



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, January 14, 2015

7:00 P.M.

1. SKETCH PLAN REVIEW

Applicant: Elite Land Title LLC
Location: 75 Lincoln Street
Existing Zoning: Downtown Business District
Request: To review a sketch plan for a proposed office building.

Site Aerial Map: <https://goo.gl/maps/kw3KZ>

Project Overview

Elite Land Title LLC is proposing an office development consisting of 2,855 sq. ft. on 0.46 acres at 75 Lincoln Street. The office is for a title company.

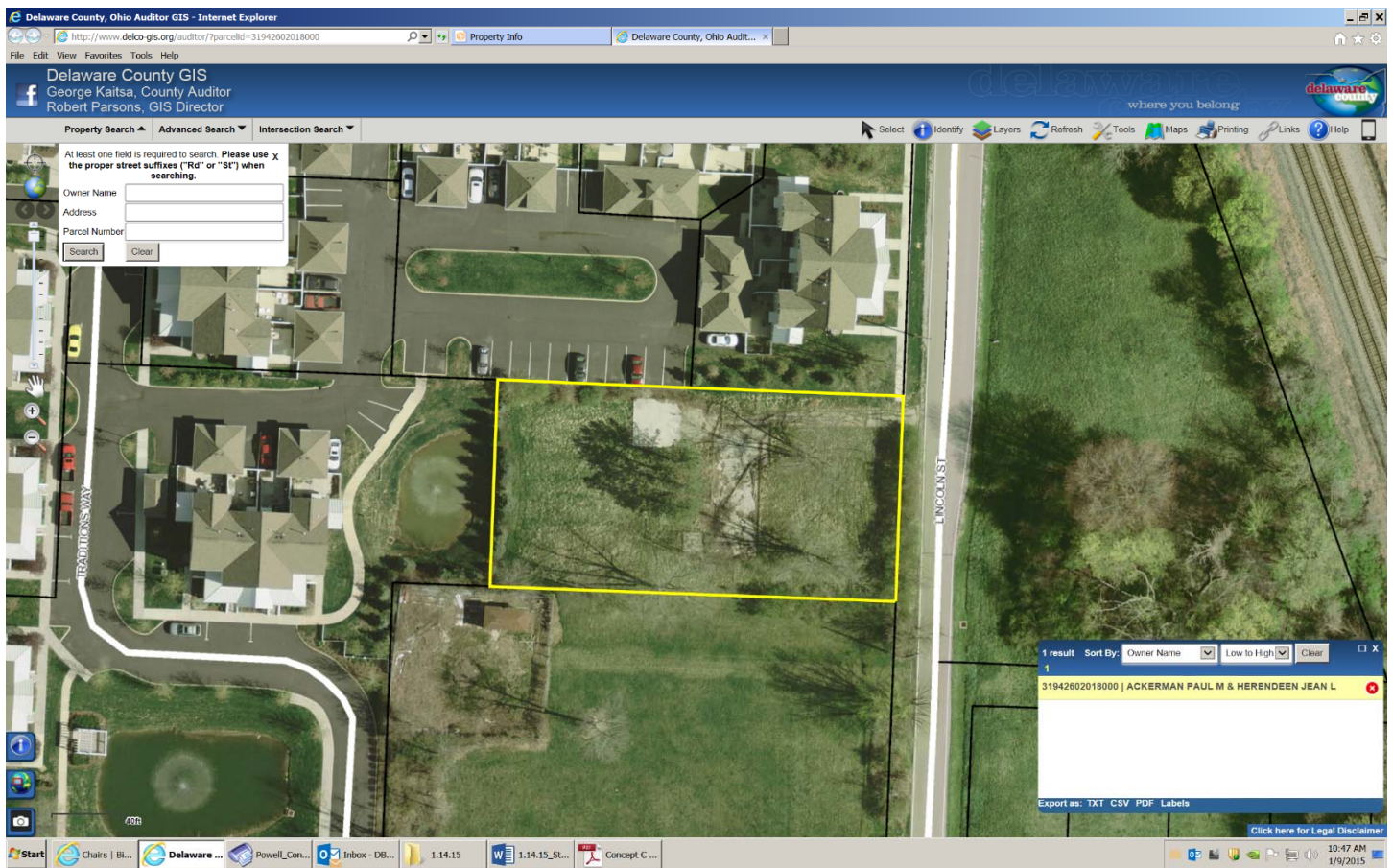
Ordinance Review

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

Staff finds the design, scale, location, and use of the proposed development to be in line with the Comprehensive Plan. The applicant has done a fine job designing the building so that it is compatible with the surrounding and downtown buildings. This way, the development seemingly extends the downtown aesthetic outward. The scale of the proposed building is similar to those found in the Lincoln Street corridor and as a result, the development will blend into the surroundings. As an office use, the building will be used on a typical 9-5 schedule which is positive for the nearby housing. The use is also welcomed, since it will add to the mix near the downtown. Employees at this site may live nearby and frequent the nearby shops.

The Downtown Revitalization Study shows recommended uses for the West Quadrant of the downtown which shows a mix of uses (See Figure 1). As can be seen by the highlighted red box, the proposed office use is in line with the recommendations of the Downtown Revitalization Study.



