File No. 16070054	
Date Received: 7/1/16	
Scheduled Public Hearing Date:	

Fee:	45000
Initials	30
Check or Receipt No.	4085

APPLICATION FOR ZONING CHANGE CITY OF GAHANNA PLANNING COMMISSION

26-1-2016

	, , , , , , , , , , , , , , , , , , , ,
*Applicant's Name: Brookewood Construction Co., Inc., c/o David Ho	odge, Esq. david@uh lawfirmicor
Address: Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260,	New Albany, Ohio 43054
Company:	Phone: <u>614.335.9320</u>
	Fax: <u>614.335.9329</u>
Status: Land Owner Option Holder	Cont. Purchaser Agent
Property Location: 870 Johnstown Road, Gahanna, Ohio 43230	
Proposed Use: Condominium Development	
Proposed Zoning: MR-1 Two Family Proposed Zoning: Residential Current Zoning: SO Suburban Office	Total Acreage:2.0 +/-
Parcel ID#(s): 025-001984, 025-001954 and a portion of 025-003	3185
Developer: Brookewood Construction Co., Inc.	Phone: 614.475.5511
Contact:Doug Maddy	Title: Owner
Address: 120 North High Street, Gahanna, Ohio 43230	
Landowner: Please see attached list of propery owners	Phone:
Address:	
Signature of Landower By:	1
*Note: Planning Commission and/or City Staff may visit the property p	orior to hearing.
Applicant's Signature	Date

Submission Requirements

1. 10 copies of a Legal Description of the property certified by registered surveyor.

2. For a Limited Overlay or ROD Re-zoning, you must submit 10 copies of proposed plan **folded** (not rolled) to 81/2 X 11 inch size prior to submission, Limitation Text, and Elevation drawings.

3. A list of property owners, contiguous and directly across the street and their mailing addresses.

4. Application Fee: \$400 for first acre, \$50 for each additional acre. \$1000.00 maximum.

5. Reduced drawing to an 81/2 x 11 inch size.

6. Property must be posted in accordance with Section 1133.02 within seven (7) days after the application is accepted. Information on the sign must be approved by the Planning & Zoning Administrator prior to installation. See Figure 1 on the third page of Application Form

Additional Submission Requirements

- Street address of the subject property, together with an area map identifying the subject property in relation to surrounding properties.
- The name, signature, and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, or proof of consent from the property owner.
- The existing and proposed zoning district designation of the subject property.
- A site analysis plan illustrating existing conditions on the site and adjacent properties such as soil conditions; drainage patterns; views; existing buildings; any sight distance limitations; and relationship to other developed sites and access points in the vicinity of the property.
- A conceptual plan demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers, access spacing, any requested service drives and other site design factors.
- A written environmental assessment describing site features and anticipated impacts created by the host of uses permitted in the requested zoning district.

- A traffic impact analysis should be provided if any use permitted in the requested zoning district could generate 100 or more peak hour directional trips, or 1,000 or more vehicle trips per day; the traffic study should contrast the daily peak hour trip generation rates for representative use in the current requested zoning district; the determination of representative uses shall be made by the Planning Commission with input from City staff and/or consultants.
- A written description of how the requested zoning meets Section 1133.03 Public Hearing of the zoning ordinance. This can be achieved by addressing the Rezoning Criteria of this application form, which can be completed separately and attached to this form along with the materials listed above.

Rezoning Criteria

The applicant must provide written responses on a separate sheet to demonstrate how the proposed rezoning designation will meet the following criteria in Section 1133.03.

- 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.
- 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 (1) of the uses permitted under the current zoning.
- 4. Availability of sites elsewhere in the City that are already zoned for the same proposed uses.
- 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 (a five percent or more material reduction) 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 types 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.

