

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
NOVEMBER 10, 2016**

- 12. APPLICATION: Z16-058**
Location: **975 NORTH HIGH STREET (43215)**, being 1.08± acres located at the northwest corner of North High Street and West Second Avenue (010-006949; Victorian Village Commission).
Existing Zoning: C-4, Commercial District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Mixed-use development.
Applicant(s): Connie J. Klema, Atty.; PO Box 991; Pataskala, OH 43062.
Property Owner(s): WC Partners, LLC; 600 Stonehenge Parkway, 2nd Floor; Dublin, OH 43017.
Planner: Shannon Pine; 614-645-2208; spine@columbus.gov

BACKGROUND:

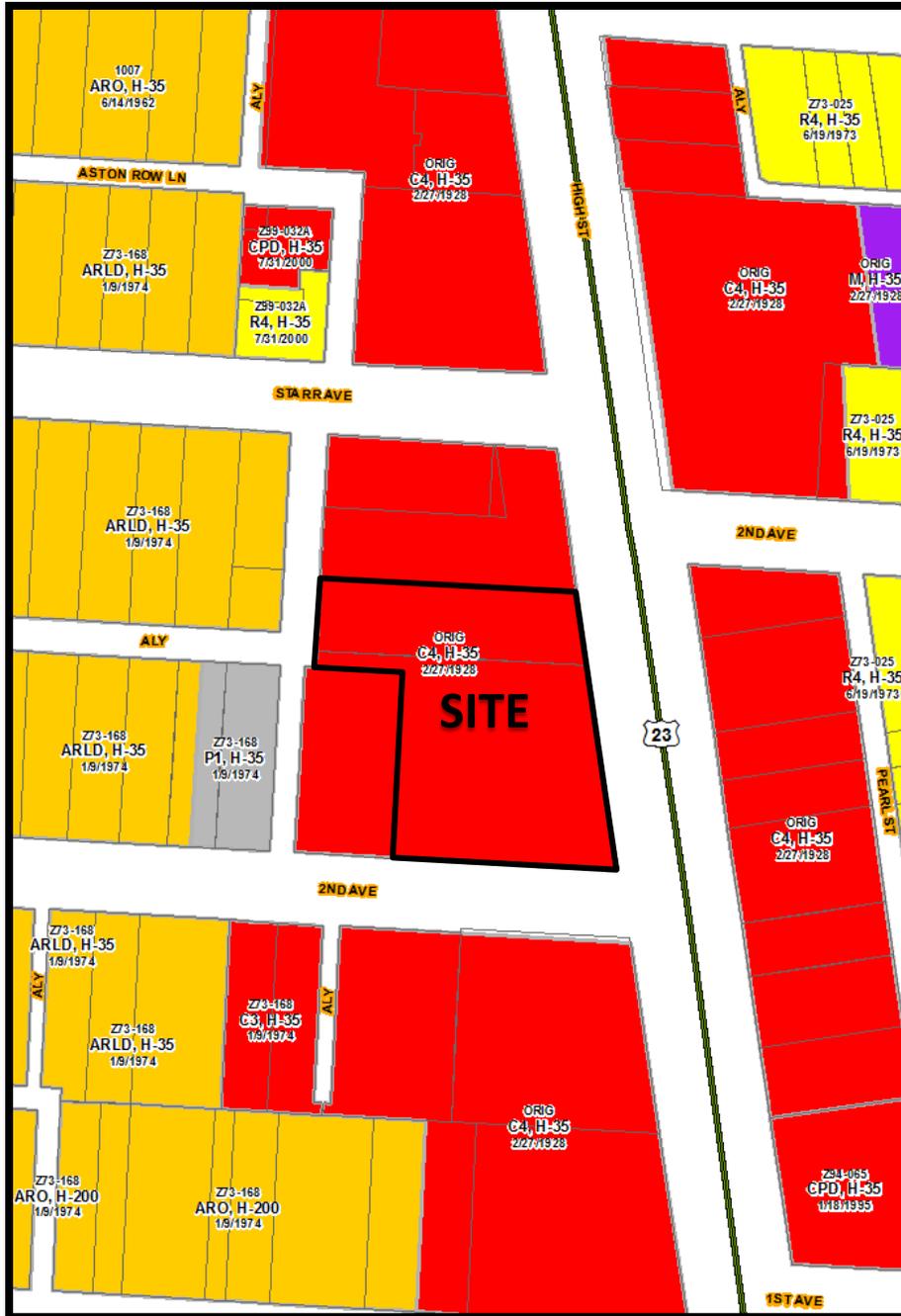
- The 1.08± acre site is zoned in the C-4, Commercial District, and had been developed with a surface parking lot and a fast food establishment that was recently demolished. The site is subject to BZA16-036 (attached) which granted variances for building height, minimum number of stacking, parking, and loading spaces, light pole height, and building setbacks for an 8-story mixed-use building containing 3,576 square feet of restaurant space with an enclosed pick-up unit, 8,408 square feet of retail space, 11,132 square feet of office space, and 105 apartment units. The applicant proposes the CPD, Commercial Planned Development District to accommodate the approved variances for the mixed-use building, with an increased height district and allowance of one C-5, Commercial District use for a public electric charging station.
- To the north and east are three-story mixed-use buildings in the C-4, Commercial District. To the south is a four-story mixed-use building in the C-4, Commercial District. To the west is a funeral home and crematory in the C-4, Commercial District, and a four-unit dwelling in the ARLD, Apartment Residential District.
- There is no Council adopted plan for this area. The site does fall within the Victorian Village Architectural Review Commission area. The Victorian Village Commission recommends approval of the requested CPD district.
- The CPD text proposes a height district of 110 feet, and includes permitted uses, access provisions, and a commitment to a site plan. Variances for reduced minimum number of stacking, parking (28-space reduction), and loading spaces, increased light pole height, reduced building setbacks, and to allow parking areas to be divided by parcel lines are incorporated into the request. The attached elevations have been recently approved by the Victorian Village Commission.
- This CPD district does not alter the planned development of the property that was approved by the Board of Zoning Adjustment, but does propose the one C-5 public electric charging station use, eliminates the height variance with the requested H-110 Height District, and