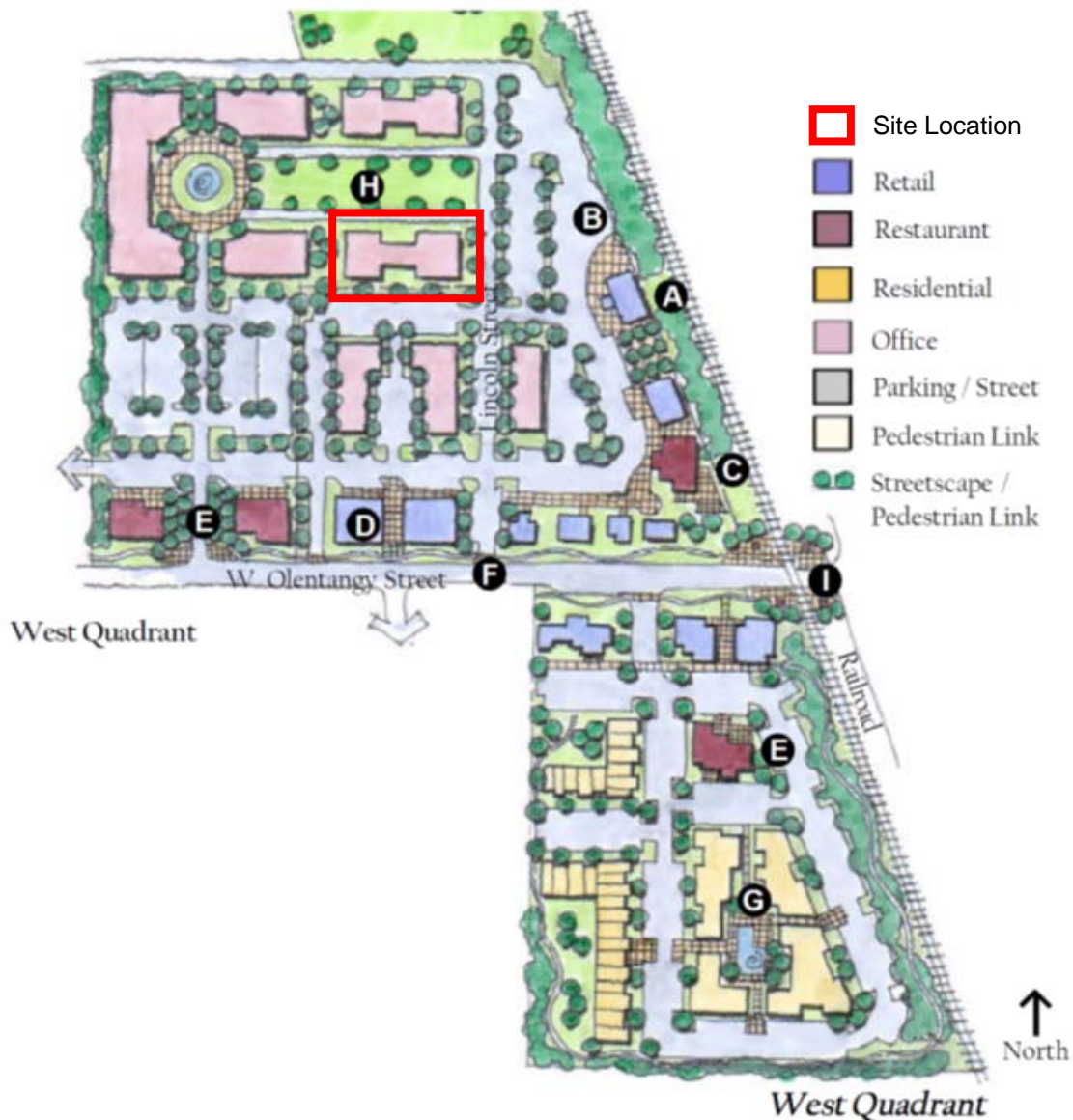
Aerial View of Site

The site plan shows the entrance at the north end of the site with parking to the side and rear of the building. The building was placed on the south side due to the need for a larger setback to the north based upon code requirements (the site plan is incorrect. The setback on the north side is 20 feet, adjacent to a residential use). If we were to "flip" the site and have the parking to the south and building to the north, a variance to this setback will be required. This proposed site plan allows for the "nicer" side of the building to face the residences to the north. There is a retention pond to the west, and undeveloped land to the south which in all likelihood will be developed as a mixed use commercial retail and office development due to its frontage on West Olentangy Street. Across the street to the east is the other proposal on tonight's agenda.

No landscaping plan has been submitted. It is anticipated that a buffer hedge row will be done along the north property line, at least along the first half of that property line where the residences to north are located. The parking for those residences are to the north toward the back half of the lot. There is plenty of room at the front and sides for landscaping to enhance the site.

No storm water control plan has been submitted. It is recommended that the applicant hire a civil engineer to prepare such a plan as early in the process as possible to avoid problems. Our City Engineer indicated that this should be an easy site to engineer.

FIGURE 1 – Downtown Revitalization Plan West Quadrant Recommendations



The proposed development is located in the Downtown Business District. Staff reviewed the regulations of the Downtown Business District and found that the development is generally in line with its requirements

Lastly, Staff sees the design of the buildings being line with the regulations of the Architectural Guidelines. However, Staff defers to the Architectural Advisor for specific comments.