In accordance with Section 1133 of the Codified Ordinance amendment as stated above has been recommended for approx on A copy of the minutes is hereby attack City Council for Final Approval.	s of Gahanna, Ohio, I hereby certify that this val by the City of Gahanna Planning Commission ned. This application can now be forwarded to
Planning & Zoning Administrator	Date

*Note: All correspondence will be to applicant above unless otherwise stated.

Revised October 2012

PROPERTY OWNERS

870 Johnstown Road LLC 870 Johnstown Road Columbus, Ohio 43230

Ram and Sri Nugooru 3625 Eyre Hall Pass New Albany, Ohio 43054

George and Vivian Parker, Co-Trs 4207 Clotts Road Columbus, Ohio 43230

APPLICANT:

Brookewood Construction Co., Inc. 120 North High Street

Gahanna, Ohio 43230

PROPERTY OWNER(S)

870 Johnstown Road LLC 870 Johnstown Road

Columbus, Ohio 43230

Ram and Sri Nugooru 3625 Eyre Hall Pass New Albany, Ohio 43054

George and Vivian Parker, Co-Trs 4207 Clotts Road Columbus, Ohio 43230

ATTORNEY:

David Hodge, Esq.

Underhill & Hodge LLC

8000 Walton Parkway, Suite 260

New Albany, Ohio 43054

CONTIGUOUS PROPERTY OWNERS:

Christian Voice of Central Ohio, Inc.

881 East Johnstown Road Columbus, Ohio 43230 Diane Bell 5266 Clotts Road Gahanna, Ohio 43230

Heartland Bank 850 North Hamilton Road Columbus, Ohio 43230

900-906 OH LLC 549 Empire Boulevard Brooklyn, New York 11225-3121 Ohio State University Physicians, Inc. 700 Ackerman Road Columbus, Ohio 43202

Forum Center LLC P.O. Box 495 Marion, Ohio 43202

LEGAL DESCRIPTION

Real property in the City of Gahanna, County of Franklin, State of Ohio, and is described as follows:

Being located in Section 2, Township 1, Range 16, United States Military Lands and being 1.077 acre of the 5.090 acre tract conveyed to George E. Parker, Jr., by deed of record in Deed Book 3183, Page 317, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point that is located South 4 deg. 41' 35" West, 5.00 feet and North 84 deg. 36' 06" West, 390.0 feet from the northwesterly corner of the said 5.090 acre tract;

Thence across the said 5.090 acre tract, South 4 deg. 44' 08" West, 268.41 feet to a point in the southerly line of the said 5.090 acre tract;

Thence along the said southerly line of the said 5.090 acre tract, South 62 deg. 18' 36" West, 115.00 feet to a point; thence across the said 5.090 acre tract, North 13 deg. 11' 17" West, 349.40 feet to a point;

Thence South 84 deg. 36' 06" East (being 30 feet southerly as measured at right angles and parallel to the centerline of Clotts Road), 204.61 feet to the point of beginning, containing 1.077 acres, more or less.

025-001954-00

037D

All OF

(0as)

DESCRIPTION VERIFIED
DEAN C. RINGLE, P.E., P.S.

14: 358 IG

10/28/04

Exhibit "A" - Legal Description

For File: 1364709

Tract One:

Situated in the State of Ohio, County of Franklin, and City of Gahanna:

Being located in Section 2, Township 1, Range 16, United States Military Lands, and being 0.923 acre of the 5.090 acre tract conveyed to George E. Parker, Jr., by deed of record in Deed Book 3183, page 317, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point that is located South 27° 41' 24" East, 59.84 feet from the intersection of the southwesterly line of the said 5.090 acre tract and the centerline of Johnstown Road (US Route 62);

Thence North 28° 59' 30" East, (being 50 feet Easterly, as measured at right angles and parallel to the centerline of the said Johnstown Road), 242.32 feet to a point;

Thence across the said 5.090 acre tract, South 13° 11' 17" East, 349.40 feet to a point in the southerly line of the said 5.090 acre tract;

Thence along the said southerly line of the said 5.090 acre tract South 62° 18' 35" West, 115.00 feet to a point at the southwesterly corner of the said 5.090 acre tract;

Thence along the said southwesterly line of the said 5.090 acre tract, North 27° 41' 24" West, 205.16 feet to the point of beginning, containing 0.923 acres, more or less.

