



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, May 13, 2015

7:00 P.M.

1. ADMINISTRATIVE REVIEW

Applicant: Tide Cleaners
Location: 9551 Galloway Drive
Zoning: PC, Planned Commercial District
Request: Review changes to building including removal of porte-cochere.

Aerial Site Image: <https://goo.gl/maps/ZC2yT>

Project Background

The Final Development Plan for Tide Cleaners was approved a few years ago. Prior to them beginning construction, a sewer capacity issue that has since been resolved came up that delayed their project. At this time, they are ready to proceed with their building. However, they have made some changes to the building design that Staff feels needs review by the Commission for approval.

Proposal Overview

The main change to the building is that the large porte-cochere is removed for a smaller awning type cover. This reduces the scale of the project and overall makes the building look much nicer. Also, there is greater trim detailing to the building that was not present in the past design.



Staff Comments

Although Staff generally leaves commentary on architecture to the Architectural Advisor, we must say here that we are very pleased with the proposed changes that are being presented at this time.

Staff Recommendation

Staff recommends approval of the Tide Cleaners revised building plans as presented.

2. LOT SPLIT

Applicant: Powell Commerce Park, LLC by Charles McClenaghan
Location: Lot 1978, Wolf Commerce Park Section 2
Zoning: PI, Planned Industrial District
Request: To split Lot 1978 of Wolf Commerce Park Section 2, and add the split halves to each of Lot 1976 and Lot 1977, therefore remaining 2 lots instead of three.

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

Project Background

This development was started in the early 1990s. The plat for Section 2 included three lots for this current property owner, who has owned these properties from the beginning. At this time, they are wanting to split Lot 1978, and attach each split halves to the existing lots (1976 and 1977). In the end, this is going to create two lots, each with one building on them with the same development plan as has been approved, where one more building per lot could be built.

Proposal Overview

Staff has reviewed this proposal at length with the applicant's representative. We looked at several options and the owner is choosing this option. In the end, the owner is going to market each lot for sale. As each lot could have separate owners, Staff has indicated to the applicant that the following need to be placed within cross access easements: sanitary sewer, storm sewers, other utilities as necessary, all parking areas, and drives. A draft agreement has been submitted and Staff will review with the Law Director prior to recording.

Staff Comments

Basically, what will be the result of this proposal are two lots each with one existing building with the opportunity to build another additional building per lot. In marketing the property, the property owner has indicated that more people are looking for their own building to put their business and to have lease space in order to continue to grow. Also, the current owners have indicated no desire to retain the property and build the other buildings.

As long as all of the cross easements for utilities, drives and parking are correct, Staff sees no problems with this request. In all likelihood, we will see some kind of altered plan for the buildings come in sometime.

Ordinance Review

This proposal is actually creating two lots out of three lots and potentially making the transfer of property to more than one entity cleaner and easier. Normally, because this is a transfer of property between adjacent property owners (albeit the same owner), this can normally be handled administratively. However, this require the Commission's approval as we will now have additional crossover easements for utilities and shared maintenance and access for the parking lot.

Staff Recommendation

Staff sees this as a positive step that may allow this property to fully develop easier in the future. The current owners want to sell, and the ability to sell the two lots will be enhanced this way. Staff recommends approval of the lot split with the condition that the City Law Director review and approval the final form of the proposed crossover easements prior to the Director's signature on the deeds to be recorded.

3. SUBDIVISION WITHOUT PLAT

Applicant: Golf Village Self Storage
Location: 7533 Woodcutter Drive
Zoning: PI, Planned Industrial District
Request: To subdivide the current property into three lots, with the Self-Storage facility on Lot 1, and creating two vacant lots.

Aerial Site Image: <https://goo.gl/maps/3rXdS>

Project Background

The applicant has owned the property and developed the self-storage facility since the property was annexed with Golf Village in 2002. The property is zoned Planned Industrial District and is part of the Golf Village Zoning Plan. This Plan indicates that this property will be developed under the guidance of the Liberty Township Zoning Code at the time the property was annexed. It has always been anticipated that in addition to the storage facility, there would be office or other commercial uses that front onto Woodcutter Drive.

Proposal Overview

The proposal is to split the existing parcel into three lots as shown on the plat drawing. Lot 1 will contain the existing storage facility that can accommodate the future buildings as shown. Lot 2 contains 1.861 acres at the south side of the property. This lot is encumbered by a large drainage easement on the south side that includes a detention basin that serves the entire site, and accepts the storm water runoff from the sites to the west. It appears as though all drainage easements are shown or exist that covers the entire development. The allowed building envelope and parking setbacks are shown as allowed by the zoning. Lot 3 contains 4.319 acres of land and has the larger building area. It is well below the grade of the Home Road bridge. All building setbacks and pavement setbacks are shown as allowed by the zoning.