In conclusion, Staff finds the proposed use to be generally in line with the Comprehensive Plan, zoning code, revitalization pan, architectural guidelines, and in concert with the neighboring uses, as well as having an overall benefit to the city.

Staff Recommendation

The applicant continue to the preliminary plan stage. With the following conditions:

1. Pay special attention to the Historic District Architectural Guidelines as they proceed into the next phase of review.
2. Start preparing site engineering concept for review by the City Engineer.

2. PRELIMINARY DEVELOPMENT PLAN REVIEW

Applicant: Lincoln Street, LLC c/o Sean Snyder
Location: Lincoln Street
Zoning: Downtown Business District
Request: To review a preliminary development plan for a proposed three building office development on 1.05 acres.

Site Aerial Map: <https://www.google.com/maps/d/edit?mid=zIIWbDq9EXYA.kJw7Ki-xlZrk>

Project Overview

Lincoln Street LLC is proposing a three building office development on 1.05 acres along Lincoln Street. All three buildings will be used for office and small warehouse space.

Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(g), in approving a preliminary development plan, the Planning and Zoning Commission shall consider:

(1) If the proposed development is consistent with the intent and requirements of this Zoning Ordinance;

Staff believes that this plan is consistent with the requirements of the Zoning Ordinance as it relates to development plans being consistent with the Comprehensive Plan and the Downtown Revitalization Plan recommendations, the densities set forth within the Downtown Business District, and the unique nature of the proposal in relation to its location within the city.

(2) The appropriateness of the proposed land uses with regard to their type, location, amount, and intensity, where not specifically specified in this Zoning Ordinance;

Staff again believes that the land use, its location, amount and intensity is consistent with the requirements of the Downtown Business District zoning of this property. Office facilities and accessories uses are permitted uses in the zoning district, the proximity to the downtown core is ideal, and the intensity of the use on the site is acceptable.

