



1. CERTIFICATE OF APPROPRIATENESS

Applicant: Huli Huli
Location: 26 W. Olentangy St.
Existing Zoning: DB – Downtown Business District
Request: Review and approval of patio improvements at the back of the existing building.

Aerial Site Image: <https://goo.gl/maps/MtaVKaxksVQhGhXW7>

Project Background

Since 2016, several proposals for this site have been reviewed by HDAC & P&Z. In 2018, P&Z issued a final approval to renovate the building and convert the space into a bar/tavern named Huli Huli. Mr. Sun came before Planning and Zoning in July of 2020 seeking approval to create a permanent patio space on the property. The proposal was approved by the Commission with the condition that the applicant return prior to construction to gain approval of a Certificate of Appropriateness after completion of the drawings.

The Commission reviewed this proposal for a Certificate of Appropriateness at the December 9, 2020 meeting. At that meeting, the Commission tabled the review, and requested the Historic Downtown Advisory Commission review the architecture and provide comments back to the Planning and Zoning Commission for their consideration. Huli Huli’s proposal was reviewed by HDAC on February 18, 2021. The HDAC staff report and meeting minutes are attached. Generally, HDAC supported the proposal as well as the additional detail provided by the applicant in terms of materials, colors, and lighting.

Proposal Overview

The applicant is proposing patio and site improvements to the rear of his property. The proposal includes demolishing existing fencing, steps, a ramp, railing, and a screen wall to create room for a redesigned space with a covered patio and outdoor bar. Lighting is proposed to be added to the parking lot, and the lot will be restriped to accommodate six parking spaces.

Changes since the Last Submission

The applicant has updated architectural elements to address staff and Commission comments. Materials are also now provided in the packet.

Ordinance Review

In accordance with the requirements of codified ordinance [1143.18\(i\)\(2\)](#), any change in the outward appearance of a property within the Downtown District shall require approval of Certificate of Appropriateness by the Planning and Zoning Commission if any change in the outward appearance of a property within the Downtown District results in one or more of the following:

- A. The plans call for a new non-residential structure or addition of occupied space to an existing non-residential structure, whether principal or accessory; or
- B. The plans call for two or more new residential dwelling units; or
- C. There will be a demolition of a structure larger than seventy-five (75) square feet in ground floor area; or
- D. There is a request for rezoning, zoning variance, or subdivision of land within the Downtown District. In accordance with the requirements of codified ordinance 1143.18(a), the purpose of the Downtown District Overlay District (herein after referred to as the "Downtown District") is to promote the public, health, safety, and welfare by providing for the regulation of the downtown area through a single, unified district. This district is created to permit the careful and coordinated physical planning, development, and redevelopment of the land, and to provide flexibility in the

location of land uses, housing types, and intensity. This district shall preserve, protect, and promote the historical nature of downtown by pursuing development that encourages a mix of uses in a manner that is safe, pleasant, convenient, and in context with the history of the area. It is also the purpose of the Downtown District to:

- (1) Safeguard the heritage of the City by preserving sites and structures within the historic central core of the City that reflect the City's history and its architectural history.
- (2) Stabilize and improve property values.
- (3) Strengthen the economy of the City by promoting business development through the allowance of buildings that provide flexible commercial opportunities yet in keeping with the village scale and character.
- (4) Protect and enhance the City's attractions to residents and visitors.
- (5) Enhance the visual and aesthetic character, diversity, and interest of the City's history.
- (6) Foster civic pride in the beauty, human scale, and human details of the City's history.
- (7) Promote excellence in small town design, incorporating elements that are consistent with the existing character of the area.
- (8) Promote the use and preservation of historic sites and structures for the education and general welfare of the people of the City.
- (9) Preserve sound existing housing stock in the historic central area of the City and safeguard the residential scale of the district and the character of sub-areas that are primarily residential in character.

