent residential property.

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