



# REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application #: 214-037/14335-00000-00551  
Date Received: 6/5/14  
Application Accepted By: TP Fee: \_\_\_\_\_  
Comments: Application assigned to Tom Proehl; vjproehl@columbus.gov  
645-2749

### LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 1299 Olentangy River Road Zip 43212  
Is this application being annexed into the City of Columbus  Yes  No (circle one)  
*If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.*  
Parcel Number for Certified Address 010-062377  
 Check here if listing additional parcel numbers on a separate page.  
Current Zoning District(s) M Requested Zoning District(s) CPD  
Area Commission Area Commission or Civic Association: 5th x Northwest  
Proposed Use or reason for rezoning request: Hotel/Restaurant  
Proposed Height District: 110 (continue on separate page if necessary)  
Acreage 2.9  
[Columbus City Code Section 3309.14]

### APPLICANT:

Name Cap City Hotels LLC  
Address c/o Indus Hotel 511 Park Street City/State Columbus, OH Zip 43215  
Phone # 614-280-0572 Fax # \_\_\_\_\_ Email dkosar@indushotels.com

### PROPERTY OWNER(S):

Name 5B Hotels LLC  
Address c/o Indus Hotel 511 Park Street City/State Columbus, OH Zip 43215  
Phone # 614-280-0572 Fax # \_\_\_\_\_ Email dkosar@indushotels.com  
 Check here if listing additional property owners on a separate page

### ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Attorney Agent

Name Jeffrey L. Brown Smith & Hale LLC  
Address 37 West Broad Street, Suite 460 City/State Columbus, OH Zip 43215  
Phone # 221-4255 Fax # 221-4409 Email: jlbrown@smithandhale.com

### SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Cap City Hotels LLC By: [Signature]  
PROPERTY OWNER SIGNATURE 5B Hotels LLC By: [Signature]  
ATTORNEY / AGENT SIGNATURE [Signature]

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
**Please make all checks payable to the Columbus City Treasurer**



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## AFFIDAVIT

(See instruction sheet)

APPLICATION # 214-037

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown Smith & Hale LLC  
of (1) MAILING ADDRESS 37 West Broad Street, Suite 460, Columbus, OH 43215

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 1299 Olentangy River Road  
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 8/5/14

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME AND MAILING ADDRESS  
 Check here if listing additional property owners on a separate page.

(4) 5B Hotels LLC  
c/o Indus Hotels  
511 Park Street  
Columbus, OH 43215

APPLICANT'S NAME AND PHONE #  
(same as listed on front of application)

Cap City Hotels LLC  
614-280-0367

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) 5th x Northwest Area Commission  
c/o Bruce McKibben  
1094 Lincoln Avenue  
Columbus, OH 43212

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property(7)

SIGNATURE OF AFFIANT

(8) [Signature]

Subscribed to me in my presence and before me this 5<sup>th</sup> day of August, in the year 2014

SIGNATURE OF NOTARY PUBLIC

(8) [Signature]  
9/4/15

My Commission Expires:

*This Affidavit expires six months after date of notarization.*



Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

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Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
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**APPLICANT**

Cap City Hotels LLC  
511 Park Street  
Columbus, OH 43215

**PROPERTY OWNER**

5B Hotels LLC  
c/o Indus Hotels  
511 Park Street  
Columbus, OH 43215

**AREA COMMISSION**

5<sup>th</sup> x Northwest Area Commission  
c/o Bruce McKibben  
1094 Lincoln Avenue  
Columbus, OH 43212

**ATTORNEY**

Jeffrey L. Brown  
Smith & Hale LLC  
37 West Broad Street, Suite 460  
Columbus, OH 43215

**SURROUNDING PROPERTY OWNERS**

Graces Bend LLC  
150 East Broad Street, Suite 305  
Columbus, OH 43215

Nationwide Childrens Hospital  
700 Childrens Drive  
Columbus, OH 43205

Orthopedic & Neurological Associates  
70 South Cleveland Avenue  
Westerville, OH 43081

