

ZONING DIVISION

200 S. Hamilton Road Gahanna, Ohio 43230 614-342-4025 zoning@gahanna.gov www.gahanna.gov

ZONING CHANGE APPLICATION

307 and 319 West Johnstown Road Parcel ID No.(s): 025-000848, 025-000849 Proposed Use/Reason for Request: Proposed Zoning: Big Sky Realty Total Acreage: +/- 2.65			
025-000848, 025-000849 CC, Community Commercial +/- 2.65			
Proposed Use /Region for Reguest:			
Troposed Osey Redustrial Requests			
The Applicant proposes redevelopment of the site with a multi-family residential development with 60 dwelling units. Multi-Family Residential Development			
APPLICANT Name -do not use a business name: Applicant Address:			
Mitch Rubin P.O. Box 10264, Columbus, Ohio			
Applicant E-mail: Applicant Phone No.:			
mitch@bigskyrealtyohio.com 614.681.0200			
BUSINESS Name (if applicable):			
Big Sky Realty			
ADDITIONAL CONTACTS Please list Primary Contact Person for Correspondence (please list all applicable contacts)			
Name(s): Contact Information (phone no./email):	-		
David Hodge, Attorney for Applicant Underhill and Hodge 8000 Walton Parkway, Suite 260	- 1		
New Albany, Ohio 43054			
614.335.9320			
david@uhlawfirm.com			
PROPERTY OWNER Name: (if different from Applicant) Property Owner Contact Information (phone no./email):			
Harry Lewis			

APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED (see page 2)

I certify that the inforn	nation on this app	olication is complete	and accurate to the best o	f my knowledge, and that
the project as describe	ed, if approved,	will be completed in	accordance with the condi	tions and terms of that
approval. Applicant Signature: _	10/	Mado		6-25-20
Applicant Signature: _	Lava	10000	Dat	e: 0 000

NTERNAL USE

Zoning File No. <u>2-0158-2020</u>



AUTHORIZATION CONSENT FORM

(must sign in the presence of a notary)

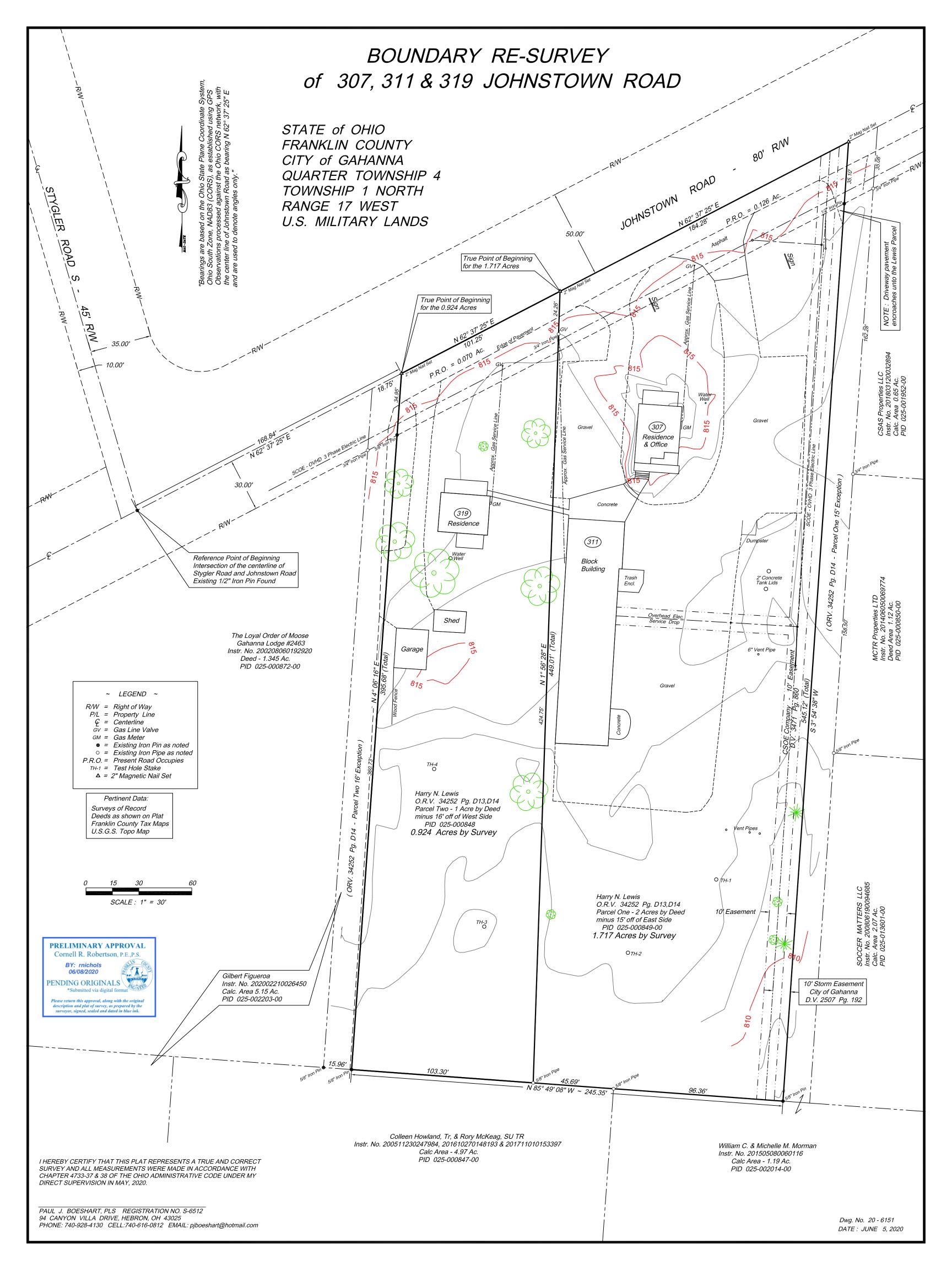
If you are filling out more than one application for the same project & address, you may submit a copy of this form with additional applications.