(3) The relationships between uses, and between uses and public facilities, streets, and pathways;

The relationship between the proposed use and the existing neighboring uses is ideal. There will be a great deal of synergy between them. Workers at the offices will likely shop at the local boutiques and eat at the nearby restaurants. This in turn, will limit some traffic during lunch hours.

The proposed development will also have a positive impact on the streets and pathways nearby. Currently, there is no pathway or streetscape along Lincoln Street. With the development of this property, the pathway and pedestrian access will improve. Consequently, the relationship of the use with streets and pathways will be a positive one. However, more detail is needed for public pedestrian pathways.

(4) Adequacy of provisions for traffic and circulation, and the geometry and characteristics of street and pathway systems;

The site will have increased traffic to the site. Lincoln Street, which has a relatively low usage rate should be able to handle this increased traffic.

As for onsite circulation, staff feels that the site is designed accordingly to handle traffic. The final determination will be done by the City Engineer.

(5) Adequacy of yard spaces and uses at the periphery of the development;

The proposal's yard are adequate to meet requirements of the Downtown Business zoning district.

Principal building setback requirements are as follows:

Front: Minimum 20 feet, Maximum 25 feet

Side: 5 feet

Rear: 5 feet

Accessory building setbacks requirements are as follows:

Front: 35 feet

Side: 5 feet

Rear: 5 feet

The proposal has the following principal structures setbacks:

Front: Maximum 25 feet

Side: 5 feet

Rear: 5 feet

(6) Adequacy of open spaces and natural preserves and their relationships to land use areas and public access ways;

The proposed site plan has open space and natural preserves along the front of the site and along the back of the main principal structure. As an office use, this is a sufficient amount.

(7) The order, or phases, in which the development will occur and the land uses and quantities to be developed at each phase;

It is anticipated that the development will occur in one phase.

(8) Estimates of the time required to complete the development and its various phases;

Staff estimates that the construction of site improvements and construction beginning early 2015 and finish by fall of 2015.

(9) Improvements to be made by the Municipality, if any, and their cost;

The City of Powell does not anticipate any participation by the City for any infrastructure improvements.

(10) The community cost of providing public services to the development, and

The cost of providing services to this development will be minimal. Everything anticipated is typical for any new development of this type, intensity or use.

(11) Impacts of the development on surrounding or adjacent areas.

This development should have a positive impact on the City overall. The creation of office space near in the downtown core will help with the continued revitalization of the downtown. Staff and visitors to the businesses are likely to visit other downtown establishments either for food or general shopping.

The Planning and Zoning Commission may require the staging of the planned development to minimize early stage major impacts on the community infrastructure and services systems, and may require the staging of land uses to be generally consistent with the phased development of supporting land uses and public services and facilities.

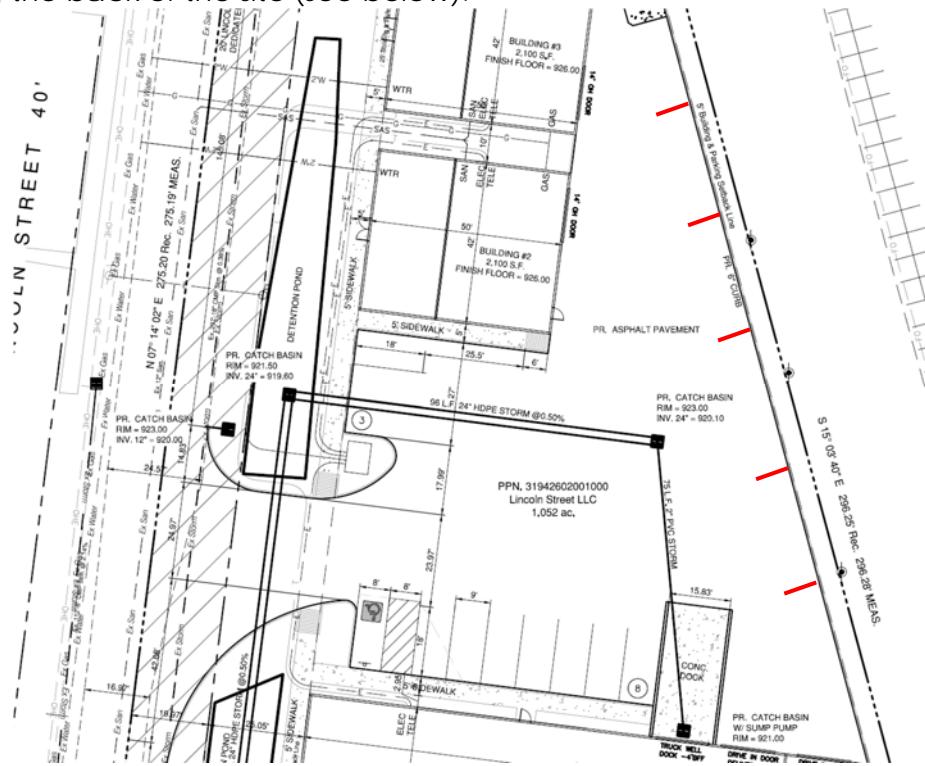
The Commission's approval in principle of the preliminary development plan shall be necessary before an applicant may submit a final development plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility."