Tract Two:

Situate in the State of Ohio, County of Franklin, City of Gahanna, being located in Section 2, Township 1, Range 16, United States Military Lands and being part of the Creative Buildings Corporation 0.493 acre tract, of record in Deed Book 3276, page 383, all references being to records in the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the centerline of Johnstown Road (U.S. Route 62), at the northwesterly corner of the said Creative Buildings Corporation 0.493 acre tract, said point being located South 28° 59′ 30″ West, 27.28 feet from the intersection of the said centerline of Johnstown Road with the centerline of Clotts Road;

Thence along the northerly line of the said Creative Buildings Corporation 0.493 acre tract, South 84° 36' 06" East, 50.70 feet to a point;

Thence South 13° 11' 17" East, 5.27 feet to an angle point in the southerly line of the said 0.493 acre tract;

Thence along the southerly line of the said 0.493 acre tract, South 28° 59' 30" West, (being 50 feet easterly as measured at right angles, and parallel to the centerline of Johnstown Road), 242.32 feet to a point;

Thence North 27° 41' 24" West, 59.84 feet to a point in the centerline of Johnstown Road;

Thence along the said centerline of Johnstown Road, North 28° 59' 30" East, 193.07 feet to the place of beginning, containing 0.253 acres, more or less.

Parcel No: 025-001984

Commonly known as: 870 E. Johnstown Road, Gahanna, OH 43230

(025)

063

1984



Brookewood

Clotts Road Condominiums

Rezoning Criteria

Brookewood Construction Co., Inc. seeks to rezone approximately 2.0+/- acres from the ER-2 and SO zoning districts to the MR-1 zoning district to accommodate a land use of six detached two-family dwelling structures in substantial conformance with the attached conceptual site plan.

The property is located southeast of the intersection of Johnstown and Clotts Road and currently consists of a home converted to an office use in the SO district, and undeveloped property in the ER-2 district. Surrounding properties to the north developed with office and residential uses, the south is undeveloped and office uses, the east is primarily single-family residential, and the west is commercial, professional, and retail uses. Surrounding zoning districts are ER-2, SO, and CC.

The MR-2 zoning district provides solely for detached, two-family dwellings and accessory uses, precisely as proposed here.

In accordance with Gahanna zoning code Section 1133.03 the applicant Brookewood Construction Co., Inc., submits the following Rezoning Criteria responses:

(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.

The plan to develop this property with detached two-family condominiums is consistent with the residential recommendation for the property. The proposal furthers the planning goal of providing a variety of housing types, as there is a dearth of this product type in Gahanna. The expectation is that these dwellings will attract empty-nesters who are downsizing, and the anticipated floor plans are geared towards this type of end user.

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

Development of the property will be substantially similar to the submitted conceptual site plan and was prepared by professional land planners and/or civil engineers. One of the parcels is currently developed with a home converted to an office use. This proposal is compatible to the physical features of the site and lends itself well to the proposed use.

(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.

Development of the property as proposed is perfectly appropriate and consistent with reasonable investment backed expectations for the real estate. There is no appreciable difference in the return on investment under the existing ER-2 and SO zoning or by the proposed MR-1 zoning district. This provides for a needed residential type and is appropriate for this property.

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

There are relatively few properties zoned MR-1 in the City. Regardless, zoning to the MR-1 to accommodate a controlled low-impact development promotes a desired diversity of housing product types in 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 uses surrounding the subject property are varied in nature. The proposal here fits beautifully on the property, considers appropriate buffers and setbacks, and has been planned in conjunction with the adjacent property owners who surrounds the property on the east and south.