IF THE PROPERTY OWNER IS THE APPLICANT, SKIP TO NEXT SECTION

PROPERTY OWN	As the property owner/authorized owner's representative of the subject property listed of the applicant/representative to act in all matters pertaining to the processing and appromodifying the project. I agree to be bound by all terms and agreements made by the applicant N. Lewis	val of this application, including
State o	(property owner name printed) (property owner signature) bed and sworn to before me on this Agha day of April , 20 20. FOR Public Signature: Anna Bulden Public Signature: Anna Bulden	Anna R. Wilder Notary Public-State of Ohio My Commission Expires November 9, 2021
Applicant/Property Owner/Representative	AGREEMENT TO COMPLY AS APPROVED As the applicant/representative/ow this application, I hereby agree that the project will be completed as approved with any and any proposed changes to the approval shall be submitted for review and approval the AUTHORIZATION TO VISIT THE PROPERTY I hereby authorize City represented notice (if applicable) on the subject property as described. APPLICATION SUBMISSION CERTIFICATION I hereby certify that the information and accurate to the best of my knowledge. Big Sky Realty, LLC - Mitchell Rubin (applicant/representative/property owner name printed)	conditions and terms of the approval, to City staff. It is to visit, photograph and post
Ap	(applicant/representative/property owner signature)	(date)

we

Subscribed and sworn to be	efore me on this day of	*	207 RIAL		
State of Ohio	_ County of _ Fram Min			LAURA LEGG Notary Public, State	of Ohio
Notary Public Signature:			To My	Ly Commission Expires	10-10-202: 202
					* 85



PAUL J. BOESHART, PLS Email: pjboeshart@hotmail.com

94 CANYON VILLA DRIVE HEBRON, OH 43025

Ph: 740-928-4130

June 5, 2020 Job No. 20-6151

Surveyor's Description – All of Parcel No. 025-000848-00 ~ 0.924 Acres

The parcel herein described is known as being a part of the same lands conveyed to **Harry N. Lewis** as described in O.R.V. 34252 Pg. D-13, D-14 (Parcel Two) found recorded in the Franklin County Recorder's Office in Columbus, Ohio and is situated in the City of Gahanna and part of the Fourth Quarter of Township 1 North in Range 17 West in the U.S. Military Lands of Franklin County, Ohio and is better described as follows:

Beginning for a reference at an existing 1/2" iron pin at the intersection of the centerline of Stygler Road South (45' R/W) and the center of Johnstown Road (80' R/W);

Thence, with the center of Johnstown Road, North 62 degrees 37 minutes 25 seconds East, 168.84 feet feet to a set 2" Magnetic Nail and **the true point of beginning** for the herein described 0.924 Acres;

Thence, continuing with the said Road, North 62 degrees 37 minutes 25 seconds East, 101.25 feet to a set 2" Magnetic Nail;

Thence, leaving the said Johnstown Road and with the west line of Harry N. Lewis (O.R.V. 34252 Pg. D13, D14 – Parcel One), South 1 degree 56 minutes 28 seconds West, passing an existing 3/4" iron pipe at 24.26 feet, a total distance of 449.01 feet to an existing 5/8" iron pipe;

Thence, with the north line of Colleen Howland, Tr., & Rory McKeag, SU TR. (Instr. No. 200511230247984, 201610270148193 & 201711010153397), North 85 degrees 49 minutes 08 seconds West, 103.30 feet to an existing 5/8" iron pin;

Thence, with the east line of Gilbert Figueroa (Instr. No. 202002210026450), North 4 degrees 06 minutes 16 seconds East, passing an existing 5/8" iron pin at 360.73 feet, a total distance of 395.68 feet to the **true point of beginning**.