Staff Comments

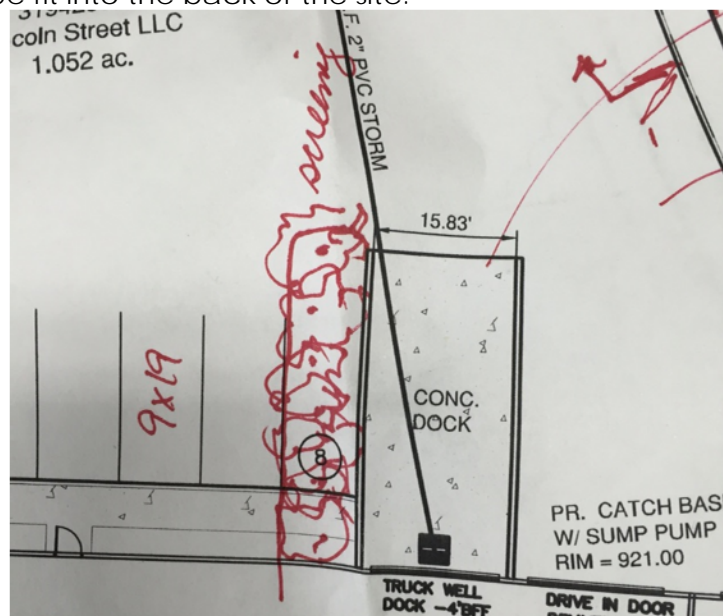
Staff is pleased with the submitted design, use and scale of the proposed development. By building up the downtown area, the city has a greater chance of continued downtown revitalization.

Staff however, does have some reservations with the submitted plan. They are as follows:

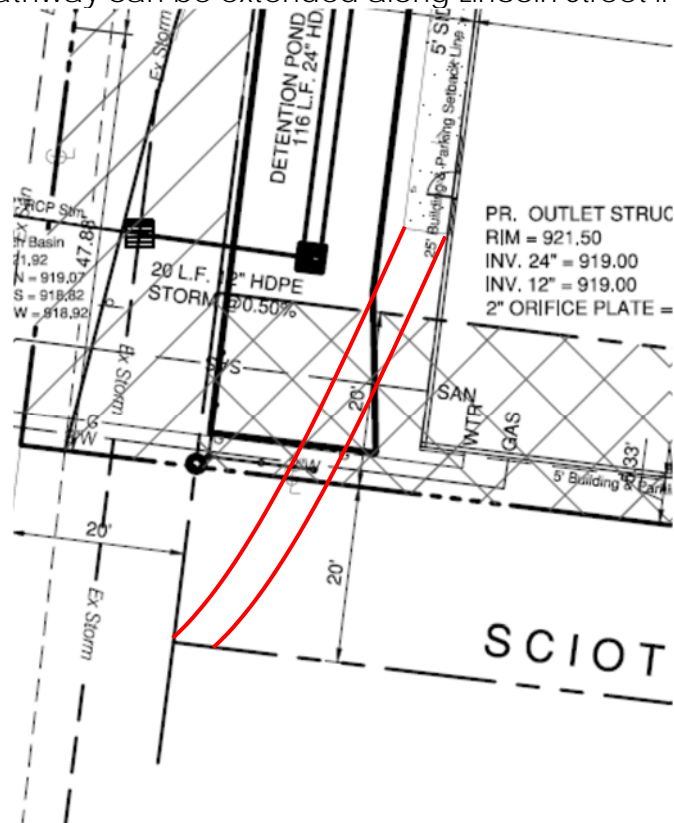
1. The number of parking spaces is insufficient. The applicant used *warehouse* parking requirements (1 parking spot per employee) in their calculations however, the appropriate requirement is for *office use* (1 parking space per 200 square feet). As a result, the site requires a total of 15 parking spaces, not 11. Staff suggests putting additional parking spaces along the back of the site (see below).



