



## STAFF REPORT

### PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, October 14, 2015

7:00 P.M.

#### 1. ADMINISTRATIVE REVIEW

Applicant: Scott's Garden Center  
Location: 3660 Powell Road  
Zoning: Planned Commercial District (PC)  
Request: To review the proposed location of a temporary ground level industrial sales unit.

Aerial Site Image: <https://goo.gl/maps/y3UEGH8ws1C2>

#### Project Background

The applicant submitted an administrative review application to P&Z for review of a ground level industrial sales unit. The business is adding the sales unit to enhance their bulk sales and services.

#### Proposal Overview

To place a unit that is 8' by 20' at the north end of the site. The structure is a pre-fabricated modular office space unit. The exterior is steel.

#### Staff Comments

This site is very large and is oftentimes covered by large pallet piles of mulch in bags and piles of bulk mulch. The site is getting more organized with this application. Staff has no issues with the proposed temporary unit. The location of the building does not negatively impact traffic routes or visibility on the site (see attached diagrams).

#### Ordinance Review

The Planning and Zoning Commission has the authority to grant the use of temporary facilities. This property is zoned PC, Planned Commercial District, however it does not have a formal development plan. A use such as an outdoor garden center is always changing. Each year the types of sales materials, plants, etc. get changed and the way the site is organized changes. This is necessary as the market bears the desirability of one type of stock over another. Staff believes that this type of use is very good to have at this location, and that by adding a structure such as this for the use it is being proposed is a good idea. The proposed unit is generally consistent with the 2015 Comprehensive Plan and zoning regulations.

#### Staff Recommendation

Staff recommends approval of the proposed unit with the following conditions:

1. That a specific time limit is agreed upon by the applicant and P&Z for re-examination of the use of this particular temporary unit.

## 2. FINAL DEVELOPMENT PLAN REVIEW II

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 approve a Final Development Plan for a proposed 308 residential unit active adult community, and 5 acres of planned commercial development on roughly 39 acres.

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

### Project Background

At the September 23 meeting a number of questions were raised about the size and design of the four large buildings at the north of the site. Following discussion amongst Planning and Zoning Commission members, the Commission decided to table the proposal to allow the applicant to make changes and answer the concerns. Since the last meeting, the applicant has updated the proposal in an effort to address the concerns of residents, staff, and the Commission.

### Proposal Overview

See proposal overview attached in preliminary plan review from June 10 (page 4 below) of this staff report.

### Changes since the Last Submission

The applicant provided only the changed items from their re-submission. All other pieces of the proposal remained the same. Substantive changes to the plan include:

- New exhibit E-4 showing an open space plan.
- Gas line removed from E-1.
- G-2 shows more detailed landscaping around A buildings and changed the materials used to buffer the northwest lot edge.
- New G-5 and G-8 exhibit showing the landscaping around A buildings.
- Added trees to the southern bike path turnaround on exhibit G-7.
- Exhibits I show new designs for A buildings.

### Staff Comments

At the September 23 there were a number of items brought up by residents and P&Z. Staff will try to address those items below.

#### Traffic

The development is located in an area that has the necessary capacity to handle additional traffic. Furthermore, the traffic study provided in the proposal and agreements with the County Engineer will help to improve the area. It should be made clear that this development should not be made to correct all issues that existed prior to its development. That being said, the developer is working with the County to do its part in improving the roadway system.

Residents to the south in the Woods at Big Bear Farms may have an additional opportunity to exit their development should a local connector be made going north or south out of the their development. This is a discussion that will need to be carried out after or during this development, not as a requirement of approval.

## **Schools**

As stated many times before, this development is not designed for families with children. That is not to say that it is impossible for families to live here but it is not geared toward them. Similar apartments generate roughly 0.15 children/unit (figure obtained from Olentangy Schools district). Ergo, this development will have minimal children and as a result, will generate more money for schools through property taxes than it will use. Adding the very minimal amount of children that will come out of this development, in staff's opinion, should have minimal impact on the schools.

## **Lighting**

At the last meeting, staff was unable to remember their analysis about lighting from the proposed sight. To be clear, staff discussed lighting and determined that lighting from the site will not be detrimental to neighboring uses. The LA Fitness that this development was compared to is a very different style of building. LA Fitness is open faced with glass walls allowing light to leave the site. Alternatively, this development is similar to a residential development, where lighting will be small and downward facing. Lastly, the distance of neighbors is far enough that they should not be impacted any differently from their own neighbors lighting.

## **Height**

The height of the proposed buildings are not so large as to have a negative impact on community character. For example, the similarly sized LA Fitness that exists on the street does not seem out of place on Seldom Seen Road. This example is meant to prove that the scale of the proposed buildings are unlikely to cause issue, not that an existing building is already there and therefore this proposal should automatically be allowed. In this way, existing structures and approvals may be used as references but are not meant to be legal precedents. This point is aimed at the comment made at the last meeting that this development would be precedence setting. P&Z reviews each proposal on a cases-by-case basis and by them allowing one development does not automatically approve another.