Containing **0.924** ACRES, of which, the Present Road occupies 0.070 Acres and being subject to all legal roads, easements and restrictions of record.

"Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (CORS), as established using GPS Observations processed against the Ohio CORS network, with the center line of Johnstown Road as bearing North 62 degrees 37 minutes 25 seconds East, and are used to denote angles only."

I, Paul J. Boeshart, (Reg. No. S-6512), hereby certify that the above description represents a true and correct survey and all measurements were made under my direct supervision in accordance with Chapter 4733-37 of the Ohio Administration Code in May, 2020.

Paul J. Boeshart, P.L.S. Registration No. S-6512



PAUL J. BOESHART, PLS Email: pjboeshart@hotmail.com

94 CANYON VILLA DRIVE HEBRON, OH 43025

Ph: 740-928-4130

June 5, 2020 Job No. 20-6151

Surveyor's Description – All of Parcel No. 025-000849-00 ~ 1.717 Acres

The parcel herein described is known as being a part of the same lands conveyed to **Harry N. Lewis** as described in O.R.V. 34252 Pg. D-13, D-14 (Parcel One) found recorded in the Franklin County Recorder's Office in Columbus, Ohio and is situated in the City of Gahanna and part of the Fourth Quarter of Township 1 North in Range 17 West in the U.S. Military Lands of Franklin County, Ohio and is better described as follows:

Beginning for a reference at an existing 1/2" iron pin at the intersection of the centerline of Stygler Road South (45' R/W) and the center of Johnstown Road (80' R/W);

Thence, with the center of Johnstown Road, North 62 degrees 37 minutes 25 seconds East, passing a set 2" Magnetic Nail at 168.84 feet, a total distance of 270.09 feet to a set 2" Magnetic Nail and **the true point of beginning** for the herein described 1.717 Acres;

Thence, continuing with the said Road, North 62 degrees 37 minutes 25 seconds East, 184.28 feet to a set 2" Magnetic Nail;

Thence, leaving the said Johnstown Road and with the west line of William C. & Michelle M. Morman (Instr. No. 201505080060116), South 3 degrees 54 minutes 38 seconds West, passing an existing 1/2" iron pin at 35.10 feet, a total distance of 545.12 feet to an existing 5/8" iron pin;

Thence, with the north line of the said Morman parcel, North 85 degrees 49 minutes 08 seconds West, 96.36 feet to an existing 5/8" iron pipe;

Thence, with the north line of Colleen Howland, Tr., & Rory McKeag, SU TR. (Instr. No. 200511230247984, 201610270148193 & 201711010153397), North 85 degrees 49 minutes 08 seconds West, 45.69 feet to an existing 5/8" iron pipe;

Thence, with the east line of Harry N. Lewis (O.R.V. 34252 Pg. D13, D14 – Parcel Two), North 1 degree 56 minutes 28 seconds East, passing an existing 3/4" iron pipe at 424.75 feet, a total distance of 449.01 feet to the **true point of beginning**.

Containing **1.717 ACRES**, of which, the Present Road occupies 0.126 Acres and being subject to all legal roads, easements and restrictions of record.

"Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (CORS), as established using GPS Observations processed against the Ohio CORS network, with the center line of Johnstown Road as bearing North 62 degrees 37 minutes 25 seconds East, and are used to denote angles only."

I, Paul J. Boeshart, (Reg. No. S-6512), hereby certify that the above description represents a true and correct survey and all measurements were made under my direct supervision in accordance with Chapter 4733-37 of the Ohio Administration Code in May, 2020.