Comprehensive Plan Consistency

The Comprehensive Plan analysis from previous meetings remains valid:

The proposal of the renovation is in line with the city's 2016 Comprehensive Plan. Specifically, in regards to the following guidelines.

- Guiding Principle (pg. vi): The historic, small town charm of Downtown Powell should be preserved and enhanced. Downtown Powell should be a vibrant, accessible center of the community with a diverse mixture of uses and activities.
 - Staff believes the proposed renovation improves the property's compatibility with this principle.
 - The renovation is designed in a way that will better match the development style seen elsewhere in Powell. The construction materials used and the change in architectural style are two notable enhancements.
 - The addition of a dine-in/carryout restaurant adds diversity of building use to the Downtown corridor.
- Mixed Use Village Center Guidelines (pg. 30): Renovation proposal meets many Development Guidelines for the Mixed Use Village Center.
 - Commercial and mixed use buildings should be located adjacent to the public sidewalk with prominent main entrances and storefront windows.
 - High quality materials and architectural detailing is critical to ensure new development contributes to the village character.
 - Shared and interconnected parking areas should be provided behind commercial buildings. Parking lots should be physically linked together or accessible from public alleys.

Staff Comments

Staff comments address the following relevant code sections:

- 1149.07 Parking Space Requirements
 - (b) Business Related Uses
 - (8) Eat-in restaurants: Twenty five spaces, or one for each three seats, plus one for each two employees, whichever is larger.
- **Staff Comment:** Based on the proposal the Code requires a maximum of 25 spaces for this business. Please see below for further analysis.

- [1143.16.2 DB – Downtown Business District](#)

- (h) Parking Regulations

- (1) Useable on-street curbside parallel parking spaces on streets which the relevant property abuts may be counted toward meeting the parking needs of the abutting use.
 - (2) The number of off-street parking spaces required to be provided may be reduced in the Downtown Business District at the discretion of the Planning and Zoning Commission to one-half that required in other districts for the same use. Notwithstanding this provision for uses within the Downtown Business District, those uses that generally require a larger amount of parking for higher capacity turnover business, such as but not limited to restaurants and bars, shall not be reduced in half, but can be planned for some reduction as approved by the Planning and Zoning Commission as an Administrative Review if allowances are made for parking spaces that can be utilized on adjacent or nearby properties (public or private) that is a reasonable plan for sharing parking spaces.

- **Staff Comment:** The Planning & Zoning Commission approved the Huli Huli Final Development Plan with the 50% parking reduction in 2018 per the above Code section. The current occupancy allows for 68 patrons. Huli Huli has an average of 6 employees working at a time, so the parking calculation would be:

- 68 occupants = $(68/3) + (6/2) = 25$

- OR 25 spaces, whichever is larger

- The Zoning Code is silent on the number of parking spaces required for a patio space and historically, the City has not required outdoor dining patios to provide additional parking. Given the previous approval, by the Commission, to allow a 50% reduction in the number of spaces the applicant needs to provide, Huli Huli requires 13 parking spaces. Based on this application, Huli Huli can provide a total of 15 parking spaces:

- 6 parking spaces on-site

- 6 parking spaces at Dr. Waddell's property (Parking Agreement)

- 3 on-street curbside parallel parking spaces which abut the restaurant

- The 15 parking spaces meets the parking requirement per code and the approved Final Development Plan.

Staff has determined that this submission is consistent with the Comprehensive Plan, Powell Architectural Guidelines, and Ordinances. The proposal also meets the purpose of the Downtown District. The Huli Huli patio improvements will:

- Strengthen the economy of the City by promoting business development through the allowance of buildings that provide flexible commercial opportunities yet in keeping with the village scale and character.
- Protect and enhance the City's attractions to residents and visitors.
- Enhance the visual and aesthetic character, diversity, and interest of the City's history.

[Staff Recommendation](#)

Staff recommends approval of the Certificate of Appropriateness.