North of Third LLC  
375 North Front Street, Suite 200  
Columbus, OH 43215

CSX Transportation Inc.  
500 Water Street  
Jacksonville, FL 32202

City of Columbus  
Real Estate Management  
90 West Broad Street, Room 425  
Columbus, OH 43215

Spirit Master Funding VII LLC  
16767 North Perimeter Drive #210  
Scottsdale, AZ 85260

Edwards Tribeca LLC  
495 South High Street, Suite 150  
Columbus, OH 43215



# REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services  
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

## PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.** Do not indicate 'NONE' in the space provided.

APPLICATION # 214-037

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown Smith & Hale LLC  
of (COMPLETE ADDRESS) 37 West Broad Street, Suite 460, Columbus, OH 43215  
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual  
Business or individual's address  
Address of corporate headquarters  
City, State, Zip  
Number of Columbus based employees  
Contact name and number

1. 5B Hotels LLC c/o Indus Hotels 511 Park Street Columbus, OH 43215 David Kosar	2. Cap City Hotels LLC 511 Park Street Columbus, OH 43215 David Kosar 614-280-0367
3. 614-280-0367 0 number of employees	4. 0 number of employees

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 5<sup>th</sup> day of August, in the year 2014

SIGNATURE OF NOTARY PUBLIC

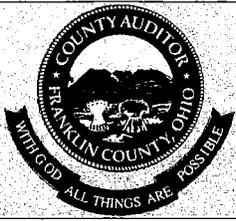
My Commission Expires:

9/4/15



*This Project Disclosure Statement expires six months after date of notarization.*  
Natalie C. Timmons  
Notary Public, State of Ohio  
My Commission Expires 09-04-2015

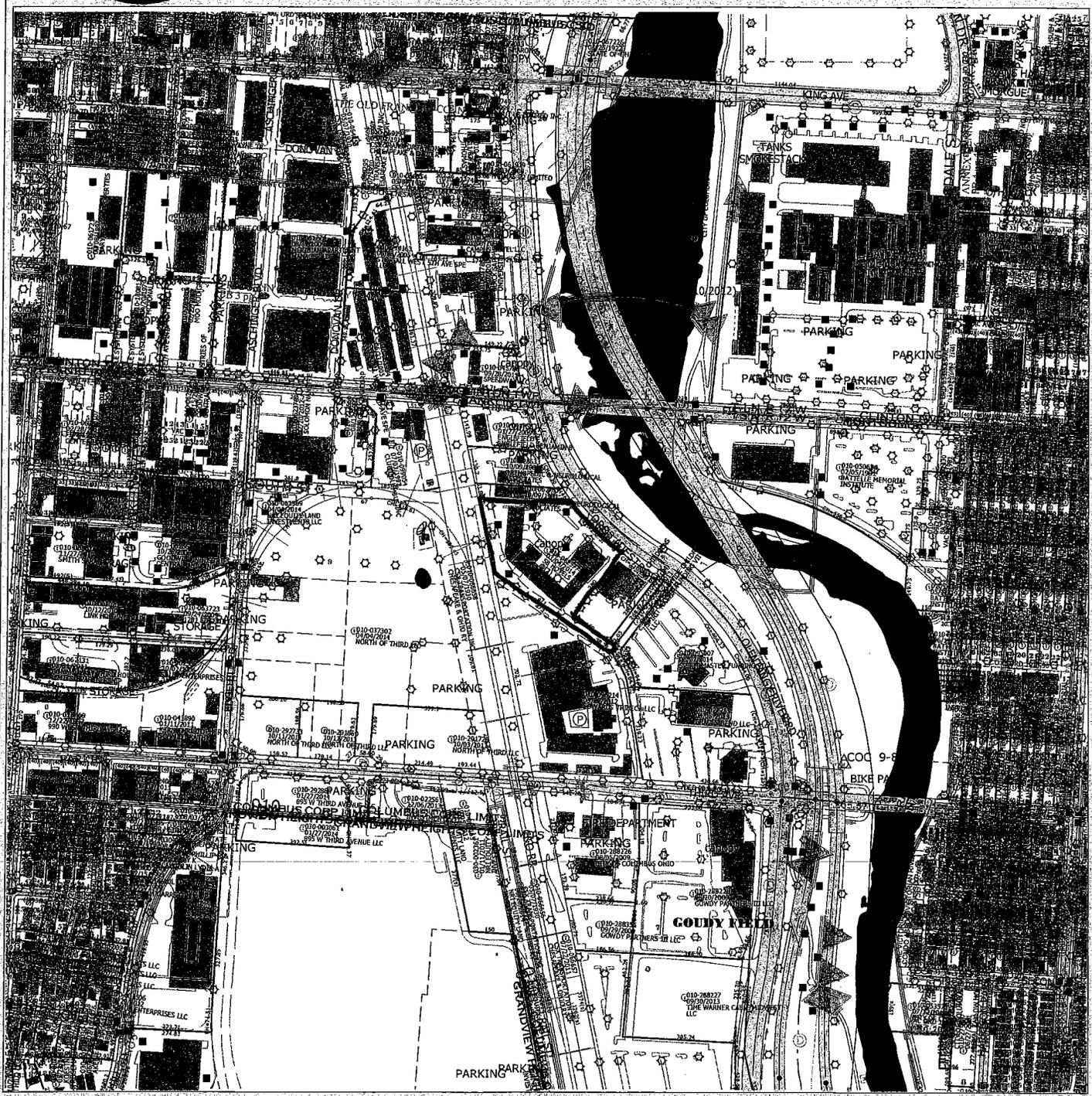
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# CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: DLH