Paul J. Boeshart, P.L.S. Registration No. S-6512



REZONING CRITERIA

ADDRESS: 307 and 319 West Johnstown Road

PARCEL: 025-000848, 025-000849

SIZE: +/- 2.65 acres

CURRENT: CC PROPOSED: MFRD

OWNER: Harry Lewis APPLICANT: Big Sky Realty

ATTORNEY: David Hodge, Underhill & Hodge, LLC

DATE: June 25, 2020

The site is located south of West Johnston Road in Gahanna's West Gateway Focus Area. The site is currently zoned CC, Community Commercial and operates as a motor vehicle body shop. The Applicant proposes rezoning the property from CC to Multi-Family Residential District (MFRD) to permit the development of a multifamily residential development. The Applicant proposes 60 dwelling units on +/- 2.65 acres for a density of 22.64 dwelling units per acre.

In accordance with Gahanna zoning code Section 1133.03 the Applicant submits the following Rezoning Criteria responses in support of the Rezoning Application:

(1) Consistency with the goals, policies and Land Use Plan of the City of Gahanna, including any corridor plans, or subarea plans. If conditions have changed since the City of Gahanna Land Use Plan was adopted, the consistency with recent development trends in the area shall be followed.

Gahanna conducted a survey in preparation of the 2019 Gahanna Land Use Plan. The survey participants generally believe that Gahanna needs more apartment and mixed-use developments. Notably, at least 60% of respondents in each age category believe that more apartments are needed. These results align with *Insight 2050* which projects Central Ohio's population to increase by a half a million to a million people by 2050. The proposed development will contribute the desired apartment residential options for the area.

The Plan recommends MDR, Medium Density Residential for the site. This is a land use type which recommends a mix of residential uses including multifamily residential at 20 dwelling units per acre. The Applicant's proposed development is generally consistent with the Plan's recommended land use.

The site sits at the southern border of the Plan's West Gateway Focus Area. The West Gateway is the most prominent entryway into Gahanna from the west and the area is bisected by US-62, which is the main route into Gahanna for those traveling to and from Downtown Columbus and the airport. It is the desired vision that the West Gateway should promote the community's identity and create a sense of arrival into the City. Its development principles include strengthening

the City's identity by anchoring the gateway with a strong neighborhood and to increase the quality of development. The proposed development will contribute to the West Gateway's vision and principles with its high quality and careful attention to enhance the West Johnstown Road streetscape thereby contributing to a strong anchor neighborhood.

(2) Compatibility of the physical features of the site with the potential uses allowed within the proposed zoning district.

The physical features of the site are very compatible for the proposed medium density residential development. The +/- 2.65 acre property is large enough where the proposed density generally aligns with the Plan while still providing opportunity to improve the streetscape. There is a thick tree line along the rear of the property which will provide a natural buffer to the adjacent single-family homes to the south. Also, West Johnstown Road is a larger road which will provide adequate access to the site.

(3) Evidence the property cannot receive a reasonable return on investment being developed with one of the allowed uses permitted under the current zoning district.

The Plan recommends medium density residential use for this site and mixed use properties in the immediate vicinity. Allowing this site to be rezoned to a multifamily residential district will allow it to contribute the residential element to the larger area's mixed-use classification per the Plan's recommendation. The proposed residential use will spur surrounding commercial uses and increase return on investment.

(4) Availability of sites within the City that are already zoned to allow for the proposed uses.

As discussed in the Plan, there is both a desire and need for multifamily residential development in Gahanna. Further, the site is located in south Gahanna. Most of the sites currently zoned for multifamily use are located in north Gahanna. The proposed development will not only address the general need for multifamily in Gahanna, but it will rectify the specific lack of multifamily zoned property in west Gahanna.

(5) The compatibility of all potential uses allowed in the proposed zone district with surrounding uses and zonings. Factors to be considered include land suitability, impacts on environment, traffic, density/intensity, uses, aesthetics, etc.

The site is currently zoned community commercial and the properties along West Johnstown Road are generally zoned either community commercial, planned industrial development, and multifamily residential. Rezoning the site to allow multifamily use will allow the site and surrounding properties to develop with a mix of uses according the Plan. Accordingly, the proposed development would complement the surrounding properties' commercial development.

(6) Capacity of infrastructure and services to accommodate demand generated of the allowed uses within the proposed zone district.

This is a low-impact proposal and existing City infrastructure is more than adequate to serve the land use.

(7) Demand for allowable uses within the proposed zone district in relation to the amount of land zoned to accommodate the demand.

As stated above, there is a desire and need for multifamily residential uses and there is a specific need in west Gahanna. The proposed development will address the general lack of apartments in Gahanna and complement surrounding commercial uses as proscribed by the Plan.