(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.

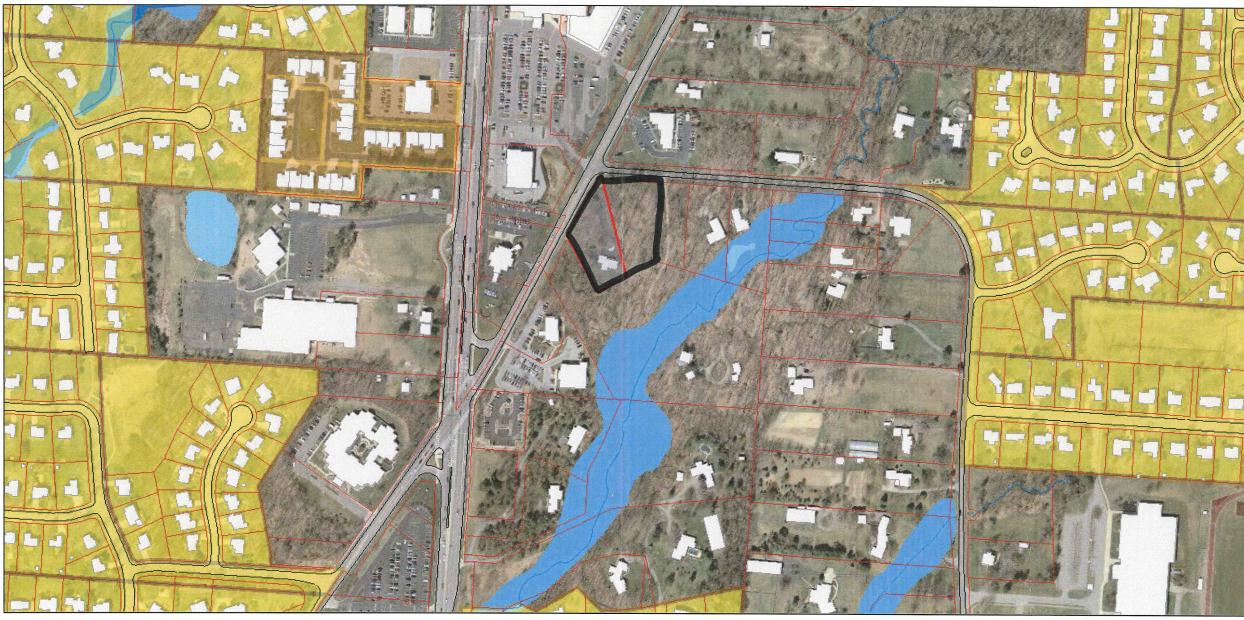
(7) Demand for allowable uses within the proposed zone district in relation to the amount of land zoned to accommodate the demand.

As zoned the property would develop with single-family residential uses, it is arguable whether the existing home converted to an office would continue as an office, though there is an exceptionally limited market for it to do so.

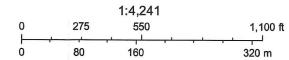
This rezoning request is consistent with the recommended land use of the 2002 Future Land Use Plan, and with stated goals of promoting a variety of housing types in Gahanna. As such, the applicant respectfully requests a recommendation of approval from the Gahanna Planning Commission, and approval of the request by Gahanna City Council.