In addition, Seldom Seen Road is not a local road and is roughly 40 feet wide with an 80 foot right of way. Larger roads can typically handle larger buildings, the scales are relatable. The A buildings are also set back beyond the 60 foot front yard setback and roughly 650 feet from residences at Powell Place. This is a very large distance which should mean little impact on neighbors. Renderings provided by the applicant show just that.

These A buildings, although larger than what we have seen in Powell, serve a purpose. The extra height allows garages to be built on the main floor. There are some apartments on this level as well. As stated earlier, this development is designed for elderly residents and this building is designed for those at the higher end of the age spectrum. As a result, garages at grade will be very useful for these individuals. Not only can they park their cars, they can park and walk straight out onto the site. No need to walk to an elevator or stairs to get to the main floor. This development aims to serve an elderly community and as a result, amenities such as at grade parking are favorable.

## **Design**

As per the Architectural Advisor's comments, the applicant has provided updated sketches for A buildings. More detail is needed but staff is happy with the direction of the redesigns. Staff ultimately defers to the Architectural Advisor for further comments.

Staff would like to affirm its position that vinyl siding is not appropriate. As per the 2015 Comprehensive Plan, high quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged (p. 38). Staff would once again defer to the Architectural Advisor and P&Z for their opinions on the proposed materials.

## **Economic Development**

At the September 13 meeting, there was a comment made about this land being some of the last commercial land available in the area. This comment is true but before this application, the land was outside of Powell in Liberty Township and was likely to stay there. It is also necessary to mention that this land has only come into the city with the potential approval of this project. This does not mean that the City is required to approve the proposal. Instead, what this means is that in order for the City of Powell to gain control of this land and plan it in a way that is beneficial to the residents, we need to work with what we are given even though it is not entirely commercial.

Regarding tax generation, it should be noted that not all development types will be a net positive for the city taxes, this is especially true of single family residential homes. Yet, in order to have a well-rounded community, uses that may not bring in revenues are still an important piece of the overall fabric of a community. This is why when reviewing development proposals, financial considerations are a component of the review process, not the primary concern.

## **2015 Comprehensive Plan**

As mentioned in previous staff report (see below) this proposal is in line with the 2015 Comprehensive Plan. Specifically, the proposal is consistent with the recommended land use for the site, it provides additional housing options for our residents, and it is a strategic acquisition by the city. The development is strategic in three ways. First, the proposal helps to round out the housing stock available in Powell so that it allows our residents to age in place. Second, by gaining access to this site, the city gains 5 acres of commercial land. Lastly, with control of this land, the city ensure that whatever is developed on this site helps the city and its residents.

## **Ordinance Review**

Staff does not have any changes to the ordinance review that was presented at the September 23 meeting. Please see pages 6 to 8 below.

## **Staff Recommendation**

At time of writing this staff report a complete architectural packet was not received. Staff received black and white sketches, not full color renderings with dimensions. On a positive note, the applicant has been working closely with the Architectural Advisor to complete a full packet and presentation. The applicant mentioned that a full presentation would be made at the next meeting which would include material boards, renderings, and images of existing projects.

Staff has confidence that the applicant will provide a complete architectural packet to P&Z. As a result, staff would recommend approval as long as the Architectural Advisor and P&Z are satisfied with the presentation and discussion at the next meeting. Should all reservations regarding the architecture of A buildings be quelled. Staff would recommend the same approval from the previous staff report (see page 9-10).

## FINAL PLAN REVIEW – September 23, 2015

### Project Background

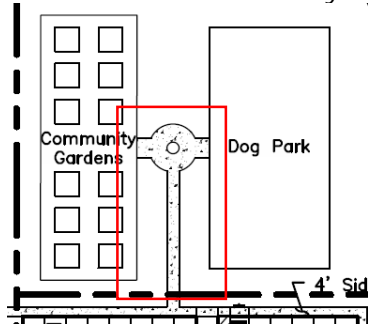
Planning and Zoning Commission (P&Z) last reviewed this project using *preliminary plan review standards* at their July 22 meeting (staff report attached). Since that time, the applicant had their annexation and zoning map amendment approved by City Council at their September 15 meeting. The applicant has now submitted their proposal back to P&Z for final development plan review.

### Proposal Overview

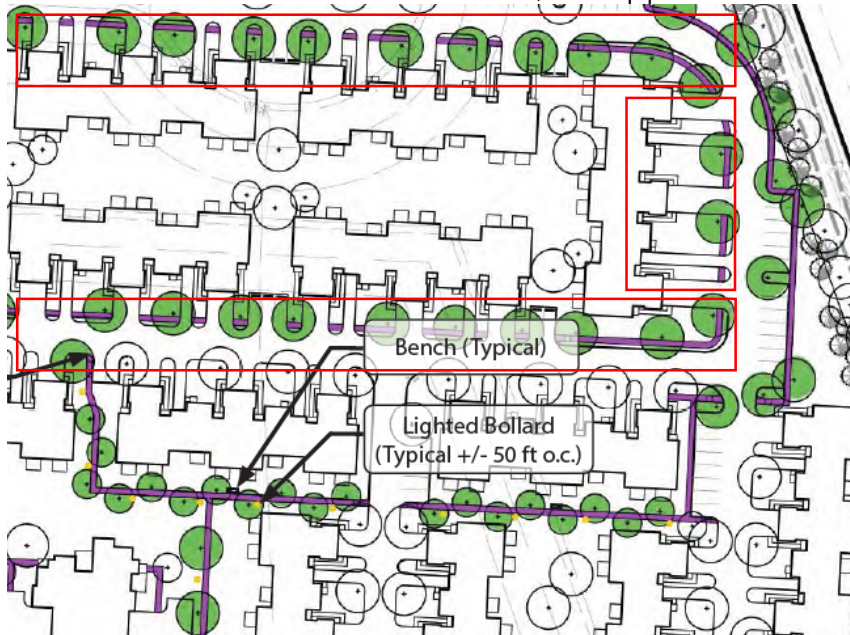
See proposal overview attached in preliminary plan review from June 10 (page 12 below) of this staff report.