Respectfully submitted,

David Hodge

ENVIRONMENTAL ASSESSMENT

ADDRESS: 307 and 319 West Johnstown Road

PARCEL: 025-000848, 025-000849

SIZE: +/- 2.65 acres

CURRENT: CC
PROPOSED: MFRD

OWNER: Harry Lewis
APPLICANT: Big Sky Realty

ATTORNEY: David Hodge, Underhill & Hodge, LLC

DATE: June 25, 2020

The subject development will have minimal environmental impacts. The developer is making use of the appropriate zoning classification for the development.

Storm water mitigation will be engineered in accordance with all regulatory requirements by local engineers with extensive experience working in the immediate area, ultimately reviewed and approved by the Gahanna Engineer. Final engineering, including but not limited to, storm water mitigation will be subject to the review and approval of the Gahanna Engineer. At a minimum, storm water will be treated on-site for quantity and quality and will not have any off-site impact by law.

Trees will be removed as a result of the development. It is the goal of the Applicant to preserve as many trees as possible in an effort to not just provide a perimeter screening buffer, but also a wooded feel of the development as a positive attribute and as an amenity to future residents. Incorporating this natural amenity mitigates the possibility of either reflected or generated light and is clearly important to the visual aesthetics both within and outside of the property.

There will be no significant long-term noise issues, other than typical of a medium density residential use.

There are no known historical areas associated with this property that will be impacted.

The Applicant is submitting a sensitive plan in furtherance of stated goals of the City of Gahanna. All regulations will be adhered to and permitting will proceed in accordance with those regulations. The purpose of those regulations, and permitting in accordance therewith, is to provide assurances to the City of Gahanna and its residents that perceived impacts by development are mitigated.

Respectfully submitted,

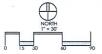
David Hodge



SITE PLAN

307 AND 319 W. JOHNSTOWN ROAD











Property Name	Address	Acres	Units	Units/Acre
Villa Nova	235 W Johnstown Road	5.89	117	19.86
Gahanna Crossing	135 Stygler	1.35	39	28.89
80 Shull	80 Shull	0.85	35	41.18
The Parc	419 Laurel Ln	7.71	180	23.35
The Huntley Gahanna	136 Town Street	1.63	32	19.63
Jefferson Pointe	882 Taylor Station Road	3	72	24.00
Residences at Central Park	800 Ellington Circle	9.98	220	22.04
101 N High Street	101 N High Street	0.35	12	34.29
131 N High Street	131 N High Street	0.26	16	61.54
Hunters Ridge	384 Morrison Road	14.29	336	23.51
Taylor Pointe	785 Cross Pointe Rd	4.141	96	23.18

AVERAGE

26.00











APPLICANT:	Big Sky Realty P.O. Box 10264 Columbus, OH 43201	
PROPERTY OWNER:	Harry Lewis 311 West Johnstown Road Columbus, OH 43230	
ATTORNEY:	David Hodge Underhill & Hodge LLC 8000 Walton Parkway, Suite 260 New Albany, OH 43054	
SURROUNDING PROPERTY OWNERS:	SKC Holdings II LLC 152 Racoon Ravine Court Johnstown, OH 43031	FREA Ltd. LLC 6835 Taggart Road Delaware, OH 43015
MCTR Properties Ltd. 7840 Graphics Way Lewis Center, OH 43035	Soccer Matters LLC or current occupant 277 West Johnstown Road Columbus, OH 43230	CSAS Properties LLC or current occupant 287 West Johnstown Road Columbus, OH 43230
William and Michele Morman or current occupant 295 West Johnstown Road Columbus, OH 43230	Loyal Order of Moose Gahanna Lodge #2463 or current occupant 335 West Johnstown Road Columbus, OH 43230	Anna McKeag, Tr., et al. or current occupant 327 West Johnstown Road Columbus, OH 43230
Gilbert Figueroa or current occupant 329 West Johnstown Road Columbus, OH 43230	JR Management Group LLC 14 West Main Street Alpine, NJ 07620	



N G I N E E R S S U R V E Y O R S

MEMO

Date: June 29, 2020

Re: Big Sky Realty – 319, 307 W. Johnstown Road Gahanna Ohio

Attn: John Moorehead, PE Gahanna City Engineer

From: Mark I. Mann, PE Director – Transportation Services

Please consider this memorandum the traffic analysis required for the above referenced multifamily development.

Introduction

Big Sky Realty intends to develop the approximate 2.65 acre site into a 60 unit multi-family development. The site is comprised of two parcels, 307 and 319 W. Johnstown Road with access to both parcel from Johnstown Road. The proposed development will also be access from Johnstown Road. Vehicle trips generated by a development of this type and size do not meet the threshold that would require a Traffic Impact Study, however, a trip generation estimate is required to determine the percentage contribution of traffic to the roadway in the design year in order to determine a dollar contribution to a future roadway improvement project.