2. The loading dock needs to be screened. Staff suggest removed a parking space and using the space to screen the loading dock (see below). The removed parking spot could also be added to the back of the site. Staff determined that the 4 spaces above and the 1 space here could easily be fit into the back of the site.



- The sidewalks along the front of the site need to be extended to the property edge. This way, a pedestrian pathway can be extended along Lincoln Street in the future (see below).



Staff Recommendation

Staff recommends approval of the Preliminary Development Plan with the following conditions:

- Staff's comments above are incorporated into the plan.
- During the sketch plan phase, Staff noted that the property boundaries were ambiguous. The applicant worked with city staff to determine the proper boundaries and during the discussions it was determined that a vacation and dedication of property would need to be done in order for the parcel to meet set back requirements. As noted on the applicant's proposal, the land south of the proposed site needs to be vacated by the city and the land west of the property needs to be dedicated by the landowner to the city. By doing this the irregular and ambiguous property boundaries will be rectified. As a result, Staff would like Council to approve the right of way vacation before submittal of the final development plan.

SKETCH PLAN REVIEW – OCTOBER 8, 2014

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

Staff finds the design, scale, location, and use of the proposed development to be in line with the Comprehensive Plan. The applicant has done a fine job designing the buildings so that they are in line with the surrounding uses, especially the downtown buildings. This way, the development seemingly extends the downtown aesthetic outward. The scale of the proposed buildings are similar to those found across Lincoln Street and as a result, the development will blend into the surroundings. As a business/warehouse use, the building will be used on a typical 9-5 schedule. A perfect use to be located near the railway. It will shield the residential neighbors, but also, the proposed use will not be bothered by the passing trains. The use is also welcomed, since it will add to the mix near the downtown. Employees at this site may live nearby and frequent the nearby shops.

The Downtown Revitalization Study shows a West Quadrant, indicating a varied mix of uses west of the railroad tracks (See Figure 1). The proposed use is a light commercial use and is ideal for its location with the railroad tracks. The buildings up front act as a buffer to the existing residential to the west. We will probably want to examine the specific types of uses that would be allowed within this development. Lighter commercial uses where larger space for a warehouse or storage needs is preferred, as opposed to construction contractors with equipment and materials storage. The types of uses can be explicitly stated within a development plan text.

The proposed development is located in the Downtown Business District. Staff reviewed the rules and regulations of the Downtown Business District and found that the development is generally in line with its requirements. There is however, an issue with the survey as presented. Currently the survey may incorrectly show the property edge of the site at the road centerline (see Figure 2, see blue line). Staff did some research and found that the property line may actually be further back at the edge of the right-of-way (Figure 2, see orange line). Staff will need a correct survey to determine the appropriate setback requirements. As of now, Staff assumes the 20 foot setback requirement from the edge of the right-of-way line (Figure 3, see red line), which would then require the applicant to receive a front yard setback variance. Nevertheless, this can be determined at the preliminary development plan stage of review.

Pending corrections to the survey, Staff finds the proposed use to be generally in line with the Comprehensive Plan, zoning code and in concert with the neighboring uses, and an overall benefit to the city.