### Changes/Additions since the Last Submission

- The final development plan has not changed substantially since the last submission.
- There were some refinements to area dimensions (e.g. Subarea B went from 10.40+/- in the preliminary plan to 10.29 in this version). As a result, density calculations changed slightly (e.g. subarea A had a net density of 22.10, it is now 22.09 du/ac). All minor changes are still in line with zoning code requirements.
- Impervious surface coverage reduce from 48.1% to 43%.
- A new landscape buffer has been provided, as per staff's recommendations, along Bunker Lane at the northwest corner of the site.
- Exhibits I A4.01, A4.02, and P-1 new.
- There is now a walkway between the community gardens and the dog park.

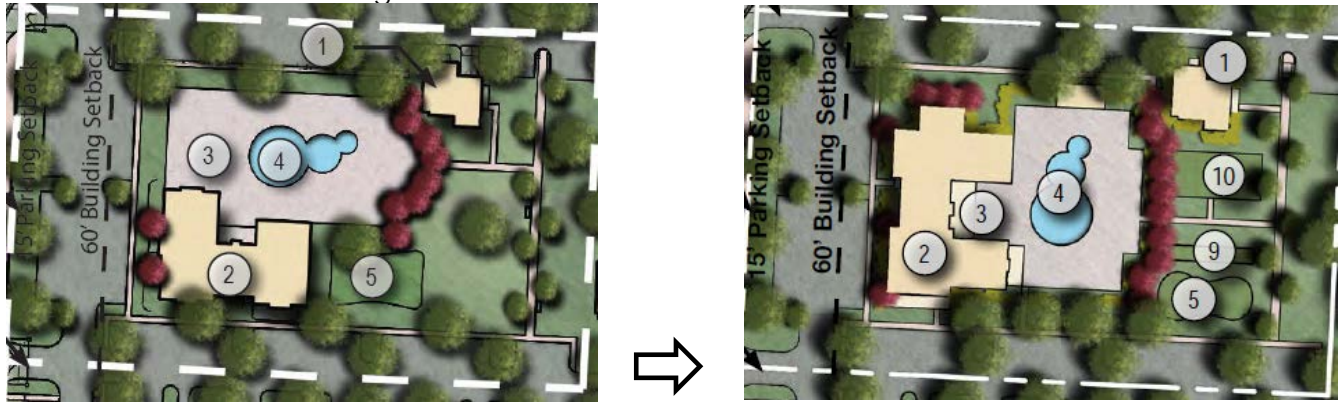


- As a result of staff's recommendation, the applicant added more pathways to the plan.

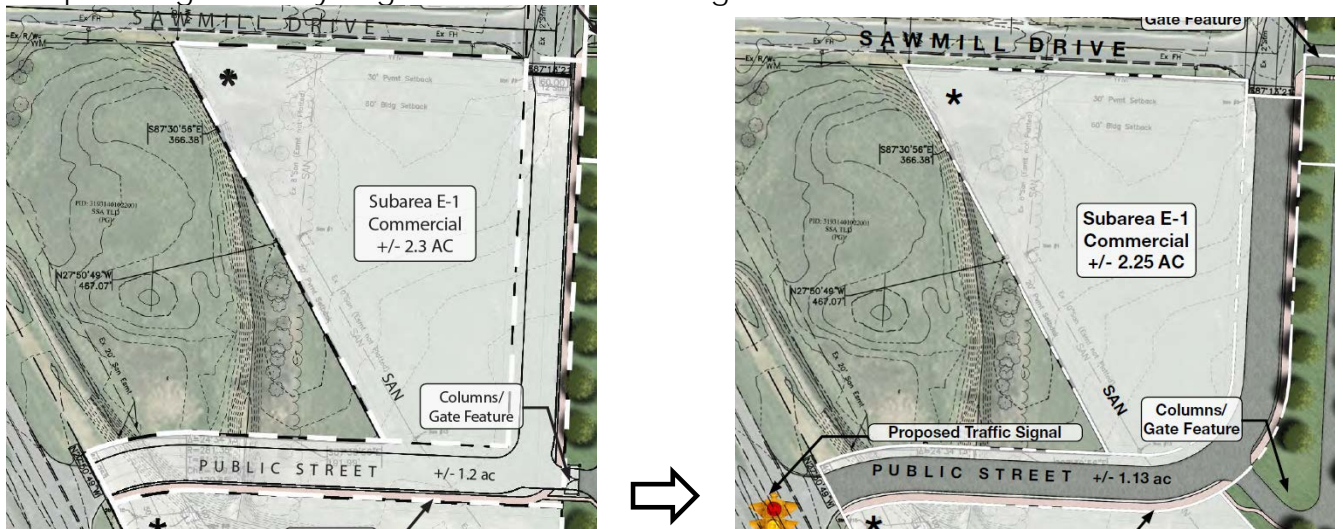




- The most substantial change is the reorientation of the club house.