Trip Generation

Utilizing the methodologies in the ITE Trip Generation Manual, 10th Edition, is the typically accepted way of developing traffic volumes associated with most types of development. Current zoning of the property would allow for a grocery store to be built. A grocery store (LUC 845) of about 10,000 sq. Ft., 5,000 sq. ft./ acre, would generate between 1,069 and 1,922 trips per day. This volume would have a far greater impact on the roadway system surrounding the site compared to the proposed use. Based on this Big Sky development, a multi-family residential development of 60 units, the Land Use Code 220 was be used to determine trip volumes. Based on this the average weekday traffic volume would be 439 trips per day.

Design Year (2040) Traffic

The City of Gahanna provided data on related to their thoroughfare plan. This data indicates that the 2040 Design Year ADT for W. Johnstown Road between IR-270 and Stygler Road is projected to be 10,050 vehicles per day. This traffic volume from the Thoroughfare Plan



NGINEERS SURVEYORS

typically represents the background traffic. When developing a traffic impact study site specific traffic would be added to this volume.

Therefore, to determine the percentage contribution for the Big Sky development we add the 439 daily site trips to the 10,050 daily background trips and then divide the site trips by this total trip volume.

Conclusion

The site generated traffic for the Big Sky development at 307, 319 W. Johnstown Road in Gahanna, Ohio contributes 4.2% of the overall 2040 Build Traffic on W. Johnstown Road.

Thank you for considering Advanced Civil Design.

Sincerely,

Mark I. Mann, PE

Director – Transportation Services

Mark 4. 1

Supermarket

(850)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 5 Avg. 1000 Sq. Ft. GFA: 34

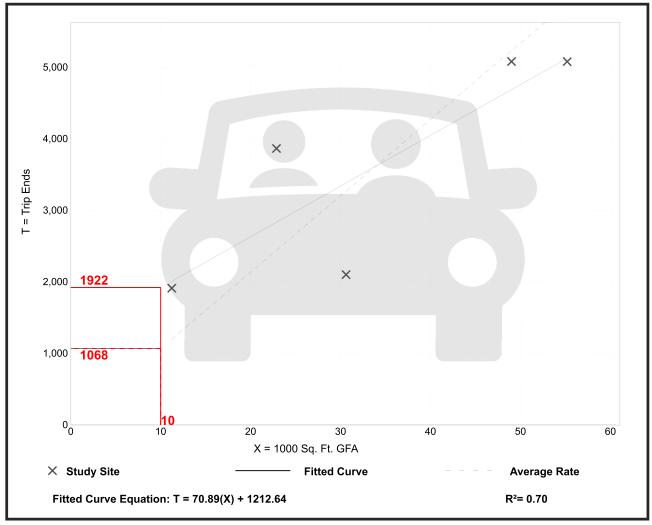
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

	•	
Average Rate	Range of Rates	Standard Deviation
106.78	68.67 - 170.24	37.56

Data Plot and Equation

Caution - Small Sample Size



Trip Gen Manual, 10th Edition • Institute of Transportation Engineers

Multifamily Housing (Low-Rise)

(220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday

Setting/Location: General Urban/Suburban

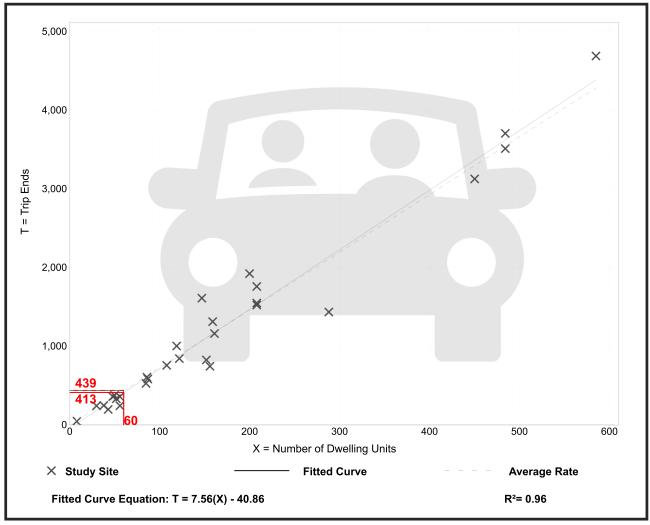
Number of Studies: 29 Avg. Num. of Dwelling Units: 168

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
7.32	4.45 - 10.97	1.31

Data Plot and Equation



Trip Gen Manual, 10th Edition • Institute of Transportation Engineers



August 20, 2020

Mitchell Rubin PO Box 10264 COLUMBUS, OH 43201

RE: Project 307-319 W Johnstown Rd

Dear Mitchell Rubin:

The following comments were generated from the review of the submitted plans and documents for the referenced project.