allows for future lot splits that could divide parking spaces and drive aisles within the building. All other aspects of the proposed development remain unchanged.

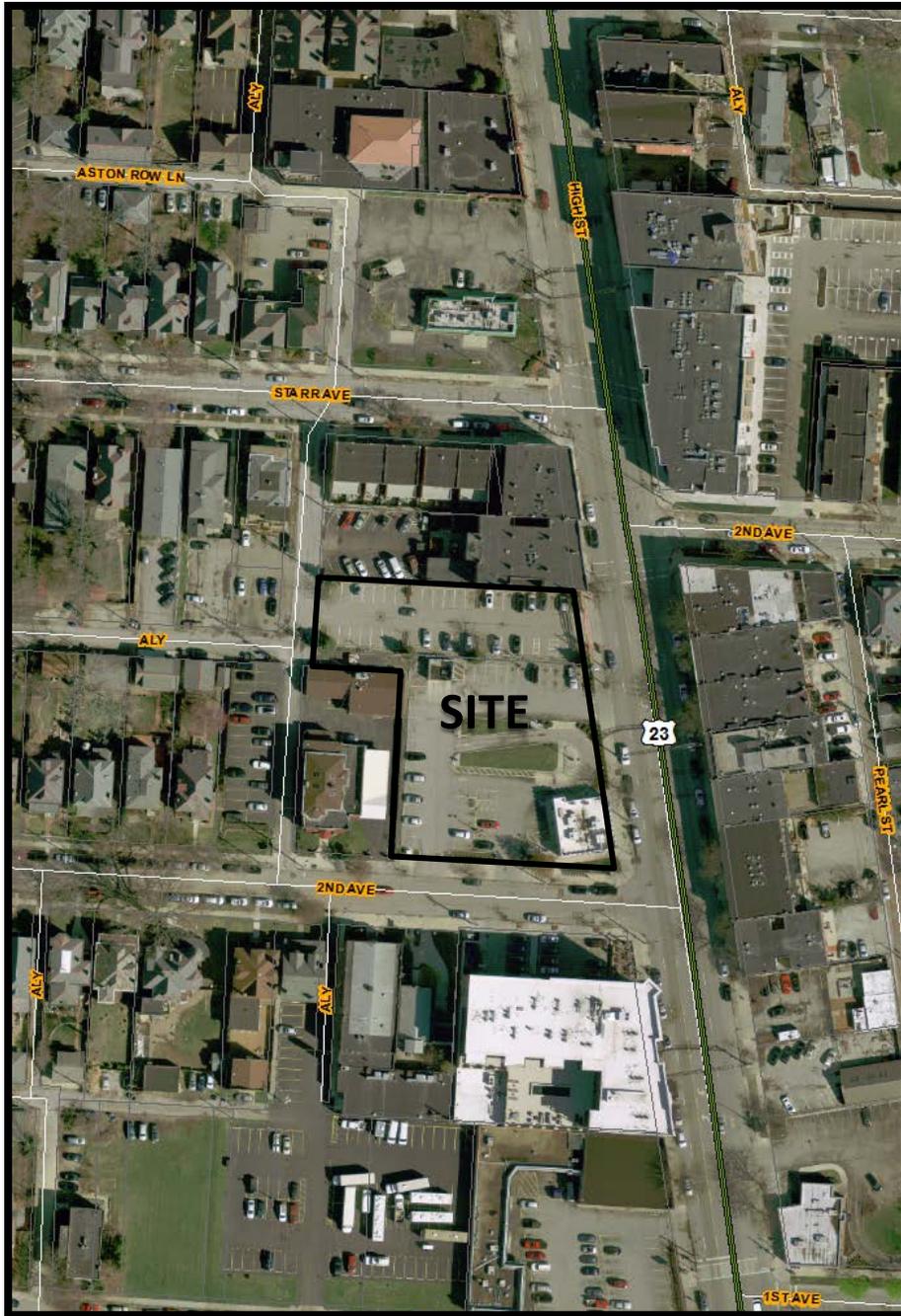
- A traffic impact study has already been completed for this proposed development and has been approved by the Division of Traffic Management.
- The *Columbus Thoroughfare Plan* identifies North High Street as a 4-2D arterial requiring a minimum of 60 feet of right-of-way from the centerline.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested CPD, Commercial Planned Development District will accommodate a mixed-use building that is already permitted by BZA16-036. The request is consistent with the zoning and development patterns of this urban neighborhood. Although the site will be adding a number of residential units and additional commercial space, it will also be adding a 104 space public parking garage which is a net increase in the amount of on-site public parking from the former 42-space surface lot that existed on the property (a gain of 62 spaces). While the proposed building height is slightly taller than recently-approved mixed-use buildings, it will match the character of this rapidly redeveloping urban area.