- The public right-of-way angle has also been changed.



- A significant change, in terms of requirements, is that the applicant no longer needs to provide downstream improvements to the sanitary system. The Delaware County Sewer district letter states that the proposal has the necessary capacity without the need for improvements.

## Staff Comments

At the previous P&Z meeting, members of the commission passed an ordinance with a number of provisions. These provisions and whether or not the applicant met those requirements are below.

1. That all Staff comments shall be incorporated into the proposal prior to the Final Development Plan review;
  - As stated above, the applicant has added landscaping to the northwest corner and included additional sidewalks.
  - The financial projections have not been re-examined, however we do know that the applicant can finance this project. The financial examination of the project from an income tax standpoint will be a negative, and we know this going into it. However, the public infrastructure improvements being completed with this project, as well as future TIF revenues available to finance the development of Seldom Seen Road park site is tremendous.
2. That all Architectural Advisor comments shall be incorporated into the proposal prior to the Final Development Plan review;
  - Many of the comments have been incorporated into the architectural drawings. Staff defers to the Architectural Advisor to ensure this is the case.

- A determination is still needed about whether vinyl siding is appropriate for the development.
- 3. That the financial analysis shall be reviewed by the City Finance Director and all revisions shall be made accordingly;
  - The financials are being reviewed by the Finance Director and the Finance Committee. Discussions are ongoing.
- 4. That all City Engineer comments shall be incorporated into the Final Development Plan;
  - The City Engineer is satisfied with the drawings at this point but made mention that other work will need to be done following the planning phase of the plan.
- 5. That all roadway improvement discussions with the County Engineer's office shall be finalized prior to the Final Development Plan review, including the consideration of other options mentioned during the Preliminary Development Plan II review;
  - The traffic improvements being considered with this development is following the requirements set forth by the County Engineer at this time. Future details are to be worked out via final engineering prior to construction.
- 6. That a confirmation letter from Delaware County shall be received, confirming certain sewer capacity counter measures are appropriate and those measures are agreed to at the Final Development Plan review;
  - The letter was provided, and capacity is available without any downstream improvements.
- 7. That Staff shall investigate the lighting pollution from LA Fitness to determine appropriateness in relationship to nearby properties; and
  - This was investigated and we found there to be no problems.
- 8. That an address shall be provided to Staff of a nearby development where the proposed vinyl siding has been applied.
  - This was provided.

It should be noted that although finance and transportation considerations are an important part of planning review. The fiscal portion of this plan is outside the scope of this report and will be handled by Finance Committee and similarly, transportation improvements are at the discretion of the Delaware County Engineer's office.

### Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(k), in approving a final development plan, the Planning and Zoning Commission shall adhere to the steps below:

**Recommendation by the Planning and Zoning Commission.** Within thirty (30) days after the Public Hearing on the final development plan the Planning and Zoning Commission shall recommend that the final development plan be approved as presented, approved with supplementary conditions, or disapproved, and shall transmit all papers constituting the record and the recommendations to Council.

Before making its recommendation, the Planning and Zoning Commission shall find that the facts submitted with the application and presented at the public hearing establish that:

- (1) The proposed planned district development phase can be initiated within two (2) years of the date of approval and can be completed within five (5) years;

The applicant is planning on a single-phase development to be completed within 18-24 months.

**(2) The requirements of the Comprehensive Plan relative to the site at issue have been fulfilled;**  
The proposed development is in line with the City of Powell's 2015 Comprehensive Plan (CP). Specifically, the guiding principles that diverse housing options are important to the community; pedestrian and bicycle connections should be enhanced and expanded throughout the community; and new commercial development should contribute to the needs of the community. Also, the land use type proposed is in line with the CP's land use plan recommendation to use this site as a mixed used activity center, which recommends "a variety of businesses services, amenities, and housing options." (CP pg. 34)

This development will provide an additional housing type not currently available in Powell, in this way, it will allow residents to age in place. The development has numerous walking paths through the development and provides a connection to the proposed city park to the north. Furthermore, the development will contribute funds to complete bike paths around its edges. Lastly, as stated in the comprehensive plan, development that can be strategic in providing benefit to the city should be obtained. This development grows the size of the city and brings with it two large commercial parcels. Although this particular development may not be a large income tax generator for the city, it is a catalyst project that staff believes will bring in complimentary developments (such as medical offices) that will in-turn benefit all Powell residents and ultimately, increase the tax revenue generated for the city. This also could provide future capital improvement dollars.