Brookewood Rezoning Criteria June 29, 2016

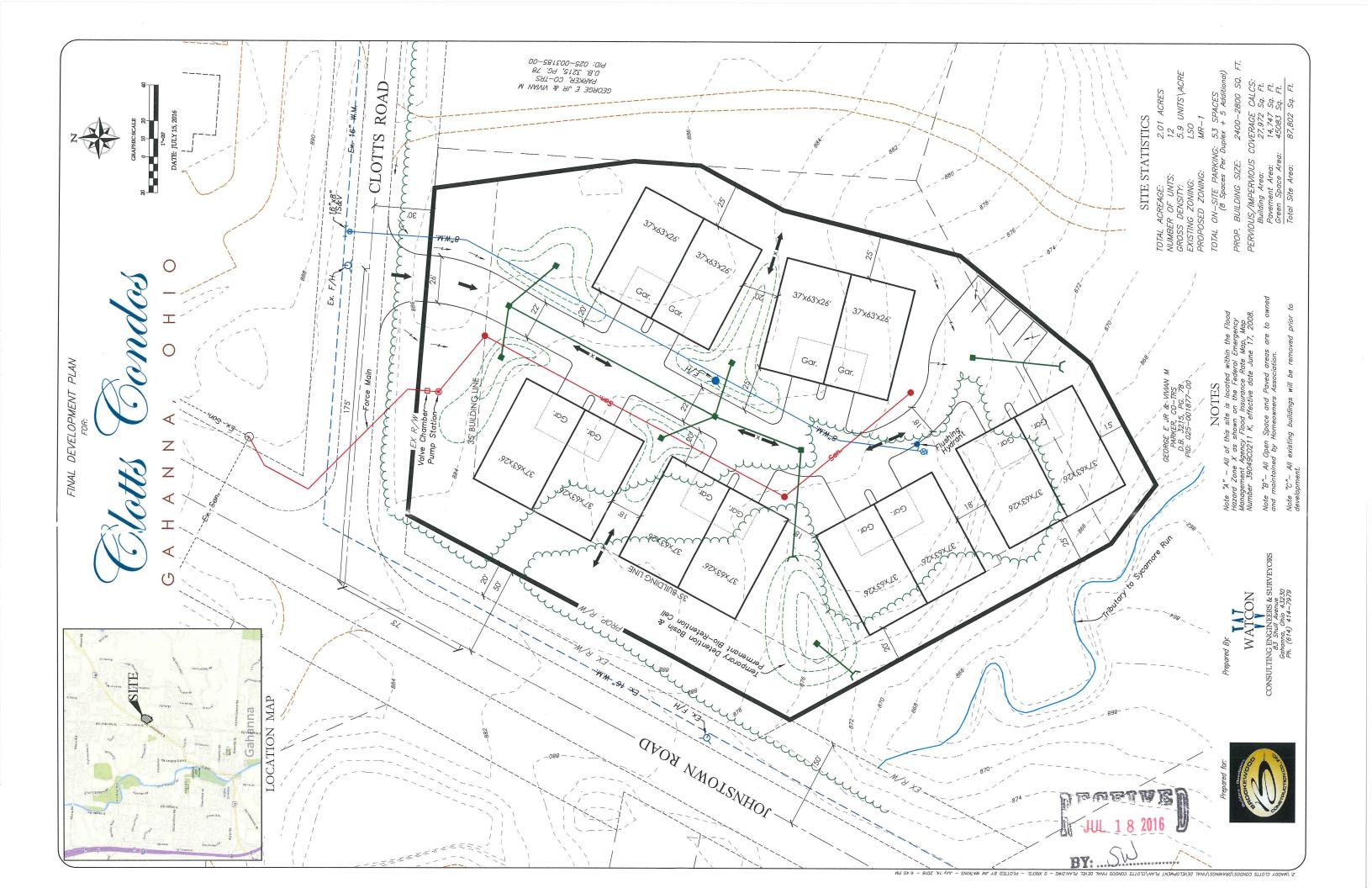
025O037D 02400



June 29, 2016



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community





STAFF COMMENTS

Project Name:

Brookewood Condominiums

Project Address:

870 Johnstown Rd

Planning and Development:

This is a request to rezone 2.0 acres from Suburban Office (SO) and Estate Residential (ER-2). The applicant is Brookewood Construction Company. The applicant proposes to develop the site with 12 units for a density of 6 units an acre.

