



City of Columbus

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

Legislation Text

File #: 3164-2017, **Version:** 1

Rezoning Application Z14-037

APPLICANT: Cap City Hotels, LLC; c/o Jeffrey L. Brown, Atty.; Smith & Hale LLC; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Hotel and restaurant.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on June 8, 2017.

FIFTH BY NORTHWEST AREA COMMISSION RECOMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is currently developed with an office building and restaurant zoned in the M, Manufacturing District, and is within the Community Commercial Overlay (CCO). The requested CPD, Commercial Planned Development District will permit replacement of the office building with a new six-story, 164-room hotel while retaining the existing restaurant. The site is within the planning area of the *Fifth by Northwest Neighborhood Plan* (2009), which recommends community commercial uses for this location. The CPD text includes permitted uses, development standards addressing building design, and a commitment to a site plan. The proposal also includes variances to building setback, landscaping and screening, parking circulation and setback, driveway, maneuvering, loading space, and design standards in the CCO. Many of the requested variances are due to existing site conditions or to accommodate a future lot split of the property. The request is consistent with the land use recommendations of the *Fifth by Northwest Neighborhood Plan* and is compatible with the zoning and development pattern of the area.

To rezone **1299 OLENTANGY RIVER ROAD (43212)**, being 3.0± acres located on the west side of Olentangy River Road, 350± feet south of West Fifth Avenue, **From:** M, Manufacturing District, **To:** CPD, Commercial Planned Development District (Rezoning # Z14-037).

WHEREAS, application # Z14-037 is on file with the Department of Building and Zoning Services requesting rezoning of 3.0± acres from M, Manufacturing District, to CPD, Commercial Planned Development District; and

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

WHEREAS, the Fifth by Northwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District to allow redevelopment of the majority of the site with a new hotel is consistent with the land use recommendations of the *Fifth by Northwest Neighborhood Plan* and is compatible 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:

1299 OLENTANGY RIVER ROAD (43212), being 3.0± acres located on the west side of Olentangy River Road, 350± feet south of West Fifth Avenue, and being more particularly described as follows:

Situated in the County of Franklin, State of Ohio, and City of Columbus, and being parts of Lot No. 8 of William Neil's Heirs Land; as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 168, Recorder's Office, Franklin County, Ohio, and being parts of a 16.55 acre tract conveyed to Samuel Melton by deed of record in Deed Book 1338, page 32, Recorder's Office, Franklin County, Ohio, said part being more particularly described as follows:

TRACT NO. 1:

Beginning on an iron pin in the westerly right-of-way line of Olentangy Boulevard, said iron pin being also the most northerly corner of a 0.960 acre tract (describe in a deed from Samuel Melton, et al., to the Ohio Curtis Company, recorded in Deed Book 1382, page 202, Recorder's Office, Franklin County, Ohio); thence leaving the westerly right-of-way line of Olentangy Boulevard and running with the said 0.960 acre tract or parcel South 37 degrees 09' 00" West a distance of 280.00 feet to an iron pin in the northeasterly right-of-way line of a proposed street extension; thence with the northeasterly right-of-way line of a proposed street extension North 56 degrees 46' 00" West a distance of 175.05 feet to a point of curvature; thence with the arc of curve of 225.00 feet radius, on a chord bearing North 34 degrees 33' 00" West a distance of 170.15 feet to an iron pin at the point of tangency; thence North 12 degrees 20' 00" West 167.39 feet to an iron pin in the southerly line of a tract or parcel containing 0.366 acres described in a deed from Samuel Melton, et al. to Charles H. Boardman, recorded in Deed Book 1405, page 315; thence with the said line of the 0.366 acre tract South 86 degrees 51' 00" East a distance of 280.73 feet to an iron pin in the southwesterly right-of-way line of Olentangy Boulevard; thence with said right-of-way line along the arc of a curve with a radius of 940 feet called for, on a chord bearing South 46 degrees 07' 30" East a distance of 232.31 feet to the place of beginning and containing 2.483 acres.

TRACT NO. 2:

Beginning at an iron pin located in the easterly right-of-way line of the Chesapeake & Ohio Railway Company, and at the southwesterly corner of a lot owned by Charles H. Boardman, said iron pin being also located South 12 degrees 20' 00" East 324.59 feet from the southerly line of Fifth Avenue; thence leaving the said right-of-way line of the Chesapeake & Ohio Railway Company and running with a part of the southerly line of Boardman South 86 degrees 51' 00" East a distance of 51.88 feet to an iron pin; thence with the easterly line of a proposed street South 12 degrees 20' 00" East a distance of 167.39 feet to an iron pin, the point of curvature; thence along the arc of a curve to the left having a radius of 225 feet, a chord bearing South 34 degrees 33' 00" East, a distance of 170.15 feet to the point of tangency; thence South 56 degrees 46' East passing through an iron pin, the northwesterly corner of a 0.960 acre tract at 175.05 feet, in all a distance of 325.05 to an iron pin, said iron pin being the southwesterly corner of the aforementioned 0.960 acre tract; thence with a part of the southeasterly line of the said 0.960 acre tract North 37 degrees 09' 00" East a distance of 12.66 feet to a point in the northerly line of Fourth Avenue, said point being also at the point of curvature; thence along the arc of a curve to the left having a radius of 75 feet on a chord bearing South 22 degrees 21' 00" West a distance of 38.32 feet to a point in the centerline of a proposed street; thence with said centerline North 56 degrees 46' 00" West a distance of 471.00 feet to an iron pin located in the easterly right-of-way line of the aforesaid Chesapeake & Ohio Railway Company; thence with the said right-of-way line North 12 degrees 20' 00" West, a distance of 257.81 feet to the place of beginning containing 0.575 acres.