**(3) The streets proposed are suitable and adequate to carry the anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned district plan area;**

As noted in previous staff reports, the roadway system is capable of handling the increased traffic and the internal circulation is designed accordingly. It should be noted that a traffic study was conducted by the application and it was reviewed by the Delaware County's Engineers Office. There are improvements that will need to be done, such as signalization at the new entrance and Sawmill Parkway. Road improvements and other improvements are under purview of the County office. However, city staff will be involved to ensure all suggestions are in line with the city's comprehensive plan.

**(4) Proposed non-residential developments can be justified at the location and in the amounts proposed;**

The proposed development is entirely residential with two commercial outparcels. As a result, the proposed non-residential development, which are to be reviewed before development, are in an appropriate location. The intensity of each will be reviewed at a later date when a use is determined and the application is brought back before P&Z through the development plan process.

**(5) Housing densities are warranted by amenities and conditions incorporated in the final development plan and are in accordance with these planned district development requirements;**

The Zoning Map Amendment was approved by City Council outlining the PC, Planned Commercial zoning and examination of this property as a transitional parcel located between similar types of commercial and residential properties, the railroad, and certainly is less intense than the commercial and industrial zoning plan that had been approved in the Township long ago.



**(6) Lands to be dedicated to public use are of acceptable and usable size, shape, and location;**

There are no lands dedicated to public use except for the multi-use pathways that are interconnecting this project with the community, and allowing nice connections with the existing pathway system. This is acceptable.

**(7) The area surrounding the development can be planned and zoned in coordination with and in substantial compatibility with the proposed development;**

Yes. The site does not impede the development of the proposed park to the north or the commercial properties to the west (which are actually a part of this proposed development plan). Also, the proposed development will not have any impact to the east or south, since these areas are already developed.

**(8) The existing and proposed utility services are adequate for the population densities and uses proposed, and**

Yes, the applicant has received letters from the following stating such: Del-Co Water Company for water, the Delaware County Division of Environmental Services for sanitary, Columbia Gas of Ohio for gas, and Time Warner Cable for telecommunications.

**(9) Adequate provision has been made for the detention and channelization of surface drainage runoff.**

At this point in time, the City Engineer is satisfied that the provided plans have made provisions for the detention and channelization of surface drainage runoff. However, the City Engineer has made it explicit that further engineering and refinement will need to be done following the planning process and before construction can begin.

### Staff Recommendation

Staff believes the proposal to be both generally meeting zoning requirements and a net benefit to Powell. Staff recommends approval of the Final Development Plan with the following conditions:

1. All on and off-site engineering is reviewed and approved by the City Engineer.
2. Similarly, off-site engineering is reviewed and approved by the Delaware County Engineer's office.
3. All Staff and Architectural Advisor comments are incorporated
4. The requested divergences below, are granted. Staff has no issues with the requested divergences.

Notwithstanding the proposed development text (P. 19-20), Staff analysis of this plan and code requirements are different than the developer. A summary of divergences are as follows:

1. Building lot coverage: Maximum allowed is 20%. Proposed building coverage is 22.3%.
2. Maximum number of multi-family units per any one acre, for the Buildings A area, is over 12 units per acre.
3. On larger residential developments, a larger 5 acre open space for active recreation is usually required. This is a significantly different type of population. Between all of the amenities being proposed, a larger space is not necessary. There is enough space, if so desired, for one additional popular active adult amenity and that is a pickle-ball court, which should be considered by the applicant.
4. This divergence allows for the larger building A and the townhouse units C to have more than 4 units attached. By having more units attached together provides for longer and larger buildings. This can be tempered with creating a strong sense of place and pedestrian scale through other means.
5. To allow gates/fences/columns in the front yard with 0' setback. This allows for the gates at the entrances.

6. The plan calls for three sign locations: one on Sawmill Parkway at the new street; one at Seldom Seen Road and Bunker Lane, and one on Sawmill Drive. These will be joint monument type signs for use by the commercial lots and the Powell Grand community.
7. This allow for the maximum height to be greater than 40 feet for Buildings A. The average height of these buildings are around 45 feet.

## PRELIMINARY PLAN REVIEW II – July 22, 2015

### Project Background

At the June 10, 2015 planning and zoning meeting, the commission tabled this proposal in order to allow staff the necessary time to review documents provided just before the meeting. Since then, staff has received a full preliminary plan submittal, including updated financial and traffic studies.

### Proposal Overview

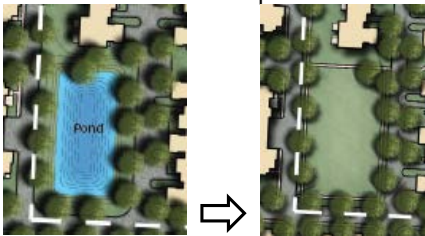
See proposal overview attached in preliminary plan review from June 10.

### Changes since the Last Submission

- Changes since June 10 preliminary submittal:
  - o Removed courtyards from A buildings.



- o Removed smaller pond from between B and C buildings



- o Removed 8 parking spaces from final count. Parking space total numbers do not match. Number of parking spaces site wide listed at 939. Calculated total from listed spaces per subarea is 855.