Staff Comments

The split of this property as proposed will allow for the development of the property as originally planned. It provides for the opportunity for two lots to develop with some sort of office or office/warehouse use.

Ordinance Review

Section 1105.04 allows for properties such as this one to be split with no more than five lots without requiring a subdivision plat. This lot split allows the owner to market the sites for sale or lease for anticipation of development for uses allowed by the zoning of the property. The lots are of proper size for such developments, and appears that all necessary easements are shown.

Staff Recommendation

Staff recommends approval with the condition that final review and approval of all easements, addresses, and lot numbers, and all other requirements of the City Engineer be in place prior to recording.

4. SKETCH PLAN REVIEW

Applicant: Thomas L. Hart for Margello Development Co. and Schottenstein Real Estate Group
Location: Sawmill Parkway and Seldom Seen Road, Liberty Township
Existing Zoning: Liberty Township, Planned Commercial District (PC) and Planned Industrial District (PI)
Proposed Zoning: City of Powell, PC, Planned Commercial District
Request: To review a sketch development plan for a proposed 308 residential unit active adult community, and 5 acres of planned commercial development on roughly 44 acres, proposed to be annexed into the City of Powell.

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

Project Background

The property is proposed to be annexed into the City of Powell. As this property is surrounded on three sides by the City of Powell, falls easily within our service area in the middle of the city, and access will come off of existing City streets, it makes sense that this property be annexed into the City.

Proposal Overview

Current Zoning

The current zoning for the property within Liberty Township is PC, Planned Commercial District and PI, Planned Industrial District. These districts were established with a development plan named Seldom Seen Acres, which the Township Trustees have determined is an expired development plan. Therefore, any new development will be required to undergo review and approval of a new development plan, even if the development scheme remains the same as the original scheme, which had a mix of retail and commercial uses (including the possibility of a big box retailer) and Planned Industrial District uses such as a self-storage facility. There is an existing lattice tower type of cellular tower at the southeast corner of the site that will remain.

Current Land Use

The current land use of the proposed property is vacant. There has been some farming done recently. There are no particular interesting features to this property.

Surrounding Land Use

This site is bounded to the east by the railroad tracks, and the Wolf Commerce Office Park, to the north is the Seldom Seen Road park site and the maintenance facility and indoor recreations building on that master plan, the west and northwest are commercial uses including a large fitness facility, and to the south includes the Woods at Big Bear Farms condominiums and Beechwood Park.

Current Proposal

The current proposal will place the entire property within the PC, Planned Commercial District and will be added to the Powell Commercial TIF area. The current proposal has 5 acres of unknown commercial development on two 2-1/2 acre lots that are closest to Sawmill Parkway. There is a proposed street extension of Bunker Lane that also occurs there. To the east of Bunker Lane is proposed an "Active Adult Community" consisting of three types of leased residential unit types and a clubhouse. The three types of units are as follows:

- Building A - Four buildings consisting of 30 units each (120 total). These are 1 and 2 bedroom suites, each with a garage space for one vehicle along with some surface parking lots.
- Building B - Fifteen buildings consisting of 4 units each (60 total). These are 2 and 3 ranch homes with 2-car garages. These are typical "pinwheel" design much like other condominiums in the area (just south in Woods at Big Bear Farms).

Building C - Sixteen buildings consisting of 8 townhomes per building (128 total). These are 2 and 3 bedroom, 2-story townhomes with 1 car garages each unit.

Total Units - There are a total of 308 dwelling units on the residential portion of the property consisting of 32.9 acres, creating a net density of 9.36 units per acre. If one utilizes the entire property to calculate the density, the gross density is 8.12 units per acre.

Amenities are included with this plan, including a bike path connection along Sawmill Parkway and the interior public streets leading to a pathway tunnel under Seldom Seen Road leading to and from the new Seldom Seen Road Park. Although not shown of the plan, interior sidewalks are going to be included. A large clubhouse is provided for the residents, including a pool, fire pit lounge area, community garden and putting green. A small dog park is provided for the residents as well. There is a large pond at the south and southeast portion of the site that will be their storm water control.

Staff Comments

Comprehensive Plan

The current 1995 Comprehensive Plan Map shows this property area to be utilized for Village Lot Housing (Cluster; higher than S.F. Density) and Scenic Easement. Since that time, Sawmill Parkway has been built and the land area adjacent to the parkway has been developed in a much higher density and intensity outside of Powell. Including the Golf Village plan, most of the adjacent developments were approved within Liberty Township, and some annexed into Powell like Golf Village, Lifetime Fitness and CVS. It is anticipated that the Comprehensive Plan Update we have been working on will recommend some other types of land use than the current Comprehensive Plan.

