



AGENDA ITEM ANALYSIS

Project/Issue Name: 23-38 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 40 Acres of Real Property Located at the Intersection of South Farm Road 101 and West Farm Road 170, from Planned Development District (PDD) to Boyce Mixed-Use Planned Development District (PDD).

Submitted By: Chris Tabor, BUILDS Principal Planner

Date: September 19, 2023

Issue Statement

Jeffrey Boyce Enterprises, LLC applied to change the Zoning Classification of approximately forty (40) acres of property located northwest of the intersection of West Farm Road 170 and South Farm Road 101 from Planned Development District (PDD) to Boyce Mixed-Use Planned Development District (PDD).

Discussion and/or Analysis

The property subject to this Rezoning Application is comprised of approximately 40 acres of land located Northwest of the intersection of West Farm Road 170 and South Farm Road 101. The property is currently unimproved agricultural property containing no structures.

Applicant's Proposal

The Applicant is proposing the Rezoning of this property to a Planned Development District (PDD) to allow for a mixed-use development consisting of 7 General Commercial (C-2) Lots, 1 Multi-Family Residential (R-3) Lots, and 2 Regional Detention Basin Lots. The Development Plan also contains new water, sanitary sewer, and stormwater systems to support the development and a required Collector class road connecting US Hwy 60 with West Republic Road.

Design Elements of Development Plan

Commercial Use (Lots 1 – 6 and Lot 8) – 22.88 Acres

Lot 1 – 1.68 Acres

Lot 2 – 1.94 Acres

Lot 3 – 4.35 Acres

Lot 4 – 4.40 Acres

Lot 5 – 3.99 Acres

Lot 6 – 2.58 Acres

Lot 8 – 3.94 Acres



All Commercial Lots comply with the regulations and restrictions for the General Commercial (C-2) Zoning District, including but not limited to:

- Permitted Uses
- Setbacks
- Landscaping/Buffering

Additionally, Lot 8 will have a 25' setback from the southern property line to provide additional distance between adjacent residential use lots and the commercial occupant.

Multi-Family Use (Lot 9) – 9.00 Acres

Lot 9 – 9.00 Acres

Lot 9 will comply with the following regulations and restrictions:

- Permitted Uses in compliance with Multi-Family (R-3) Zoning District
- Setbacks in compliance with Multi-Family (R-3) Zoning District
 - 50' Setback along west property line to provide additional distance between adjacent residential use lots and the multi-family property
- Maximum Density of 23 Dwelling Units (DU) per Acre; 207 total DU
- Parking for Lot 9 will be compliance with the City's Off-Street Parking and Loading Requirements with the following exception: Parking to be calculated at 1.64 spaces per unit.
 - Typical Multi-Family Residential parking requirement is 2 spaces per unit.

Regional Detention (Lot 7 and Lot 10) – 3.17 Acres

- Regional Detention and Water Quality Basin
 - Lot 7 – serves Lot 1, Lot 2, Lot 3, Lot 4 (western half), Lot 7, and Lot 8
 - Lot 10 – serves Lot 4 (eastern half), Lot 5, Lot 6, Lot 9, and Lot 10

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

Consistency with the Planned Development District (PDD) Ordinance

The purpose of the Planned Development Regulations is to allow for mixed-use, unconventional, or innovative arrangements of land and public facilities, which would be difficult to develop under the conventional land use and development regulations of the City.

Planned Unit Developments must demonstrate substantial congruence with each of the following conditions to be considered eligible for approval:

- The proposed Development Plan shall involve a mixture or variation of land uses or densities.



- The Boyce Mixed-Use Subdivision is a mixed-use development consisting of commercial and apartment-style multi-family residential dwelling units.
- The proposed Development Plan shall involve the provision of all infrastructure deemed necessary to adequately serve the potential development.
 - The Boyce Mixed-Use Subdivision Infrastructure Plan includes provisions for adequate supply of municipal water and sewer, a plan for stormwater management, and the construction and dedication of a Collector Street from US Hwy 60 to Republic Road, identified on the City's Transportation Plan and OTO's Major Thoroughfare Plan.
- The proposed Development Plan shall involve design elements that promote the City of Republic's Comprehensive Plan and other adopted plans of the City.
 - The City of Republic's Comprehensive Plan promotes the expansion of commercial and residential development at locations supported by the City's water, sanitary sewer, and transportation networks; the Boyce Mixed-Use Subdivision can be adequately supported by the City's existing capacities for water, sewer, and transportation.
- The proposed Development Plan shall involve design elements intended to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public improvements.
 - The Boyce PDD Development Plan includes construction of a collector class street with 70' of Right-of-Way connecting US Hwy 60 and Republic Road; the multi-family residential and commercial lots within the development will utilize the new street, with no direct connections to US Hwy 60 or Republic Road.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of residential and commercial development through proactive rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses.**

The 2021 Comprehensive Plan and Land Use Plan identifies Land Use Goals and Objectives relating to development, as follows:

- **Goal:** Support new development that is well-connected to the existing community.
 - **Objective:** Encourage development that improves and expands upon existing infrastructure.
 - **Objective:** Promote development aligning with current adopted plans of the City.
 - **Objective:** Support opportunities to create new destination-style commercial developments.