- Updates:
  - o Preliminary submission now includes illustrative landscape plans for common areas; sign and gate designs; and building elevations (with rough material schedule).
  - o Traffic impact study now included.
  - o Financial analysis now included.

### Staff Comments

#### Landscaping:

Site wide landscape plans only show trees, mostly deciduous. Staff believes additional plantings, in the form of shrubs, grasses and mounding, along the northwest corner are needed to screen the row of garage bays. Those bays are visible to travelers headed east along seldom seen (shown in developer rendering). Screening will provide more aesthetic sightlines for drivers and increased privacy for residents.



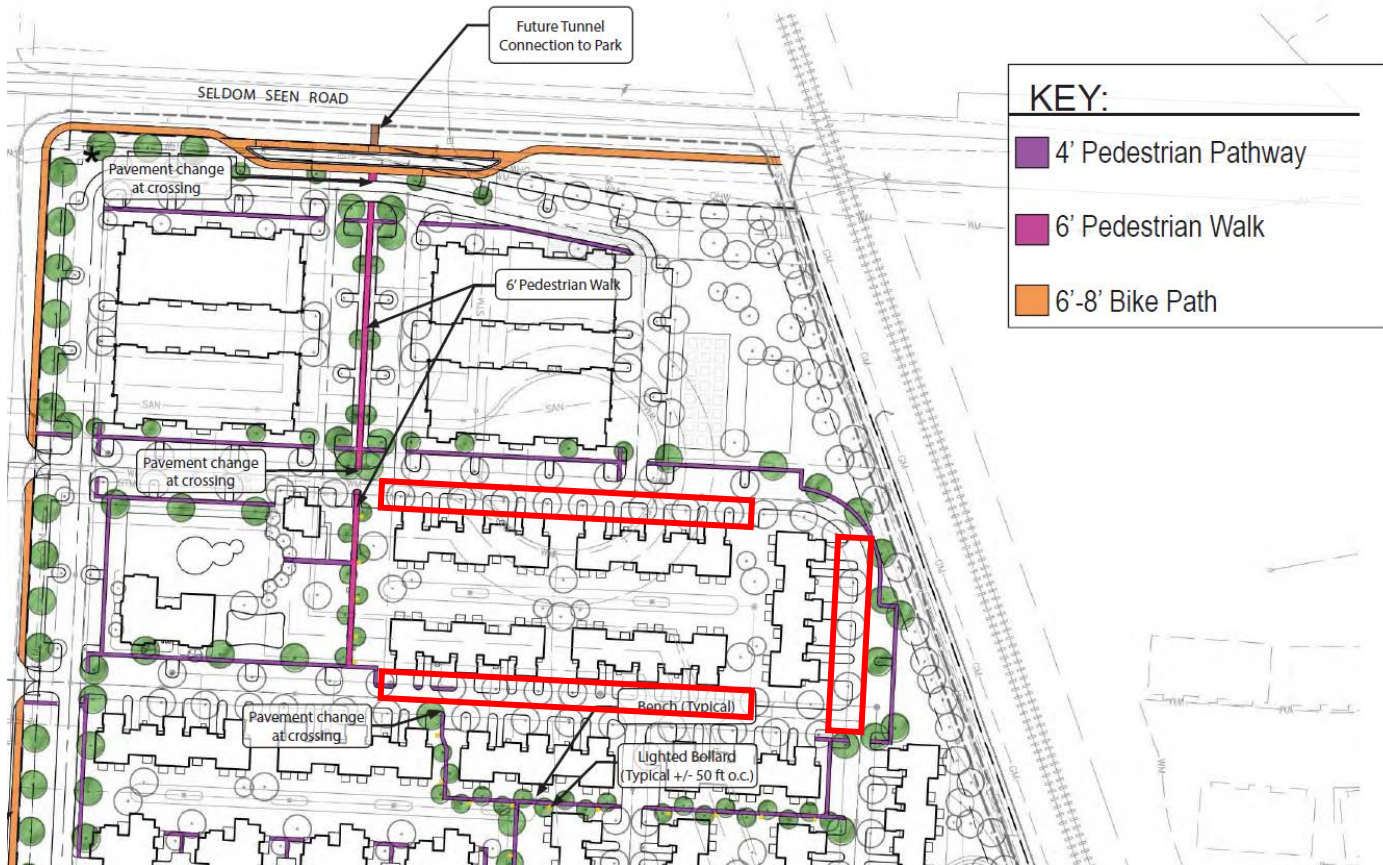
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### Internal sidewalks:

While the developer has added more pathways in this iteration, large sections of the development are not serviced with paths along lot frontage. Specifically, the C type buildings are without front sidewalks. This is important to note as C type buildings account for the majority of units and land area. C type builds are also along one (of the three) of the major access roads.