DATE: 7/29/14



Disclaimer

Scale = 500



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.



# City of Columbus Zoning Plat



214-031

## ZONING NUMBER

The Zoning Number Contained on This Form  
is Herein Certified to Obtain Zoning, Rezoning,  
and Variances, and is NOT to be Used for  
the Securing of Building & Utility Permits

Parcel ID: 010062377

Zoning Number: 1299

Street Name: OLENTANGY RIVER RD

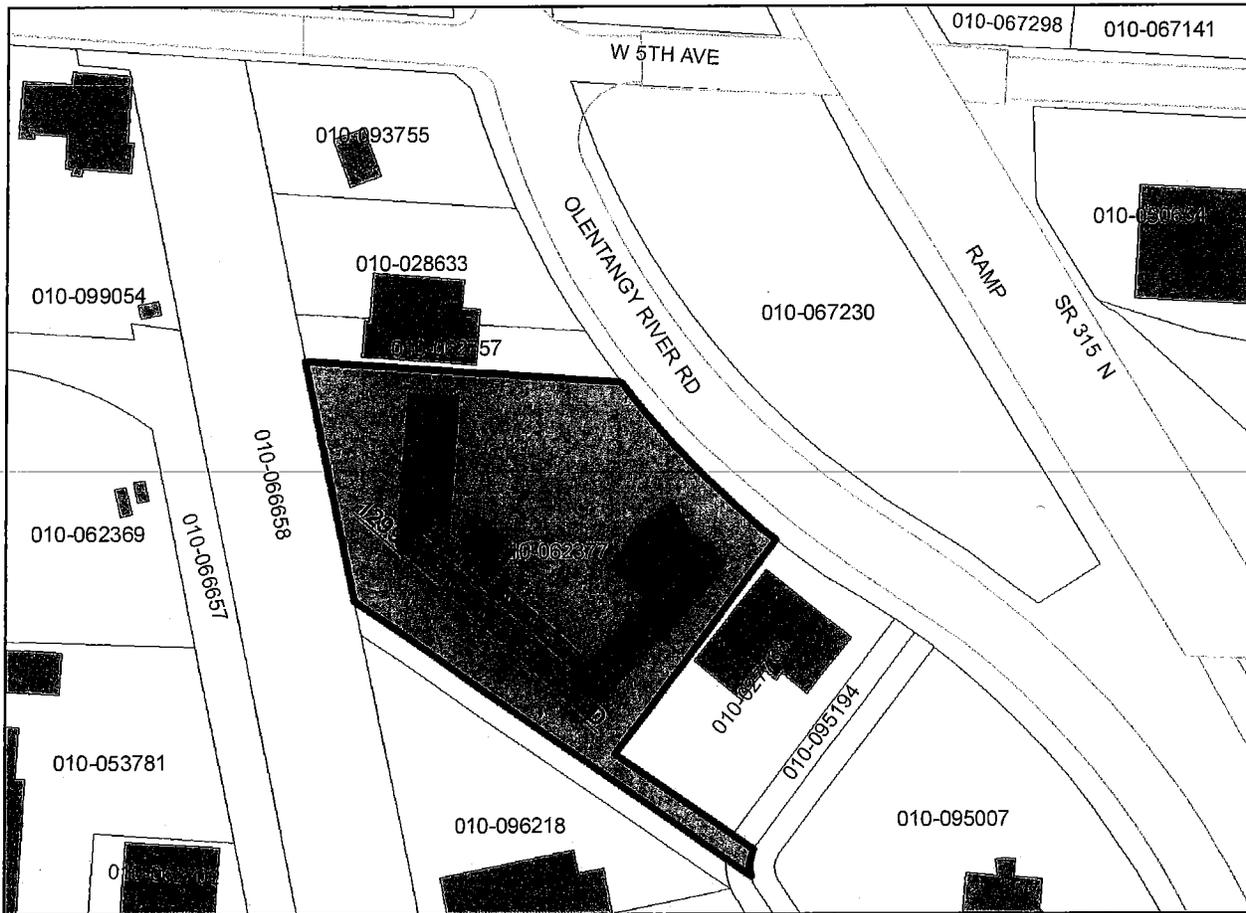
Lot Number: N/A

Subdivision: N/A

Requested By: EMHT (MATT STYPULA)

Issued By: *Alfred Cannon*

Date: 2/1/2010



SCALE: 1 inch = 200 feet

GIS NOS FILE NUMBER:



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR  
DIVISION OF PLANNING AND OPERATIONS  
COLUMBUS, OHIO

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:** 8/4/14

**APPLICATION:** Z14-027

1. **INTRODUCTION:** The site consists of an office building and a restaurant. The applicant wants to redevelop the site with two hotels, a parking garage 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. Building setback along Olentangy River Road shall be a minimum of 25 feet except for a new restaurant building in which the minimum building setback shall be zero from Olentangy River Road.

2. Parking setback along Olentangy River Road shall be a minimum of zero feet.

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 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 reduce the building setback from 25 feet to a minimum of 25 feet except for a restaurant building which would have a minimum building setback of zero along Olentangy River Road and to eliminate any setback from the interior lot lines.
- b) Section 3312.2(D) Landscaping and Screening: to reduce the width of the landscape screen from 4 feet to 0 feet along Olentangy River Road.
- c) Section 3372.707 (A)(B) and (E) Landscaping and Screening: to eliminate trees in front of the building(s) and screening for existing parking spaces along Olentangy River Road.
- d) Section 3372.709 Parking and Circulation: to permit existing parking spaces to remain in front of a building along Olentangy River Road.
- e) 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.
- f) Section 3312.49 Minimum number of parking spaces required: The total number of parking spaces is based on the whole site not just appear on an individual tax parcel.
- g) Section 3372.705 (F) Building Design Standards: the design of a hotel does not have to meet this requirement.
- h) Section 3312.13 Driveway: to permit a driveway to cross property lines.
- i) Section 3312.25 Maneuvering: to permit maneuvering for a driveway and parking spaces to cross property lines.