Uses within the area are diverse and wide ranging. Properties to the west are separated by Johnstown Road and zoned Community Commercial (CC). Properties to the north are separated by Clotts Road. Some of the properties are located within Jefferson Twp., others are zoned SO. Contiguous properties to the south and east are zoned ER-2. Generally, the neighboring area is a mix of low density single family residential and medium to low intensity commercial uses.

The property is located within the North Triangle TIF. The TIF will capture the increased value of the property post construction. The applicant estimates that each unit will sell for approximately \$400,000. Based on 12 units, this would create an annual revenue source of \$63,067. Potential infrastructure projects within the TIF include but aren't limited to the following:

- Intersection improvements at E Johnstown and Riva Ridge
- Morse Rd widening between Hamilton to Trellis
- Sidewalks
- Fiber optics

Rezoning requests are subject to the goals, standards and requirements found within the 2002 Land Use Plan, corridor plans, Economic Development Strategy, and Part Eleven of the Codified Ordinances.

2002 Land Use Plan

The property is designated Single Family Residential on the Future Land Use Map. The Single Family Residential classification accommodates both single family and attached residential housing units. The recommended density for the land use is three to five dwellings per acre. The proposal is for six units per acre, therefore, it is staff's recommendation that the density be decreased to a maximum of five units per acre.



The 2002 Future Land Use Plan provides a checklist to assist in reaching a decision for rezoning applications. The checklist is meant to assist in reaching a decision, certain answers do not mandate a particular decision. Relevant checklist questions include the following:

1. Is the proposed development consistent with the City's vision?

The vision for this area has not been identified beyond the land use plan's recommendation for single family residential. The subject property is not located within any subarea plans or identified as a target site within the Economic Development Strategy. The request appears to generally be consistent with the City's vision.

2. Would the proposed development be contrary to the future land use plan?

The requested use, attached condominiums, is consistent with the permitted housing types of the land use plan. However, the proposed density of six units an acre exceeds the recommended maximum of five. Staff recommends that the density of the project be decreased for consistency with the land use plan.

3. Is the development (change) contrary to the established land use pattern?

Developments in the area are varied. However, multifamily is not an established land use within the surrounding area. Multifamily can be an effective use in transitioning from high intensity uses such as commercial to less intense uses such as single family. The property is located at the corner of a signalized intersection, typically, single family development would not be appropriate in these areas because of high traffic volumes, noise, headlights, etc. Multifamily appears to be a more appropriate use.

- 4. Will the change adversely influence living conditions in the surrounding area?
 - a. Create or appreciably increase traffic congestion;
 - b. Seriously impact adjacent areas;
 - c. Seriously affect the natural character of the land to the point of creating potential hazards.

Staff is of the opinion that the proposed rezoning will not adversely affect living conditions in the surrounding area. Traffic generation for a small multifamily project is generally less than a commercial project. Other impacts such as light pollution and noise are also less within multifamily compared to commercial.

5. Would the change create an isolated, unrelated district?





Since the majority of properties are commercial or single family, the zoning change would create an isolated zoning district. The zoning change would transition from more intense commercial uses on Johnstown Road to less intense residential uses on Clotts Road. Even though the zoning district may be isolated, it is appropriate in its location.

Section 1133 Planning and Zoning Code

1133.03 of the Planning and Zoning Code provides that the following shall be considered:

- 1. Consistency with the goals, policies and comprehensive land use plan of the City of Gahanna, including any corridor plans, or subarea plans.
 - Please see staff comments under the 2002 future land use plan.
- 2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district.
 - Staff is of the opinion that potential uses are compatible with the physical environment. A formal review of the development will occur if the zoning is approved. At that time, additional environmental analysis will be performed.
- 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.
 - The applicant's statement does not adequately address this question. Instead, a statement is made that the return on investment is similar between the proposed and the two existing zoning districts. The applicant needs to provide more analysis in order to properly answer this statement.
- 4. Availability of sites elsewhere in the City that are already zoned for the proposed use.
 - Few properties in the City are zoned MR-1. No properties in the surrounding area are zoned MR-1.
- 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.
 - Staff is of the opinion that the rezoning is compatible and appropriate with surrounding uses with the following exception of density. The land use plan recommends a density not to exceed five units per acre. Staff recommends that the density be decreased and not allow a more than ten units to be built.