TRACT NO. 3:

That portion of a certain original 0.080 acre tract shown on a plat attached to a certain roadway agreement recorded in Deed Book 1482, page 438, Recorder's Office, Franklin County, Ohio, not heretofore conveyed to Crane Co.

This deed is intended to convey to the Grantee all of the remaining portion of said original 16.55 acre tract, not heretofore conveyed by the Grantors and in which each of the said Samuel M. Melton, Herman M. Katz, Nate Berlin, Isadore W. Garke, Justin L. Sillman, Charles H. Boardman and Samuel Gurevitz now own an undivided interest, together with all rights, reserved in prior deed, by the Grantors, for themselves their successors in interest, their respective heirs, executors, administrators and assigns.

Parcel No.: 010-062377

Also known as: 1299 Olentangy River Road, Columbus, OH 43212

To Rezone From: M, Manufacturing 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 plan being titled, "**ZONING SITE PLAN**," and text titled, "**CPD TEXT**," both dated November 13, 2017, and signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICTS: CPD, Commercial Planned Development

PROPERTY ADDRESS: 1299 Olentangy River Road

OWNER: 5B Hotels LLC

APPLICANT: Cap City Hotels LLC

DATE OF TEXT: 11/13/17

APPLICATION: Z14-037

1. **INTRODUCTION:** The site consists of a former office building site and a restaurant. The applicant wants to redevelop the site with a hotel and a restaurant.

2. **PERMITTED USES:** These uses permitted in Chapter 3356 of C-4, Commercial of the Columbus City Code.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in this text or on the submitted drawings the applicable development standards are contained in Chapter 3356 C-4, Commercial of the Columbus City Code.

A. Density, Height, Lot and/or Setback Requirements

1. Parking setback along Olentangy River Road shall be a minimum of zero feet for the existing spaces.

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

N/A

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

N/A

D. Building Design and/or Interior-Exterior Treatment Commitments

1. The design of the hotel shall comply with Section 3372.705 except for item D, E and F of the Columbus City Code.

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments

N/A

F. Graphics

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 District and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous

1. Variances.

- a) Section 3372.704(A) and (C) Building Setback: to increase the building setback from 25 feet to a minimum of 40 feet along Olentangy River Road and to eliminate any setback from the interior lot lines as shown on the submitted site plan.
- b) Section 3372.707 (A)(B)(D) and (E) Landscaping and Screening: No landscaping shall be provided along the perimeter of the site to allow access to parking spaces and to accommodate circulation aisles.
- c) Section 3372.709 Parking and Circulation: to permit existing parking spaces to remain in front of an existing restaurant building along Olentangy River Road and to permit new parking spaces in front of the proposed hotel.
- d) Section 3372.704(D) Setback: to reduce the parking setback from 25 feet to 0 feet along Olentangy River Road for the existing parking spaces; to permit the setback of a building from an interior lot line to be more than fifty feet.
- e) Section 3312.49 Minimum number of parking spaces required: The total number of parking spaces is based on the whole site not just what appears on an individual tax parcel, and the hotel parking includes the 25% reduction.
- f) Section 3312.13 Driveway: to permit a driveway to cross property lines.
- g) Section 3312.25 Maneuvering and 3312.09 Aisle: to permit maneuvering for a driveway and parking spaces to cross property lines and to reduce the aisle width from 20 to 7.8 feet as shown on the submitted site plan.
- h) Section 3312.53 Loading Spaces: to reduce the number of loading spaces from two to zero.
- i) Section 3372.705 D, E and F: Building design standards- item D: The entry to the hotel is perpendicular to the street frontage; item E: The design of the hotel has vertical elements to break up the building frontage but not at an intervals of 15 to 35 feet. There are proposed spans that are 50 and 80 feet in length and item F: The hotel has parking spaces on part of the first floor and does not meet the 40% requirement of clear glass.

2. Site Plan. The subject site shall be developed in accordance with the 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 and architectural drawings are completed. Any slight adjustments of the Site Plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

3. CPD Criteria.

- a) Natural Environment, The site is currently developed with a restaurant and a two story office building.
- b) Existing Land Uses. The property is zoned M, Manufacturing.
- c) Activities. The proposed development will provide hotel and restaurant uses which will provide additional commercial options for the surrounding commercial and residential neighborhoods.
- d) Behavior Patterns. Existing development in the area have established vehicular and pedestrian patterns for the area.
- e) Transportation and Circulation. The site will have access to Olentangy River Road and COTA provides bus service on Olentangy River Road.
- f) Visual Form of the Environment. The site is subject to the Community Commercial Overlay which contains building design requirements.
- g) View and Visibility. The site will have access to Olentangy River Road.
- h) Proposed Development. The proposed development is along a major commercial arterial which provides access to Ohio State University as well as downtown.
- i) Emission. The site will not have negative effects on emission levels of light, sound, smell and dust.

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