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 may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

3. Building Elevation. The building shall be developed in accordance with the building elevation drawing. The building elevation 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 building elevation shall be subject to review and may be approved by the Director of the Department of Building and Zoning Services, or designee, upon submission of the appropriate data regarding the proposed adjustment.

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4. CPD Criteria.

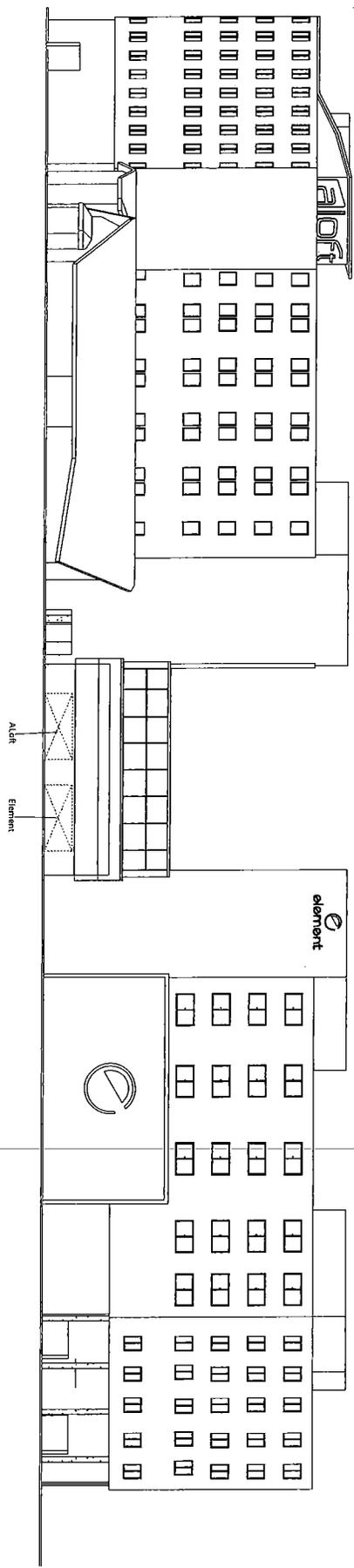
- a) Natural Environment. The site is currently developed with a restaurant and a two story office building.
- b) Existing Land Uses. The current property is zoned M, Manufacturing.
- c) Activities. The proposed development will provide hotel and restaurant uses which will provide additional commercial 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.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives does hereby agree singularly and collectively for themselves, their heirs, 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 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.