CITY OF GAHANNA

- 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.
 - A preliminary review indicates that adequate infrastructure exists to serve the property.
- 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 applicant has expressed his intent to develop the properties with multifamily residential. Staff is aware of a number of studies documenting housing trends which all indicate housing preferences are shifting away from large lot, single family development. Apartments and condominiums are increasing in popularity as many individuals are renters by choice or do not want the burden of maintaining large yards.

It is staff's opinion the proposed rezoning is generally consistent with the policies of the 2002 Land Use Plan and Part 11 of the Planning and Zoning Code. Therefore, staff recommends approval with the stipulation that the density be limited to five units per acre.

Zoning Map





CITY OF GAHANNA

Future Land Use Map



Respectfully Submitted By: Michael Blackford, AICP Deputy Director





STAFF COMMENTS

Project Name:

Brookewood Condominiums

Project Address:

870 Johnstown Rd

The applicant's request is to rezone the proposed 2.0 ac. parcel from L-SO (Limited Overlay Suburban Office and Institutional) to MR-1 (Two Family Residential). This is a low density zoning (5 units/acre) which will accommodate 10 buildings. There is currently no undeveloped land in the City with the MR-1 one classification.

The units are proposed to be higher end individually owned condos, with none for rent.

The access to the property will be from Clotts Road as suggested by the City Engineer.

This project will need to return to Planning Commission for a Final Development Plan and a Certificate of Appropriateness review if Council approves the zoning change request.

1133.03 - PUBLIC HEARING.

(a)

(1)

Before submitting its recommendations concerning the application before it to Council, the Planning Commission shall hold at least one public hearing on such application.

At such hearing, the applicant shall present a statement addressing the following criteria and adequate evidence in such form as the Planning Commission, and subsequently City Council, may require, aiding the Commission in its deliberation on the issue. The development department staff shall provide an administrative report that includes comments from both the Zoning Division and the Economic Development Division.

(b)
In deciding on the change, the Planning Commission shall consider, among other criteria, the following elements of the application including but not limited to:

- (1) Consistency with the goals, policies and comprehensive land use plan of the City of Gahanna, including any corridor plans, or subarea plans.
- (2) Compatibility of the site's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district.
- (3) Availability of sites elsewhere in the City that are already zoned for the proposed use.





CITY OF GAHANNA

- (4)

 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 (a five percent or more material reduction) in the value of existing abutting lands or approved developments.
- (5)

 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.
- (6)
 The apparent demand for the types 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.

Respectfully Submitted By:

BONNIE GARD

Planning & Zoning Administrator Department of Public Service Division of Building & Zoning

Zonnie Gard



Mifflin Township Division of Fire Fire Inspection Bureau

475 Rocky Fork Blvd., Gahanna, OH 43230 Phone: (614) 471-0542

/oning	('hanaa	POMOM
	Change	LEVIEW
	011011190	

Applicant

Brookewood Condominiums

870 Johnstown Road Gahanna, OH 43230

RE: ZC - 870 Johnstown Rd. - Brookewood Condominiums

These are one and tow family dwelling and since there are less than 30 units, there are no roadway requirements from the fire division.

Additional requirements and comments could follow after plans are submitted and the review process starts

July 20, 2016	
Date	Steve Welsh, Captain, Fire Marshal



STAFF COMMENTS

Project Name:

Brookewood Condominiums

Project Address:

870 Johnstown Rd

No comments on the zoning change.

Respectfully Submitted By: Robert S. Priestas, P.E.