FIGURE 1 – Downtown Revitalization Plan West Quadrant Recommendations



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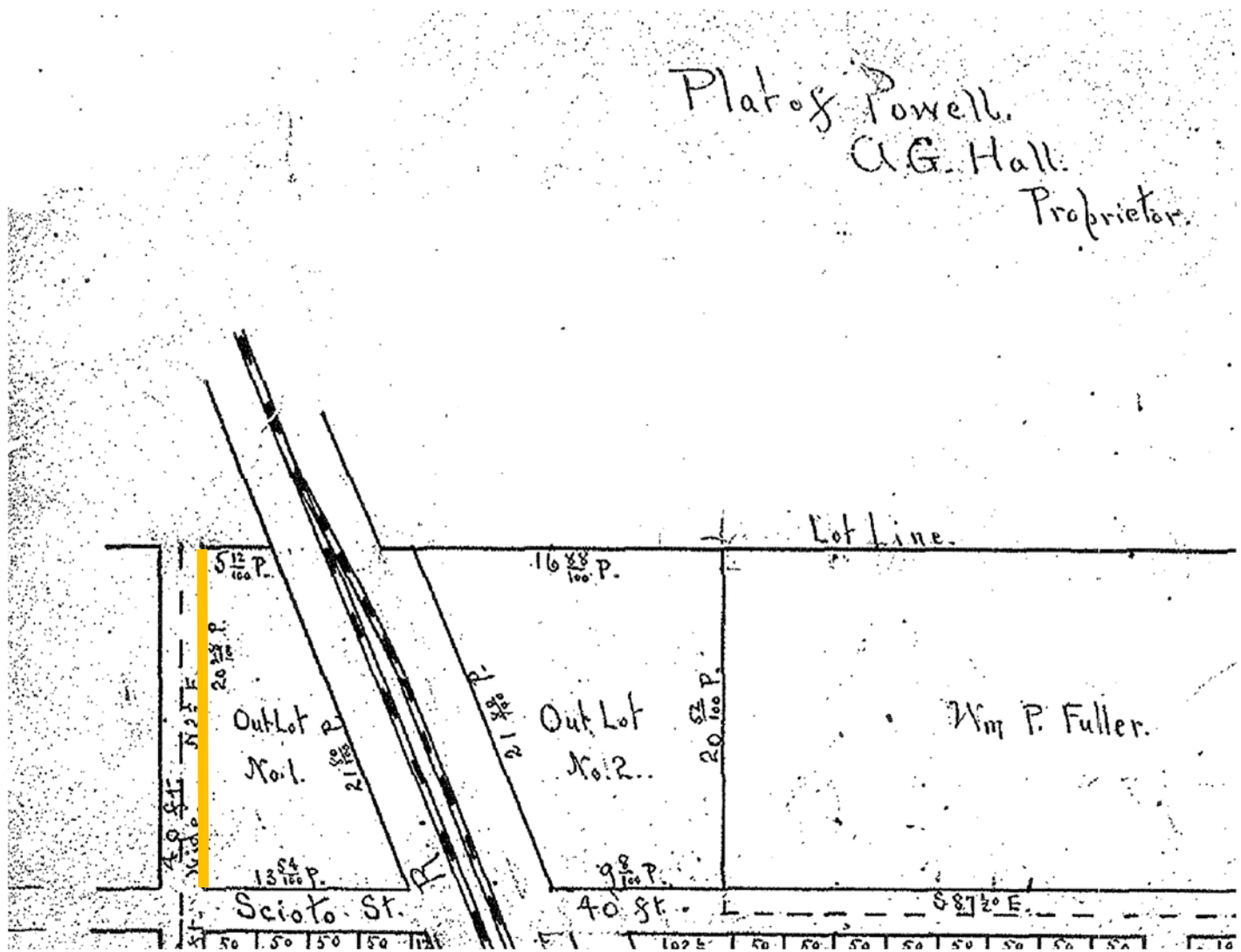
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Right-of-Way

FIGURE 3 – Original Plat of Powell



Staff Recommendation

The applicant continue to the preliminary plan stage. With the following conditions:

1. The applicant provide a Development Plan Text outlining proposed list of approved uses and prohibited uses.
2. Meet early with the city engineer's office to work through storm water runoff and other concerns.