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214-831



**PRELIMINARY NOT FOR CONSTRUCTION**

Job No. 02181-000100  
 Date 26-Jul-14  
 Sheet 1 of 1



**CAPTIAL CITY HOTELS (ALOFT AND ELEMENT)**  
 1299 Olentangy River Road, Columbus, OH 43212

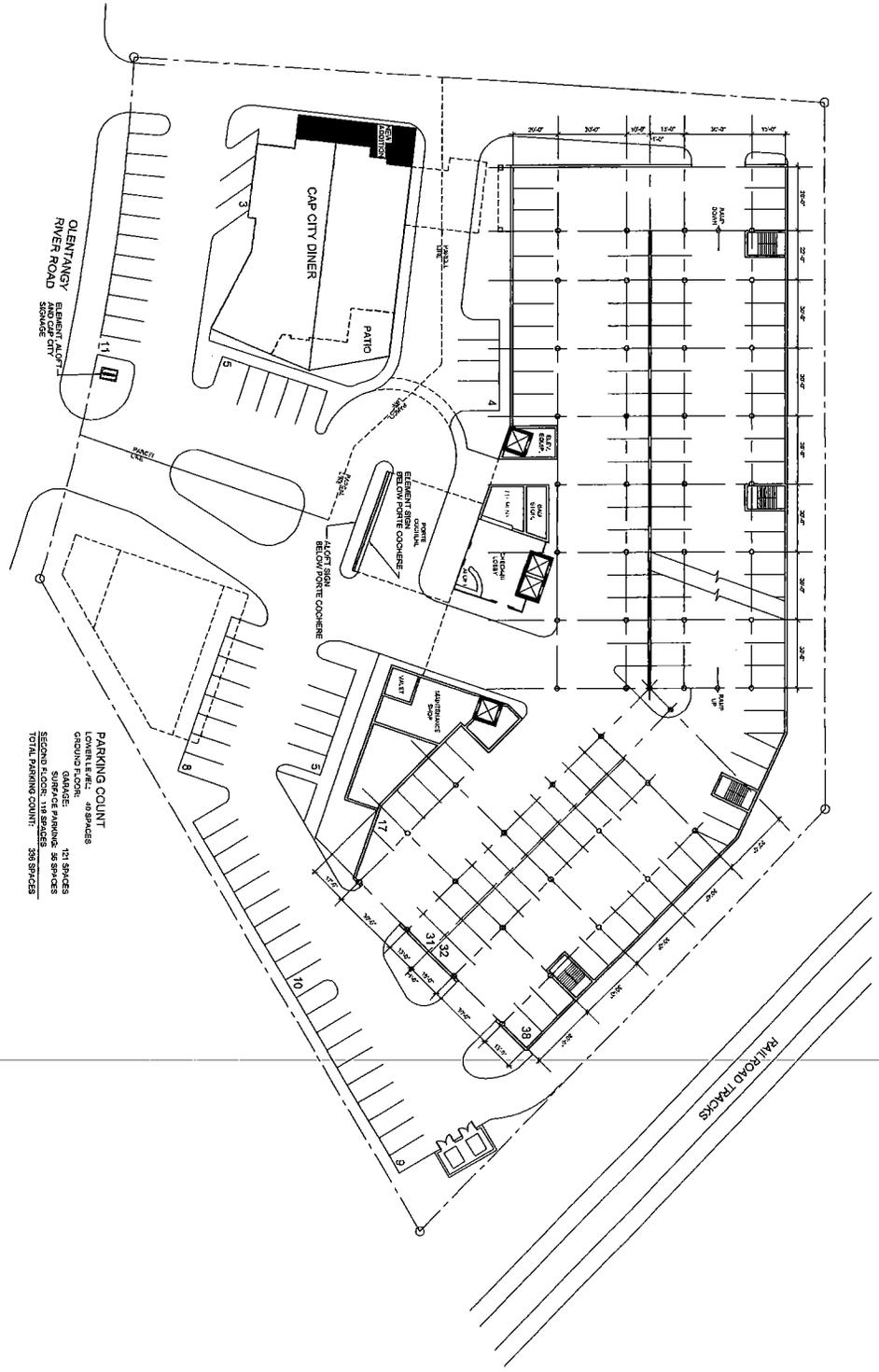
**SIGNAGE PLAN**  
Copyright © 2012 by OHM. All Rights Reserved. These documents are instruments of service for this project only and may not be used, copied or altered without our written consent.