Z16-058
 975 North High Street
 Approximately 1.08 acres
 C-4 to CPD



Z16-058
975 North High Street
Approximately 1.08 acres
C-4 to CPD

DEVELOPMENT TEXT

PROPERTY ADDRESS: 975 N. High Street, Columbus, Ohio 43215

DATE OF CPD TEXT: November 1, 2016

ZONING APPLICATION: Z16-058

OWNER: W C Partners, LLC
600 Stonehenge Parkway, 2nd Floor
Dublin, Ohio 43017

APPLICANT: Connie J. Klema, Attorney
P.O. Box 991, Pataskala, Ohio 43062

EXISTING ZONING: C-4

PROPOSED ZONING: CPD; Commercial Planned Development District

1. INTRODUCTION: 975 N. High Street (the “Property”) is located on north High Street in the Victorian Village, “Short North” area of Columbus. The Property is a combination of what had been two parcels: one parcel that was improved with a White Castle restaurant and drive through with private parking lot that fronts on High Street and is bordered by Second Avenue on its south, and the second parcel, which borders the White Castle parcel on its north, fronts on High Street and was a paved public parking lot. The Property, as combined, is approximately 1.08 acres. The White Castle restaurant has been razed.

The Property is located on the High Street corridor in the Short North where development of existing and newly constructed buildings providing mixed uses of commercial, retail and residential have continued to develop from the 1980’s to the present. The density of people residing, working and visiting this Short North area encourages an internal, local environment. This design concept, which was established over a century ago, supports a local functioning environment that weaves commercial establishments that provide services, goods, and entertainment into the residential neighborhood that needs them. As a result, there is a high density of people that live, work and walk in the neighborhood and those who drive to it to see and be a part of the neighborhood. To accommodate the development project proposed for the Property that, like its neighborhood, will accommodate retail, restaurants, commercial, office, and residential uses, and in addition, a public parking garage, the owner seeks to re-zone the property to Commercial Planned District in accordance with the following Text:

PROPERTY

1. Site Plan: The Site Plan dated November 1, 2016, submitted with this rezoning (the “Site Plan”) delineates the proposed structure, setbacks, accesses, and parking areas which shall be permitted under this CPD.