Building

1. Building permits and inspections will be required and the building and site will be required to comply with the Ohio Building Code and Codified Ordinances of the City of Gahanna.

Parks

2. No Comment Per Julie Prederi

Community Development

- 3. Please be aware that a rezoning sign will be required to be posted onsite. See chapter 1133 for details.
- 4. Informational Comment Please be aware that a final development plan and design review application will be required if the rezoning, conditional use, and variance are approved. A few standards to be aware of include the following: 15% open space, 15' landscape buffer adjacent to residential zoning (east, south, west), 35% lot coverage, minimum dwelling size, park fee per unit due at time of occupancy, and 25' setbacks for all property boundaries including parking setback.

Engineering

5. No stormwater management is shown on the submitted plan and the parking areas and buildings leave little space for storm water management. With this layout, underground detention will likely be necessary. This issue will be discussed in more detail in the Final Engineering Plan phase.

Public Safety

6. No Comment Received.

Fire District

- 7. Informational Comment- An email from the developer said the eaves were approximately 30 feet off the finished surface. If the structure is taller than 30 feet to the eaves, an aerial apparatus access roadway shall be provided in accordance with Section D105 of the Ohio Fire Code.
- 8. Informational Comment Not knowing the entire square footage of the project, the maximum distance from any point on street or road frontage to a hydrant is 250 feet. The distance from the middle of the proposed driveway to the closest east hydrant is 340 feet and the distance from the middle of the prosed driveway to the closest west hydrant is 490 feet. There shall be private hydrants required for

Page 2 of 2 August 20, 2020

Re: Project 307-319 W Johnstown Rd 307-319 W Johnstown Rd

the project and the number will be based on the square footage of the buildings and whether the buildings are suppressed or not. This in accordance with Table C102.1 of the 2017 Ohio Fire Code.

If you have any comments or questions, please contact me at kelly.wicker@gahanna.gov or (614) 342-4025.

Sincerely,

Kelly Wicker Administrative Assistant



PLANNING STAFF REPORT

Summary

A rezoning from Community Commercial (CC) to Multiple Family Residential (MFRD) has been requested in order to develop the site with multifamily for the property located at 307 and 319 West Johnstown Road. The request is to rezone 2.65 acres to permit 60 apartments. Requested density is 22.64 units per acre. A conditional use and variance application have also been filed. See below for additional details regarding those applications.

Please be aware that additional applications will be required if the rezoning, conditional use, and variance(s) are approved. Specifically a final development plan (FDP) and design review (DR) are required. This means that site layout, setbacks, building design, landscaping, etc are further refined through these applications. The rezoning, conditional use, and variance do not approve these elements.

Land Use Plan

The Comprehensive Land Use Plan designates the property as medium density residential. Density is recommended at between 5-20 units per acre and building height at a maximum of 40 feet. Multifamily is a permitted use.

The property is also located with the West Gateway Focus Area. Residential uses that create a neighborhood character and feel are encouraged within the Gateway. Multiuse paths are encouraged to create a connection to Creekside.

The Land Use Plan makes recommendations. It does not mandate a specific use or intensity. The applicant has provided information regarding densities of similar development in the area. Densities of this project and those of surrounding developments exceeds the Land Use Plan recommendations.

Rezoning

Planning Commission shall consider the following elements, among other criteria, when deciding the proposed change:

- 1. Consistency with the goals, policies and comprehensive land use plan of the City of Gahanna, including any corridor plans, or subarea plans.
 - The proposed rezoning to MFRD is consistent with the recommendations of the Land Use Plan. The proposed density of 22 units per acre does exceed the density recommended by the Plan of 20 units per acre.
- 2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district.
- 3. Evidence the applicant cannot receive a reasonable return in investment through developing the property with one of the uses permitted under the current zoning.
- 4. Availability of sites elsewhere in the City that are already zoned for the proposed use.

Staff is not aware of many, if any, properties that are zoned MFRD and available for development. The Land Use Plan identified that 55.6% of all city properties are used for residential purposes and of those properties approximately 10% of those properties are multifamily. The land use plan also identified that housing trends in the region are shifting from traditional large lot single family to smaller lots and multifamily.