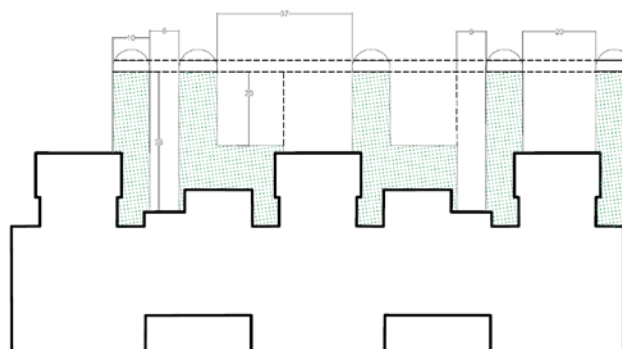


This problem relates to item #4 (June 10 ordinance review).

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

Staff just received the Traffic Study on Friday. We will update this report later. Staff does have an issue with the interior sidewalk plan related to the depth of parking driveways for the townhomes. The depth of parking areas are not deep enough. See the images on the next page. We need the applicant to pinch the rear of the townhome buildings a few feet closer together to create better parking situation where the parking does not interfere with sidewalks"

#### Ideal

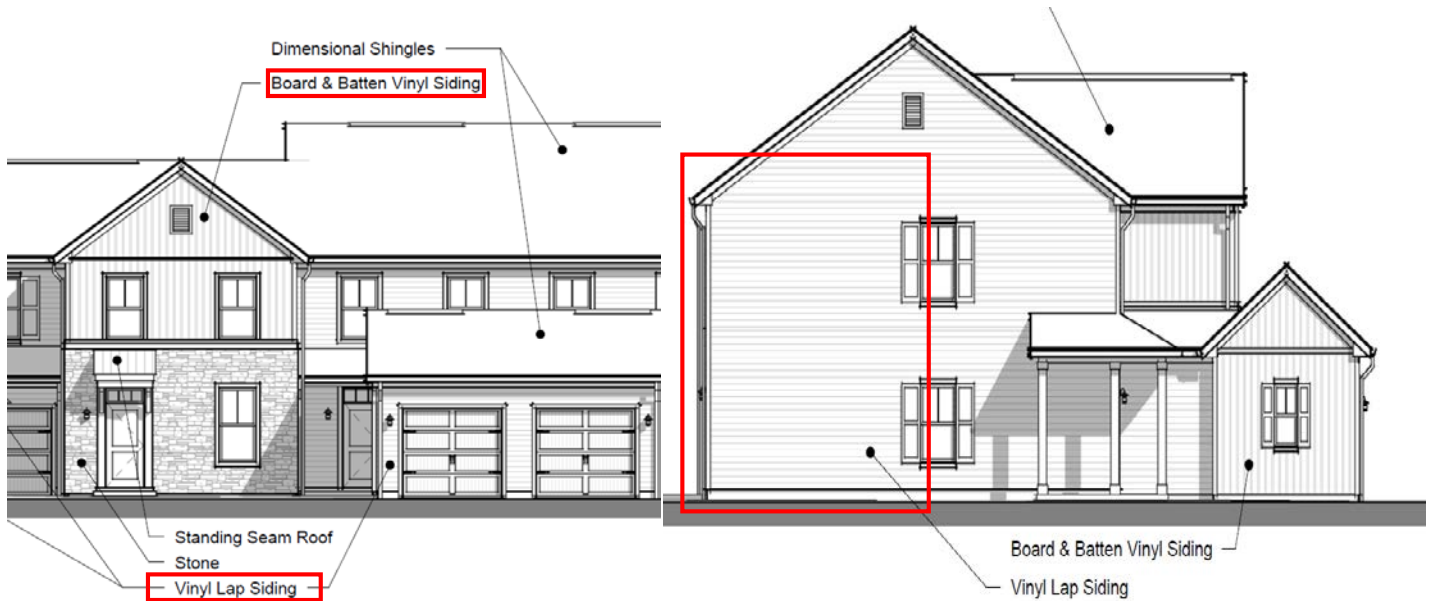


Ultimately, not providing sidewalks results in lower mobility, safety of walkers, and property values.



### Architecture:

Staff defers to the Architectural Advisor for comments. However, staff would like to make mention that the vinyl siding proposed is not appropriate for high quality buildings that the applicants are proposing (see image below). Staff would recommend cementitious siding be used instead. Furthermore, staff would like to see some of the blank walls be reduced (see image below)



### Traffic impact study:

After reviewing the now complete traffic study, staff believes the study is accurate in its findings. In short, the study predicts little traffic impact. Aside from impacts, the study also considered necessary improvements for site access and improvements made necessary by current demands (page 20 – 21 in traffic study). In addition, it should be noted that the recommended changes to the transportation network is under review by the County Transportation Engineer's office. Staff is involved in the discussions, but the final decision will be by that office. Staff supports the suggested improvements in the applicant's proposal as they will improve transportation networks.

### Financial analysis:

At this point, negotiations between city staff and the developer regarding TIF funding amount, structure, and purpose are ongoing. The \$40 million development will add significant bonding capacity to the TIF.

In terms of income tax projections, staff believes that the provided financial study overestimates tax receipts. The provided study asserts an assumption of a median of \$100,000 income across all 308 units. That figure includes an 80% reduction from Powell's median income to account for 20% of this proposal's residents being retired. Staff questions if even a reduction on 80% of median income is a reasonable predictor for this development for several reasons.