2. Permitted Uses: Uses permitted in Columbus City Code (C.C.C.) Section 3356.03 (C-4 District) and the use permitted in C.C.C. Section 3357.01 (C-5 District) to provide retail electric filling station(s).

3. Development Standards: Unless otherwise indicated herein, the applicable development standards shall be those standards contained in Chapter 3356, C-4, Regional Scale Commercial District, of the Columbus City Code.

A) DENSITY, HEIGHT, LOT AND/OR SETBACK COMMITMENTS

1. The maximum number of residential units shall not exceed 105 and shall be conditioned on each residential unit having one parking space.

2. Height District: The Site shall be designated in the H-110 height district per C.C.C. 3309.14 (C). Customary rooftop equipment, parapet walls, elevator accesses, and screening will not be considered in calculating height.

3. Building Setbacks: The minimum building setback from High Street shall be zero (0) feet and from Second Avenue shall be zero (0) feet to conform to similar structure setbacks in and adjacent to the High Street Corridor.

B) ACCESS, LOADING, PARKING AND/OR OTHER TRAFFIC RELATED COMMITMENTS:

1. Access & Loading: There are two vehicular access points from Second Avenue bordering the south side of the Property; one to the parking garage and one to the restaurant drive through as depicted on the Site Plan. Vehicular exiting from the drive through shall be to Second Avenue, and vehicular exiting from the parking garage shall be to the public alley bordering the west side of the Property as depicted on the Site Plan. One loading space at the frontage of the Property shall be provided in the High Street right-of-way as depicted on the Site Plan.

2. Parking: There shall be 210 parking spaces, 1 space per each residential unit and 104 spaces for employees and customers of commercial uses.

C) BUILDING DESIGN AND/OR EXTERIOR TREATMENT COMMITMENTS:

1. The building exteriors will be constructed in accordance with the plans and elevations approved by the Victorian Village Commission on March 10, 2016 or as amended and approved at a later date by the Victorian Village Commission. Said exteriors include Petrarch Epoxy Resin panels on the east and north wings of the building and Belden Brick on the parking garage and the lower levels of the east wing.

2. All flat roofed areas will contain parapets concealing visibility of mechanical equipment from street levels unless otherwise approved by the Victorian Village Commission.

D) LIGHTING AND/OR OTHER ENVIRONMENTAL COMMITMENTS:

1. Lighting: Ground mounted lighting shall use shielded cutoff fixtures (down lighting) except for accent/lighting/up lighting on landscaping in front of structures and ground signs as approved by the Victorian Village Commission.

2. External outdoor lighting fixtures shall be aesthetically compatible as approved by the Victorian Village Commission.

E. GRAPHIC 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 shall be approved by the Victorian Village Commission or recommended for approval by variance.

F. MISCELLANEOUS:

For the proposed mixed-use building containing 3,576± square feet of restaurant (with drive-through) space, 8,408± square feet of retail space, 11, 132± square feet of office space, and 105 residential units, the site shall be developed in accordance with the submitted 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, including a reduction in the building envelope. Any such adjustments to the Site Plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment. Permitted uses shall comply and not exceed the minimum setbacks of this CPD Text, and should be developed in accordance with applicable code requirements.

Variations of the C-4 District with this CPD:

1. 3312.11—Drive-up stacking area: To reduce the drive-up stacking space requirements for 1 unit from 8 to 7 and to eliminate the by-pass lane.
2. 3312.49—Minimum number of parking spaces required: To permit the provision of 210 parking spaces to be apportioned with 1 space per each residential unit and 104 spaces for employees and customers of commercial spaces, or a proportional amount of parking spaces which equals or exceeds seventy-eight (78) percent of the required number of spaces for the proposed mix of commercial uses contained within the development.
3. 3321.03—Lighting: To permit light fixtures located on the garage roof to exceed 28 feet in height from the ground level.
4. 3312.53(B)(2) Loading Space: To reduce the requirement from one loading space on site to no loading space on site.
5. Height: To permit the building to have the height of 106' and the CPD height district to be in accordance with 3309.14 (C) H-110 (customary rooftop equipment and parapet walls and screening will not be considered in calculating height).
6. 3356.11—Set back: To reduce the building setback requirement from 60 feet to zero along High Street, and from 25 feet to zero along 2nd Avenue.