- 5. The compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence in the value of existing abutting lands or approved developments.
- 6. The capacity of City infrastructure and services to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare" of its citizens.
- 7. The apparent demand for the type of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.

The majority of inquiries that staff receives for development opportunities are for multifamily. These inquiries typically don't result in a development application as the City has few opportunities for development. It is staff's opinion that demand is high for multifamily and the availability of land is low.

Conditional Use

Several conditional uses are required to permit the application as presented. All of the conditional uses are related to multifamily uses. The MFRD code is written differently than most of the zoning code in that density, number of buildings, building height, accessory buildings, and number of units per building are all regulated by conditional use.

- Chapter 1149.02(a)(1) Buildings containing more than eight dwelling units
- Chapter 1149.02(a)(2) Two or more residential buildings on the same lot
- Chapter 1149.02(a)(3) Additional density averaging six units per acre up to an average density
 of 18 units per acre
- Chapter 1149.02(a)(4) Buildings may exceed two stories
- Chapter 1149.02(c) Accessory buildings and uses

Requests for a conditional use shall be approved if the following four conditions are met:

- 1. The proposed use is a conditional use of the zoning district and the applicable development standards established in this zoning ordinance are met.
- 2. The proposed development is in accord with the appropriate plans for the area.
- 3. The proposed development will not have undesirable effects on the surrounding area.
- 4. The proposed development will be in keeping with the existing land use character and physical development potential of the area.

Variance

The applicant has requested the following variances in order to permit the development. It should be noted that the variance to Chapter 1109.08 requires City Council approval. Therefore, Planning Commission would only provide a recommendation on that variance request.

• Chapter 1109.08 – Public areas

- The code requires that multifamily projects donate land for recreation as part of the rezoning process. This requirement is in addition to requirements to pay a \$500 park fee and set aside land for open space. The applicant proposes to provide a dog park that is open to the public.
- Staff and the applicant have had numerous conversations regarding this unique provision. This code provision has been place for roughly forty years. Forty years ago the City had a need for additional parkland. That is not necessarily the case today. These small pocket parks often times require the City to maintain while providing little benefits to the City as a whole.

• Chapter 1149.03(b)(1) - Lot width

- MFRD requires lot width based on the number of units. 675' of lot width is required and
 285' of lot width is provided.
- Staff does not object to this variance as the correlation between multifamily density and frontage is highly unusual to be addressed in a zoning code. Lot width is typically associated with single family development in order to ensure properties are large enough to support a residential unit while providing appropriate setbacks. Multifamily developments typically don't have a specific lot frontage requirement. It should be noted that other development parameters such as setbacks and open space are required in order to ensure compatibility.
- Chapter 1149.02(a)(3)/1149.03(f) Density
 - Maximum density of 18 units per acre. Applicant has requested a density of 22.64 units per acre. The application materials contain densities of similar projects in the area.
- Chapter 1149.03(1)(5) Parking location
 - Parking shall not be closer than 25' to the front or rear of a main building. 10' is proposed.
- Chapter 1163.02 Minimum parking
 - The code requires a minimum of 120 parking spaces (two per unit). The applicant has provided 105 spaces.

Planning Commission shall not grant a variance unless it finds that all of the following conditions apply:

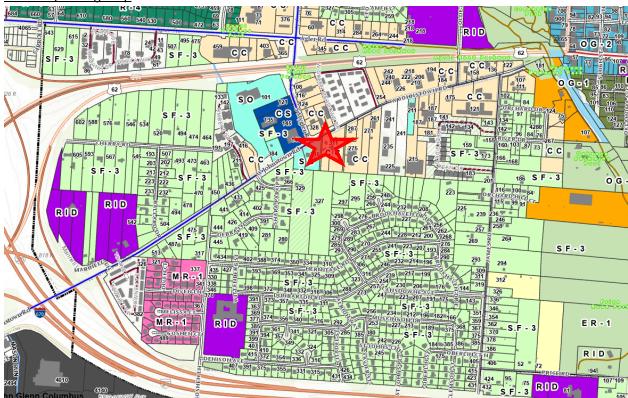
- a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially

detrimental to the public welfare or injurious to property or improvements in such neighborhood.

Recommendation

Staff recommends approval of the applications. The Land Use Plan identified a need in the City for new residential housing opportunities. New multifamily developments were identified as a priority for the City. This particular area of the City contains a wide variety of uses with several properties developed with multifamily development. The proposed rezoning appears to be in character with existing development and consistent with the recommendations of the Land Use Plan.

Location/Zoning Map



Respectfully Submitted By:
Michael Blackford, AICP
City Planner/Zoning Administrator