Zoning Code

The property is being proposed to be developed under the PC, Planned Commercial District. This district was chosen as there are both commercial and residential uses, the uses as proposed are permitted uses that can be chosen, and the residential uses will be leased residential units, and be commercial uses as part of the Powell Commercial TIF. According to the developer, it is anticipated that upwards to \$50 million of assessed value will be constructed with this plan.

The Planned Commercial district does allow for the uses that are proposed. The maximum number of dwelling units in any Planned District development plan cannot exceed twelve (12) units per any one acre, shall be clustered around green spaces, scenic easements, water features or provide such amenities. If proposed along a parkway, the parkway must be built. The code also requires that there should be no more than 4 dwelling units attached side by side and no more than 8 per structure. There would be divergences to these requirements requested. The Planned Residence District does allow for up to 9 du/acre. Of course, when we examine density, we examine the impacts of the proposed development on the community overall, and can lessen the density as we examine the impacts on the roadways, sewers, etc.

There are a lot of other technical zoning requirements that this concept plan cannot show as it is so conceptual of a plan. Therefore, staff cannot comment on those at this time.

General Comments

This property is very difficult to deal with. Although we can see this as a great opportunity to put in a great mixed used plan throughout all of the property, a plan such as this merits consideration. This plan provides for a transition of density from the existing Woods at Big Bear Farms condominiums trending to higher density toward the north of the property. The planned commercial properties toward Sawmill Parkway also makes sense. The internal street network seems to work appropriately, especially as the developer states that they will add interior sidewalks. The following items of concern are generally reviewed through the development plan process:

- Density – Is the proposed density reasonable for this location? As a development aimed and designed for seniors who have downsized, the impacts of density are less than a typical subdivision, young professional apartments, or other such uses.
- Traffic – A traffic study shall be completed to the satisfaction of the City and the County Engineer. Previous plans have been shown to require improvements to Sawmill Parkway and Seldom Seen Road.
- Sanitary Sewer – Is there appropriate sanitary sewer capacity available or are downstream improvements necessary. Previous plans had shown downstream improvements are necessary.
- Financial – Does this proposed development promote financial benefits to the City that outweigh negatives? Staff recommends a financial analysis be done as allowed by the zoning code.
- Parking – Staff's initial suggestion is that there is too much parking proposed.
- Open Spaces – There is over 20% green space and recreational areas are provided for the anticipated residents.
- Pathway linkages – Are there enough pathway linkages? There is an existing path to the southeast corner in Beechwood Park that staff feels should be connected to this plan. Also, the pathway should be continued north along Sawmill Parkway to the CVS, unless Liberty Township is requiring it of the developer of the lot in front of this property. We do like the proposed tunnel to access the Seldom Seen Road park site.
- There are some layout issues we discussed with the townhomes and the senior suites buildings.
- Will the architectural quality of the buildings be enhanced at a pedestrian scale, especially the townhouses where wrap around porch details and a greater number of porches and details can enhance that portion of the development?
- The larger Senior Suites buildings at Seldom Seen Road show great detail and design.

The planning concept and community desires for "aging in place" and providing for housing for those who want to stay in Powell and move to the area after downsizing from quality single family homes makes this a unique opportunity for the City, rather than a detriment. Overall, with some massaging of the plan through the development plan process, this proposal initially has merits.

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 Recommendation

This project should proceed to the Preliminary Development Plan stage of our review process.

5. PRELIMINARY DEVELOPMENT PLAN REVIEW

Applicant: Spectrum Retirement Communities, LLC
Location: Attucks Drive & Liberty Crossing Drive
Existing Zoning: Liberty Township, Planned Commercial District
Proposed Zoning: City of Powell, PC, Planned Commercial District
Request: To review a preliminary development plan for a proposed assisted living and memory care facility on 4.37 acres.

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

Project Background

This project came before the Planning and Zoning Commission in September 2014. At that time, the Commission suggested that the building front face Sawmill Road. The applicant has made some changes, added details as required by the requirements for a Preliminary Development Plan. The applicant has also worked with county sanitary engineer on a regional wastewater re-routing to increase capacity of the Leatherlips pump station.

Proposal Overview

Spectrum Retirement Communities is proposing to develop an 84 unit Assisted Living and Memory Care Facility on property that is proposed to be annexed into Powell and be zoned within the City of Powell PC, Planned Commercial District.