CPD Modification of Code Standards for Division of Property:

It is anticipated that the Property, as developed under the CPD, will be split to form separate tax parcels. The CPD shall permit the division of the Property without the requirement of area zoning variances in accordance with the following requirements:

1. Traffic & Parking: All parking spaces, aisle ways, access points, maneuvering areas, parking decks, and all such other improvements serving the traffic and parking in the building may be divided by a property line subject to review and approval by applicable city review agencies and required easements.
2. Interior & Exterior Walkways & Doors: All sidewalks, walkways, aisles, entries, exits, doorways, overhead doors, service areas, and all such other improvement that provide ingress to, egress from, and access in and through the building that serve the public and those residing and working in the building may be divided by a property line subject to review and approval by applicable city review agencies and required easements.
3. Residential Units, Office Units, and Commercial-Retail Units: All units in the building, whether used for residential, office, commercial, retail, restaurant, or other uses as provided in this CPD, may be divided, one unit from the other, by a property line subject to review and approval by applicable city review agencies and required easements.

G) CPD Requirements.

1. Natural Environment: The Property will be developed in conformity with the Site Plan unless altered in accordance with those standards contained in Chapter 3356 and this Text, or by variance, when applicable. The natural environment of the Property is flat and does not present drainage issues, has no wetland, streams or existing vegetation.

2. Existing Land Uses: The Property is located in a densely populated area that has a mixture of residential and commercial uses. The Property has been used commercially for many years, both as a restaurant and as a public parking lot and is part of the mixed-use neighborhood. The CPD zoning will provide the guidelines and requirements for existing and new development activities on the Property.

3. Transportation and Circulation Facilities: The access and exit points to and from the restaurant drive through and the public parking garage and the parking garage were designed in accordance with the information gleaned from traffic studies, engineering reports, and review and approval by the City of Columbus Division of Traffic Management. Any alterations to the drive through and public and private parking garage will be in accordance with those standards contained in Chapter 3356 and this Text, after review and approval by the City of Columbus Division of Traffic Management.

4. Visual Form of the Environment: The proposed development of the Property serves to provide public parking, services and residences in an area of intense urban development with many commercial, housing and community related needs. The size, height, scale and density of the existing, surrounding environment support and blend with the residential and commercial mix of uses in this vibrant City corridor and the proposed development.

5. View and Visibility: The development of the Property was designed to safely accommodate and not diminish the visibility and safety of the motorist, bicyclist, and pedestrian.

6. Proposed Development: The proposed development serves to replace what had been 42 public parking spaces with 104, provides one parking space for every residential unit, and provides office and commercial uses to serve the neighborhood.

7. Behavior Patterns: The proposed development is a result of the ways people typically use the existing Short North area for residential, working, shopping, and recreation. Before the proposed development, the Property provided one restaurant, a paved parking lot for private use, and 42 public parking spaces. With the development, the Property provides 1 parking space for every residential unit, public parking spaces, and thousands of square feet for retail, commercial and office uses.

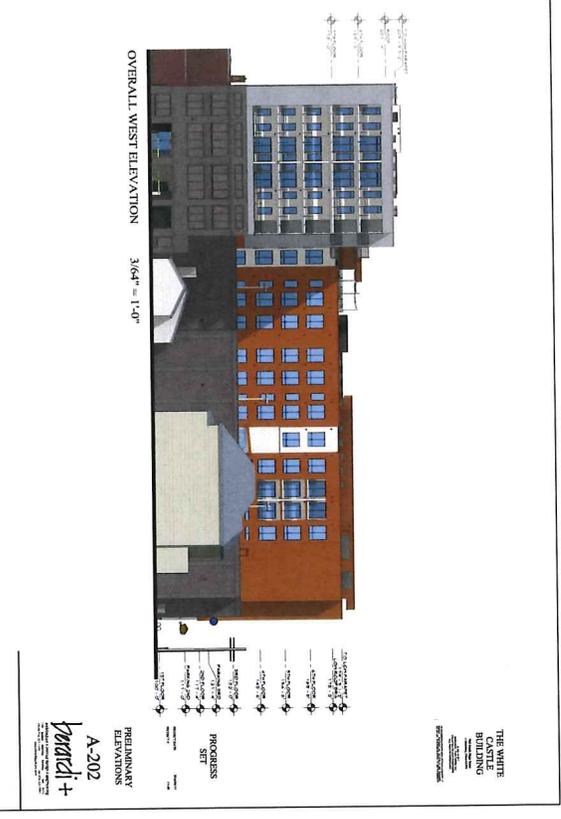
8. Emissions: The Property's development will not negatively contribute to the emission of light, sound, smell or dust.