3. ADMINISTRATIVE REVIEW

Applicant: Chris Humphrey for WesBanco
Location: 10726 Sawmill Parkway
Zoning: PC, Planned Commercial District (Liberty Township Zoning)
Request: To review the construction of a temporary banking office within a modular office unit.

Aerial Map: <https://goo.gl/maps/htVG2>

Project Overview

The subject property is located in the southeast section of the Shoppes at Wedgewood development (Target site). The applicant, Chris Humphrey, is requesting approval to place a modular unit adjacent to a construction site while the main building is constructed. The temporary structure would house a banking office temporarily until the new office building is completed. Once completed, the temporary site will be removed and put back to original condition.

Zoning Overview

The property was annexed into Powell last year and it retains its development plan and zoning as approved by Liberty Township prior to the annexation. The Liberty Township Zoning Code does state within the Planned Commercial District;

“2) A request for minor changes to the final development plan may be approved by the Zoning Commission without being subject to the same procedures as the original application.

3) In the case of a request for a modification or amendment to the approved final development plan that represents a substantial departure from the intent of the original proposal, as determined by the Zoning Commission, said modification or amendment shall be subject to the same procedure and conditions of the preliminary and final development plan approval as the original application. The following shall be considered substantial departures from the original application:

- i) A change in the use or character of the development;
- ii) An increase in overall lot coverage by structures and off-street parking;
- iii) An increase in the density;
- iv) A substantial increase in traffic impact circulation and public utilities usage;
- v) A reduction in approved open space;
- vi) A reduction of off street parking and loading space;
- vii) A reduction in required pavement widths;
- viii) A reduction of the acreage in the planned development;
- ix) Any other departure from the approved development plan which is deemed substantial by the Zoning Commission.”

The Zoning Code does have the following as a Prohibited Use:

“D. Except as specifically permitted in the approved development plan, no manufactured home, mobile home or mobile office structure shall be placed or occupied in this district.”

However, there is a provision for temporary uses:

“Temporary structures such as manufactured/mobile offices and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent structure is being constructed. The users of said structure shall obtain a zoning certificate (permit) for such temporary use, which permit shall be valid for six (6) months and may be renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project.”

Based upon the code above, Staff finds the following:

- The current development plan for The Shoppes at Wedgewood does not address the use of temporary structures.
- Planning and Zoning Commission has the authority to approve a minor change to the development plan upon administrative review if it finds that the change is not substantial.
- Temporary office facilities are allowed incidental to construction activity on the site.
- Mobile type office facilities are prohibited uses, except under the authority as a temporary use incidental to construction activities on the site.

Staff has considered the pros and cons of the proposal:

PROS

- The proposal gives WesBanco a presence in Powell that it does not currently have earlier than when the permanent bank is constructed, therefore providing residents and businesses alternative banking services they do not currently have sooner.
- The bank employees will begin to pay income taxes sooner.
- The site upon which the temporary use is proposed is not or will not be utilized for parking for the retail strip prior to the permanent bank opening.
- The site upon which the temporary use is proposed is directly adjacent to the proposed permanent site.
- The proposed layout does not infringe upon any drives or otherwise materially affect surrounding uses.

CONS

- The temporary office is not the best looking alternative than a permanent building, but it is temporary for about a year.

Staff Recommendation

Staff recommends approval the application for Administrative Review with the following conditions:

1. That this Administrative Review amends The Shoppes of Wedgewood Development Plan to allow for a temporary banking office.
2. That WesBanco purchases or otherwise solidifies a land agreement for Lot 5321 with the current owner.
3. That the current developer approves of the Temporary Use and solidifies a formal agreement with WesBanco.
4. That the temporary structure is utilized no longer than one year from its date of occupancy.
5. That the site upon which is utilized for the temporary use is placed back into original or better condition after removal.

OTHER COMMISSION BUSINESS

Comprehensive Plan update – A Public Open House has been scheduled for Thursday February 5 from 7pm to 9pm. Also, a public input website has been activated at midmixer.planpowell.com

Sign Ordinance – To January 28, 2015 special meeting.