



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers
47 Hall Street
Wednesday, July 10, 2019
7:00 P.M.

1. SKETCH PLAN REVIEW

Applicant: Redwood USA, LLC
Location: 3041 Home Road
Existing Zoning: Planned Industrial District (Powell) & Industrial District (Liberty Township)
Proposed Zoning: Planned Commercial District (Powell)
Request: Review a sketch plan proposal to annex two parcels from Liberty Township into the City and rezone the resulting four contiguous parcels from Planned Industrial to Planned Commercial in order to construct a multi-phase mixed-use development that includes multi-family, office and assisted living on approximately eight (8) acres.

Aerial Site Image: <https://goo.gl/maps/4f2WqjHWz6cR9efx5>

Project Background

The current owner had his business on this property for many years and is now relocating the business to downtown Columbus. As a result, this land is available for sale and Redwood USA, LLC went into contract with the owner. The applicant went before City Council on July 2 to obtain a [resolution](#) specifying the services the city would furnish. City Council voted 4-3 on the resolution.

The applicant concurrently is submitting this development plan for review while the annexation process is commencing. The submitted plan is the applicant's sketch plan for P&Z's review.

Proposal Overview

To rezone the property (including the Liberty Township Parcels) to Powell's Planned Commercial District (PC), and construct three hundred and forty-three (343) multi-family dwelling units (with a density of 5.54 dwelling units per acre) together with an assisted living facility, skilled nursing facility, memory care facility, medical or medical related facility, and/or similar facility on approximately eight (8) acres.

As noted above, the applicant started the annexation process concurrently with P&Z development plan process. The aim of the applicant is to have both the final development plan and annexation approved by Council at the same time.

Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(a), the Commission shall review the Sketch Plan with the Owner and provide the Owner with comments during the meeting, it being understood that no statement by officials of the City shall be binding upon either. This submission is informal and for the purpose of establishing communication and discussing the concept for developing the tract. No formal action will be taken on the Sketch Plan.

Staff Comments

The owners and Redwood USA met with Staff and Council representatives to discuss possible options before a formal submission. At these meetings, Staff suggested a mixed-use development with commercial fronting Home Road to be consistent with the Comprehensive Plan. At that meeting, there was discussion of a commercial user along Home Road to retain some of the commercial feel/use along Home Road. At that time, a northward growth corridor existed. This corridor no longer exists for the City.

The City no longer has the northward growth corridor the Comprehensive Plan specified as a growth option (P.27 of Comprehensive Plan). Recently, Liberty Township approved a POD that effectively blocked the City's ability to annex to the north. This has numerous impacts but one of which is the re-thinking of Powell's existing land use mix and what assets we have remaining. The land in this proposal is some of the last remaining industrial land the City has. If it were to convert to residential, the City would miss future industrial/commercial opportunities that could come to the City and provide numerous tax and service benefits to the residents. It is with that thinking that staff is hesitant to support converting some of the only land left for economic development to a residential use, which we already have a great deal of in the city (approximately 50% of the City's land use). It is in the City's best interest to keep uses within city to help sustain itself fiscally. Losing an income generating land use such as this could have future negative impacts on the city.

The Comprehensive Plan also mentions strategic annexation as a possible growth strategy. The two parcels outside of Powell would be strategic to obtain as they would along frontage onto Home Road and if this was a commercial proposal, add to Powell's commercial land. As it is not, it is not strategic to annex this land solely for frontage on Home Road.

As for the development, another type of housing would be helpful. This is true when viewing the market analysis conducted by VSI in 2018. However, weighing the cost and benefits of different housing stock versus keeping industrial land. Staff believes that retaining the industrial land will have great benefits in the end for the City and its residents. There is no certainty at this time whether a future industrial/commercial use will come but it would not be prudent to build what is profitable today and forgo future benefits. Once a use such as this is converted to residential, it normally does not revert. As such, the City needs to protect these uses.

Staff Recommendation

Staff recommends the applicant submit a revised sketch plan that is more in line with the City's Comprehensive Plan. One that has much more industrial/commercial uses.

2. AMENDING AN APPROVED FINAL DEVELOPMENT PLAN

Applicant: Beverage Refoundry Ltd dba The Daily Growler
Location: 258 W Olentangy
Existing Zoning: Planned Commercial District
Request: To an amendment to a final development to allow the expansion of an existing patio to add a bocce court and more seating.

Aerial Site Image: <https://goo.gl/maps/v2u9C3CRWGi1Gsu48>

Project Background

The applicant moved into this space approximately five years ago and over that has established a strong following in the community. Today, the applicant is looking to expand the business and add a bocce court and more seating for the patrons.

The applicant came before Development Committee on July 2 to discuss this request. Specifically, needing to encroach on City right-of-way (ROW). The Committee said they have no issue with the request. If approved by P&Z, the applicant will return to Council on July 16 for the use of the ROW.

Proposal Overview

The applicant is proposing a bocce ball court on the west side of his building and add more seating (although it is unclear where by looking at the plans).

Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(r), all plats, once a final development plan for a planned district has been approved by Council, all subsequent substantial changes to that plan shall only be permitted by resubmission as a new substitute plan and repatriation of the procedures established in these sections. "Substantial change" for the purposes of this section shall mean any modification of an approved planned district development plan, as determined by the Zoning Administrator that results in:

1. Any increase in the number, or change in the type and/or mix of residences, and/or non-residential building area or land use;
2. Decrease in the approved minimum lot size, number of parking spaces to be provided, and/or trash storage areas;
3. **Change in the approved location of land uses, land use subareas or sub-elements, streets, public or private parklands and other public facilities, and/or natural environmental preserves or scenic easements by more than thirty (30) feet;**
4. Reduction in area of public and/or private parklands or other public facilities and/or natural environmental preserves or scenic easements;
5. Alteration of the basic geometry and/or operational characteristics of any element of the approved street pattern, parking facilities, service access, trash storage facilities, and/or system of pedestrian and/or equestrian paths that results in a change in operating characteristics or character;
6. Any circumstance below the minimum requirements established in this Zoning Ordinance or as required in the approval of a conditionally permitted use in a planned district.

Staff Comments

Staff is pleased with the expansion of the business by adding additional seating and a bocce court. An investment by an owner into their business goes a long way in business retention and the continued growth of the business itself. Powell, as a business friendly community, commends the owner for this proposed investment.

Some items that Staff want to highlight for everyone's benefit are as follows. One, the removal of the tree for the court should lead to the planting of another tree somewhere on the site as a replacement. Second, the applicant is aware that they are going to need Council approval in order to build in the City's ROW. The applicant is planning to go before Council on July 16, 2019 to gain full approval for use of the ROW. Third, a county sanitary line runs under the ROW. Staff contacted the County and received a letter (attached to submittal) stating that they are fine with the building of the bocce ball court there.

Staff Recommendation

Staff recommends approval of this application upon completion of the following recommended conditions:

1. That the applicant work with the Delaware County Sanitary Engineer's Office to ensure there are no issues with the sanitary sewer line and its easement.
2. The applicant work with the building and engineering department and satisfies their requirements.