Changes since the Last Submission

The applicant has made the following changes since the September 10, 2014 submission.

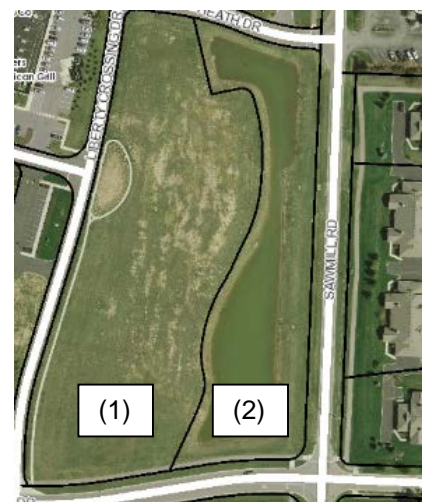
- The applicant mirrored the building and flipped it so that the building faces the pond and Sawmill Parkway.
- A landscaping plan has been submitted.
- Preliminary Engineering has been completed.
- Sidewalks have been added.

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 finds this proposal to be consistent with the spirit of planned commercial district (PCD) regulations. Nursing homes and elderly housing facilities are both listed as permitted uses in PCDs. On a more detailed, requirements level, several site considerations are unclear.
- First, the proposed structure is slightly larger than the allowable building area. Plans show the building area at 38,730 SF – compared to allowable area of 38,087 SF. This puts the proposed structure 643 SF, or 1.6%, over the allowable area.
- Second, parcel ownership is unclear and thus establishing proper setback measurements is difficult. Plans only show Spectrum owning the western parcel (1). The eastern parcel is listed under ownership of the commercial center, and is used as a retention basin (2). This would effectively establish Liberty Crossing Drive as the front of this parcel. Given that is the case, quality development, while



conforming to the letter of the law, is extremely restricted. Now, coming from sketch to preliminary review, Spectrum has mirrored their building at the request of staff. Current plans show the building facing Sawmill Road. Regardless of ownership parcel ownership, it makes sense to measure setback from Sawmill Road, effectively establishing parcel 2 as the front yard for the development. In essence, the setbacks were established when the original development was platted, and in essence the original development had the foresight that this lot would be developed overlooking the pond.

- Third, height measurements on plans need to reflect the City's method. Current plans show height measured to the top of the roof, instead of to the midpoint between the ridge and the eave. Submitted plans show the top of the roof line to be 36'. Given this, height should be well within Powell's requirements.

(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 believes that Spectrum's proposal for an assisted living and memory care facility works on this site. Occupants, staff, and visitors will have easy access to daily uses, such as restaurants, within this commercial area.
- From an architectural and view shed standpoint, this proposal fits well. The proposed building, residential in style, will act as a transition between residences along Sawmill Road and the back of the commercial area. Additionally, as Sawmill Road experiences much higher traffic volumes than Liberty Crossing Drive, this arrangement benefits those passing through this area. Staff previously requested the proposed building to face Sawmill Road resulting in the residences and Spectrum facing each other, rather than the back of Spectrum facing the residences.

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

- Having streets all around the facility, there is very good access to the site. Sanitary sewer, storm sewer and the overall storm capacity has been accounted for. There is a need to connect this site to the overall pathway system and that has been done, but could be better to connect the pathway up around the north end along Heath Drive.

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

- External road network: Given the proximity to Sawmill Parkway, this site has great access for both staff, and visitors. Traffic generated by occupants will be marginal as this is an assisted living center.
- Internal: Spectrum's proposal shows access to and from both Liberty Crossing Drive and Attucks Drive. Plans show a logical internal network given the oddly shaped eastern boundary.

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

- As lot coverage requirements are met, open space is adequate.

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

- Preservation: as this site stands, undeveloped, there is no natural area to preserve.
- Landscaping: To meet code (1143.15) Additional landscaping, either natural or manmade such as a wall, is required to screen portions of the proposed parking lot. We suggest heavier landscaping along there.

- (7) **The order, or phases, in which the development will occur and the land uses and quantities to be developed at each phase;**
 - Site is to be developed as one phase.
- (8) **Estimates of the time required to complete the development and its various phases;**
 - Twelve to fourteen months.
- (9) **Improvements to be made by the Municipality, if any, and their cost;**
 - No improvements to be made by Powell. Applicant is currently working on the sanitary sewer improvement to accommodate capacity needed for this project. It has already been approved by the Sanitary Engineer to begin construction of this facility.
- (10) **The community cost of providing public services to the development;**
 - This site is likely to require a higher quantity of EMT service.
 - Site is unlikely to require much police service due to 24/7 staffing.
- (11) **Impacts of the development on surrounding or adjacent areas;**
 - This proposes use has very little impact on the surrounding area. All of the services needed by the residents are internal to this property. Resident families will come and go from time to time, but the location of local retail makes it convenient.