The undersigned, being the agent for the owner of the subject property and the applicant in the subject application, does hereby agree on behalf of the owner and the future developer of the subject property, singularly and collectively for themselves, their successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he/she fully understands and acknowledges that

none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code.

SIGNATURE: _____

DATE: _____



REGISTRATION:
I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF OHIO.
DATE: 08/22/2016

NO.	REVISION SCHEDULE	DESCRIPTION	DATE

ISSUANCE INDEX
DATE: 08/22/2016
SCALE: N/A

CERTIFIED BY
DATE: 08/22/2016

FINAL SITE COMPLIANCE PLAN FOR WHITE CASTLE COLUMBUS, OHIO



216-058

C103

Project Number: 2014_00565

**BOARD ORDER
 BOARD OF ZONING ADJUSTMENT
 CITY OF COLUMBUS, OHIO
 JUNE 28, 2016**

11. Application No.: BZA16-036
Location: 965 NORTH HIGH STREET (43201), located at the northwest corner of North High Street and West Second Avenue
Area Comm./Civic: Victorian Village Commission
Existing Zoning: C-4, Commercial District
Request: Variance(s) to Section(s):
 3312.11, Drive-up stacking area.
 To reduce the number of required stacking spaces from 8 to 7 and to not provide a by-pass lane.
 3312.49, Minimum numbers of parking spaces required.
 To reduce the minimum number of required parking spaces from 312 to 205; 101 parking spaces will be dedicated to residential, 104 parking spaces will be public parking for the commercial uses.
 3321.03(A,1), Lighting.
 To increase the allowable height for light fixtures from 28 feet to 50 feet.
 3309.14, Height districts.
 To increase the height of a building from 35 feet to 106 feet.
 3356.11, C-4 district setback lines.
 To reduce the building setback from 60 feet to 0 feet along North High Street and from 25 feet to 0 feet along West Second Avenue.
 3312.53(B,2), Loading space
 To not provide a loading space.
Proposal: To construct a mixed-use building with residential, retail and restaurant and an attached parking garage.
Applicant(s): White Castle System, Inc.
 PO Box 1498
 Columbus, Ohio 43216
Attorney/Agent: Connie J. Klema, Atty.
 PO Box 991
 Pataskala, Ohio 43062
Property Owner(s): Applicants
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov

RESULTS: APPROVED

VOTE: 4-1

MEMBER

James V. Maniace (Chair)	yes
John Behal	yes
Jim Bubutiev	yes
Michael Jones	yes
Eleanor Palmer	no

COPY

**HISTORIC DISTRICT COMMISSION
RECOMMENDATION**

VICTORIAN VILLAGE COMMISSION

This is a recommendation to the appropriate regulatory body as identified per City Code. It is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 965 N. High St.

APPLICANT'S NAME: Connie J. Klema (Applicant)

WC Partners, LLC (Owner)

APPLICATION NO.: 16-10-22

COMMISSION HEARING DATE: 10-13-16

The Brewery District Commission hereby certifies that the application for the above referenced property and a copy of this Recommendation are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

Variance or Zoning Change Request

- Rezoning
- Parking Variance
- Change of Use
- Lot Split

- Special Permit
- Setbacks
- Other

TYPE(S) OF ACTION(S) REQUESTED:

Recommend approval of application #16-10-22, 965 N. High St., as submitted:

Rezoning Recommendation Request

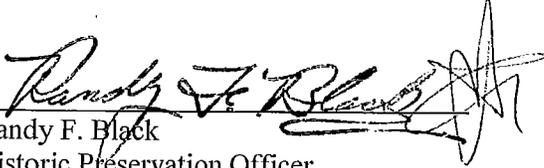
- Rezone property to Commercial Planned Development (CPD) for development as approved by the Victorian Village Commission in January & March 2016.

MOTION: Decker/Hissem (7-0-0) RECOMMEND APPROVAL.

RECOMMENDATION:

- RECOMMEND APPROVAL RECOMMEND DENIAL NO ACTION TAKEN

THIS RECOMMENDATION IS FOR CONSIDERATION BY THE DESIGNATED REGULATORY AUTHORITY FOR THE ACTION(S) REQUESTED AS INDICATED.


 Randy F. Black
 Historic Preservation Officer