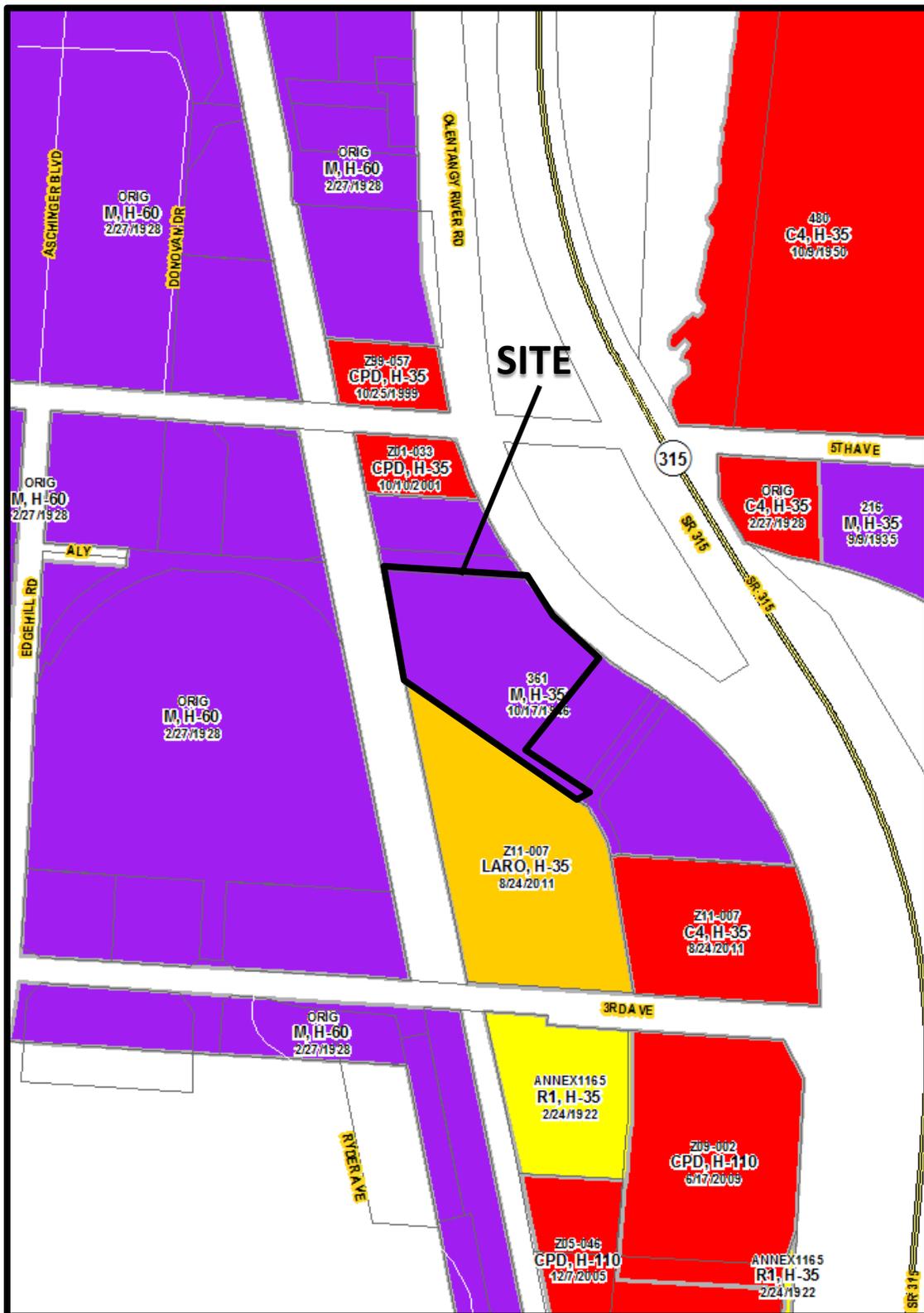
101 Mill Street, Suite 200  
 Gahanna, Ohio 43230  
 Phone 614-418-0600  
 www.ohm-advisors.com





1ST FLOOR PLAN - OPTION 2  
SCALE: 1/4"=1'-0"