- **Goal:** Recognize potential infill sites as opportunities for development, while mitigating impacts to adjacent established properties.
 - **Objective:** Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development.

Compatibility with Surrounding Land Uses

The subject site is surrounded by existing Commercially zoned property and large parcel Greene County Agricultural properties with Single-Family homes.

- North: General Commercial (C-2)
- South:
 - Agricultural (AG)
 - Greene County Zoned Agricultural (A-1)
- East:
 - West Republic Road
 - MODOT property
- West: General Commercial (C-2)

The land uses permitted in the Applicant's proposal are considered to be generally compatible with the surrounding commercial and agricultural zoned properties and uses in proximity to the subject parcel.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service: This site **is** currently served by City of Republic sanitary sewer and water service. The development will require the extension of a new water main from the existing 10-inch main parallel to the south side of US Hwy 60, along the new Collector Road serving the development, connecting to the existing 12-inch water main on Republic Road to create a looped water system.

The development will be served by existing gravity sanitary sewer mains running along the northern and southern property lines, flowing to the McElhane Lift Station and Shuyler Creek Lift Station before being pumped back through a series of forced mains to the Wastewater Treatment Facility.

The Water System, Lift Stations, and the Wastewater Treatment Facility have sufficient capacity to serve the proposed development.

Transportation:

Two Collector Class streets (70 ft Right-of-Way) are depicted in the Development Plan. The first, referred to herein as Collector 1, runs east-to-west and connects US Hwy 60 with Republic Rd (State Route M). The second, Collector 2, runs north-to-south and connects to Collector 1, creating a stub-out to adjacent property at its southern terminus.

The review of this application included an evaluation of the impact of the development on the City's transportation network; a Traffic Impact Study (TIS) was submitted for the project, which was evaluated by the City Engineer and our partner agency, MODOT.



The TIS evaluated the transportation impact through trip generation standards provided by the Institute of Transportation Engineers (ITE) Trip General Manual; these standards include uses and associated number of trips generated by these uses. The TIS evaluated these numbers by utilizing the area and permitted uses within the commercial development areas and the total number of residential dwelling units in the development. The results from the TIS indicate the following improvements are required for the development, which will be designed and reviewed during Infrastructure Review and constructed during the Infrastructure Construction Phase:

- Right-In/Right-Out (RIRO) from the Collector Street onto US Hwy 60
- Right Hand Turn Lane from US Hwy 60 to Collector Street
- Right Hand Turn Lane from Republic Road (State Route M) onto Collector Street
- Left Hand Turn Lane from the Collector to Republic Road (State Route M)

No parcel within the development will have direct access to US Hwy 60 or Republic Road/State Route M; all lots will have access to the new Collector Street.

Stormwater: The Development Plan contains (2) areas designated for stormwater detention, designed to control the release of stormwater attributable from the development. The stormwater detention areas and all open space/common areas will be owned and maintained by the Developer.

Floodplain: The subject parcel **does not** contain a **Special Flood Hazard Area (SFHA/Floodplain)**.

Sinkholes: The subject parcel **does** contain several **identified sinkholes** on the northern portion and the southern portion of the property. A Sinkhole Analysis Report will be submitted, reviewed, and approved during the Infrastructure Design Process; a (30) foot setback, required by Republic City Code, has been included on the Development Plan.

All developments must include site design providing for sufficient emergency vehicle access as well as fire protection facilities (e.g. fire hydrants). **Additional elements of code compliance, evaluated at the time of the development proposal, which will impact the mixed-use development of the subject property, include, but are not limited to, the City's Zoning Regulations, adopted Fire Code, and adopted Building Code.** The next steps in the process of development of the subject parcel, upon a favorable rezoning outcome, will be the development, review, and approval of an Infrastructure Permit for the construction of utility services and roads.

Recommended Action

Staff considers the **proposed Zoning Map Amendment (Rezoning to Planned Development District)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, generally consistent with the **trend of development in the vicinity of the site**, generally **compatible with surrounding land uses**, and **able to be adequately served by municipal facilities**. Specifically, the proposed development can be adequately served by the City's municipal water and sanitary sewer services and the City's transportation network.

Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), Staff recommends the approval of this application.