Staff Comments

- This site is likely to require a higher quantity of emergency medical services (EMS).
- Site is unlikely to require much police service due to 24/7 staffing.

Staff Recommendation

- Staff believes Spectrum's proposal to be both generally meeting zoning requirements and a net benefit to Powell. Staff recommends approval of a Preliminary Development Plan for Spectrum to continue detailing their plans, including areas below, and advance to the Final Development Plan review, with the following conditions:
 - Update landscape plan to meet screening requirements.
 - Calculate building height using the City's method.
 - Consider altering structure materiality or color from Spectrum's previous proposal (Spectrum 1) in efforts to make it stand out differently from the other, however Staff does defer to the Architectural Advisor for further comments.

Sketch Plan Review – September 10, 2014

Project Overview

Spectrum Retirement Communities are proposing to develop an 84 unit Assisted Living Facility on property that is proposed to be annexed into Powell and be zoned within the PC, Planned Commercial District.

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 proposed development is similar to the one that previously went through Planning and Zoning except that the building design and resident makeup would be different. Unlike the first Spectrum development, this one is two stories and has a smaller footprint. Also, residents in this development would be offered greater assisted living services including memory care.

The property is currently located in Liberty Township on the corner of Liberty Crossings Drive and Attucks Drive. If approved, the property would be annexed into the city. The location of the site and the uniqueness of the use are both beneficial to the city. The city would increase the amount of land it has near Sawmill Parkway, an area that will likely see continued growth in the future. As for the use, Powell does not have any assisted living facilities in or near the city. The first Spectrum Retirement Communities development is more of an independent living situation and the proposed Ganzhorn Suites is memory care. Allowing this new type of use adds to the housing mix and could prove beneficial to residents and newcomers to the city.

Excerpts from the first Spectrum Development sketch plan review that are relevant to this proposal:

Aging in place has become a very important aspect of life in the United States. People are consistently living to an older age, and with that comes changes in attitudes about how and where that part of our population should live. A sense over independence and not being a burden on your kids and grandchildren is very important. Although the overall population of Powell is relatively young, census figures do indicate our average age is rising. Over 12% of Powell's population is 60 years old or older, and that will only increase over time. Therefore, the City should consider locations that will be good locations for retirement living.

The Powell Zoning Code does allow for elderly households, elderly housing facilities, and congregate housing within the PC, Planned Commercial District, for which this will be zoned upon annexation. However, there are no specific regulations as to what is allowed as a minimum or maximum density for this type of facility. Our code does address density as it relates to multi-family development at the extreme maximum of 9 dwelling units per acre within the Planned Residence District and our Downtown Business Districts. However, there needs to be, as part of the plan, a substantial amount of public infrastructure or streetscape improvement to achieve that density.

Here we have a different kind of proposal the like the City has not seen to date but Staff believes is very much needed within the City. Our zoning regulations are not

designed for such a facility, unfortunately. However, being a planned district, the Planning and Zoning Commission can grant divergences to the code requirements in a fashion that is in keeping with the size and scale of the community that provides what it believes are desirable land uses within the community. Regulations and a development plan text can be written with the controls that the City needs to make the facility something the community can be proud to have. The ability to provide for housing for any age, giving independence to those who deserve it, and a location in Powell for the continuation of housing within the community are all important ideals this community should have. Being at a location as proposed, access from Sawmill Parkway, with health care services, retail and office services and emergency services all nearby, is ideal. The key is to make it the size and scale to fit the community.

Staff finds the proposed use to be generally in line with the zoning code and in concert with the neighboring uses and an overall benefit to the city. There will be dozens of full time jobs created and provides for a place where existing residents can stay in Powell if they so choose this type of lifestyle. Also, many residents in Powell have parents or grandparents who can now choose to live closer to their family.

Staff however, has some reservations with the proposal. They are as follows:

- The long and narrow building does not seem to currently be designed to specifically meet our Pedestrian Scale Guidelines, however with some assistance from our Architectural Advisor we are sure that this can be figured out.
- It will be important for the east side of the building to be designed nicely as that is the side most seen from the public along Sawmill Road and the adjoining residential to the east.
- Heavy landscape screening should be provided for around the pond, especially for areas that will be service areas at the rear of this building.
- All sidewalks and pathway connections should be made.

Staff Recommendation

The applicant continue to the preliminary plan stage.