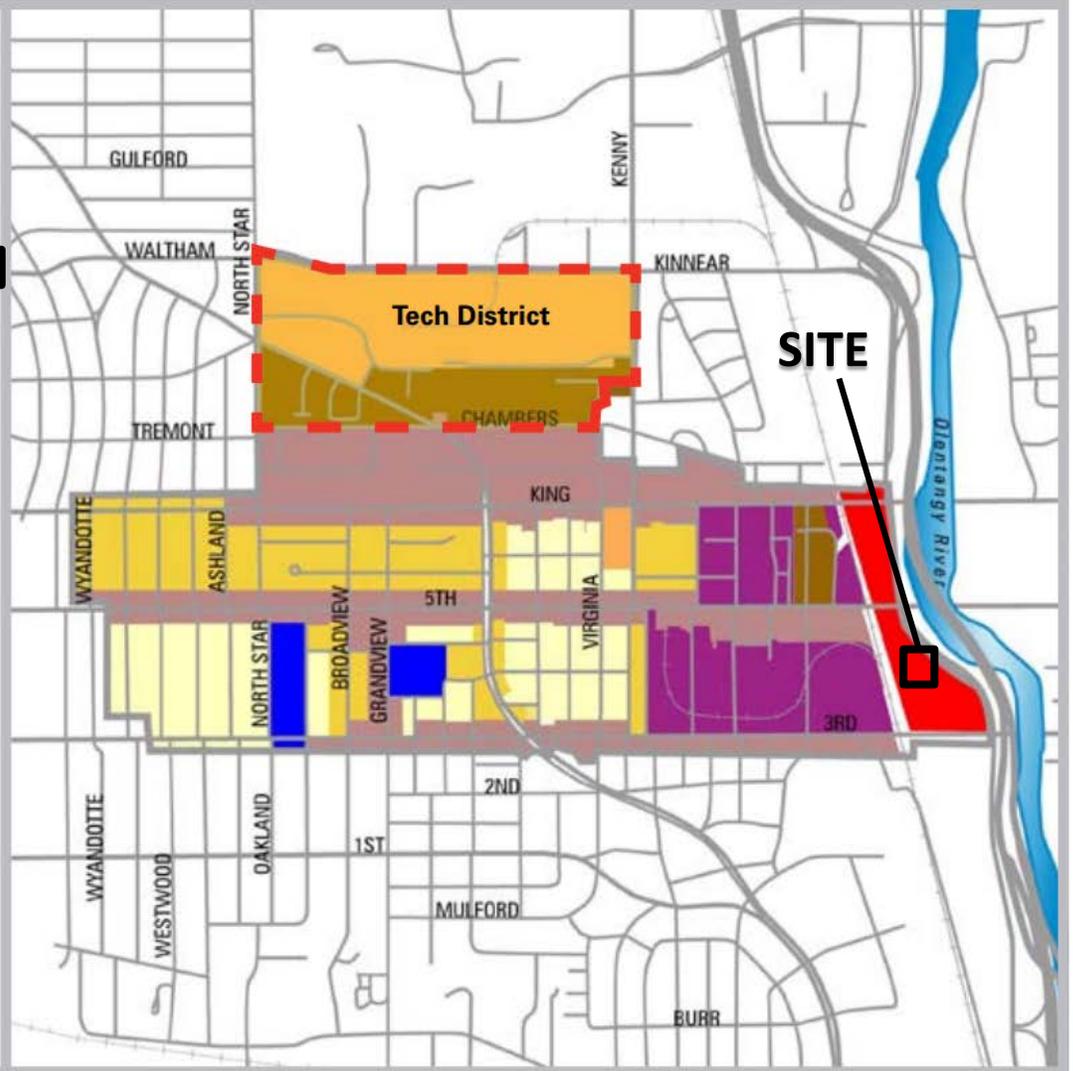




Z14-037  
 1299 Olentangy River Road  
 Approximately 2.9 acres

**Figure 7  
Land Use Plan**

- Commercial (Community)
- Industrial (Light)
- Institutional
- Mixed Use
- Office
- Multifamily
- Medium Density Mixed Residential
- Single/Two Family



Z14-037  
1299 Olentangy River Road  
Approximately 2.9 acres



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1299 Olentangy River Road  
Approximately 2.9 acres