First, 120 of 308 total units provided are within the four apartment style buildings (type A buildings). Of the three unit types, these will most likely house the largest percentage of non-working residents. Additionally, staff assumes that these units rent on the lower end of the developers predicted price range of \$900 – \$1900. Staff asserts that due to cheaper units, average income across residents of those units will be less than the developer's adjusted median income. In fact, a rent of \$1000 (plus utilities) a month is affordable to an income of about \$47,000. Add on top of that, a 20% (in line with

developer's stated rate to account for retirees) reduction in overall taxable income. The obvious overall result being less than predicted tax receipts being collected.

However, it is important to temper the above scenario. This development will also bring in two, at this time unplanned, commercial lots. The annexation of this development will also round out borders, resulting in a lower than normal cost of police service to this site. As previously stated, it can also enhance the Sawmill commercial TIF.

Lastly, despite tepid income tax projections, this development will positively impact property tax generation vital for local schools. Further, within the Olentangy school district apartment and condo developments generate a low number of school age children - about .33 children per unit. Additionally the City of Powell would receive a small portion of property tax.

### Ordinance Review

See ordinance review attached in preliminary plan review from June 10.

### Staff Recommendation

Staff believes the proposal to be both generally meeting zoning requirements and a net benefit to Powell. Staff recommends approval of a Preliminary Development Plan with the following conditions:

5. All Staff comments are incorporated into the proposal before final plan review.
6. All Architectural Advisor are incorporated into the proposal before final plan review.
7. That the financial analysis be reviewed by the Finance Director and updates made accordingly.
8. The City Engineer's preliminary comments incorporated into the final plan submission
9. The roadway improvement discussions with the County Engineer's office are finalized before final plan review.

## PRELIMINARY PLAN REVIEW I – June 10, 2015

### 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, it falls easily within our service area and access will come off of existing City streets. It makes sense that this property be annexed and developed within 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. There really is no plan or text for the commercial lots at this time. Therefore, future review of a Sketch Plan, Preliminary Plan, and Final Development Plan will be necessary for those parcels. However, we can still provide for the PC, Planned Commercial Zoning District for these parcels upon annexation.

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, with 12 garage spaces available per building and surface parking.
- 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 37.9 acres, creating a net density of 8.12 units per acre on the residential acreage.

If one utilizes the entire property to calculate the density, the gross density is 7.88 units per acre.

Amenities in this plan include 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. 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. Next to that will be a gazebo or patio area for their residents.

### Changes since the Last Submission

The applicant has made the following changes since the May 13, 2015 submission.

- Building layout for Buildings B and C have changed and the location of the clubhouse and amenities has been moved north.
- There are two types of building B available with what appears to be a change to one unit.
- Additional detail of the interior sidewalk system have been more fully developed.
- A detailed tree planting inventory and plan has been prepared.
- Additional road work needed on Sawmill Parkway has been shown.
- Perspective drawing of Buildings A as they relate to their size are submitted.
- Details of the plan within a text has been provided.
- There is no longer any engineering plans for the tunnel to Seldom Seen Park to the north.

### 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;**

Notwithstanding the proposed development text (P. 19-21), Staff analysis of this plan and code requirements are different than the developer. A summary of divergences are as follows:

8. Building lot coverage: Maximum allowed is 20%. Proposed building coverage is 21.8%.
9. This item is typically reserved for single family Planned Residence Districts not PC districts. Therefore, the applicant is not correct.
10. Maximum number of multi-family units per any one acre, for the Buildings A area, is over 12 units per acre.
11. On larger residential developments, a larger 5 acre open space for active recreation is usually required. This is a significantly different type of population. Between all of the amenities being proposed, a larger space is not necessary. There is enough space, if so desired, for one additional popular active adult amenity and that is a pickle-ball court, which should be considered by the applicant.
12. The gross density of entire site, including the commercial site, is 7.9 du/acre. The net density of the residential area only is 8.2 du/ac. There is no divergence here.
13. This divergence allows for the larger building A and the townhouse units C. By having more units attached together provides for longer and larger buildings. This can be tempered with creating a strong sense of place and pedestrian scale through other means. This allows for the gates at the entrances.
14. The plan calls for three sign locations: one on Sawmill Parkway at the new street; one at Seldom Seen Road and Bunker Lane, and one on Sawmill Drive. These will be joint monument type signs for use by the commercial lots and the Powell Grand community.
15. The maximum height of the four Building A buildings is still unclear. Our code measures height from the grade to the mid-point between the eave and ridge. Staff has not yet seen a detailed enough elevation drawing to see what the proposed height is.

**(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;**

The proposed Powell Grand project will be the highest density development within the City of Powell. However, it is by nature less of an impact as it is an active senior adult community. The location of this development is on a major arterial and minor arterial and has similar and compatible surrounding land uses. It just falls under the highest density code allows. It does provide for two commercial properties as well which adds to our tax base. This site will be added to the Powell Commercial TIF which will more than help with future capital improvements. Amenities provided on site will offset additional needs for the community to provide those amenities.

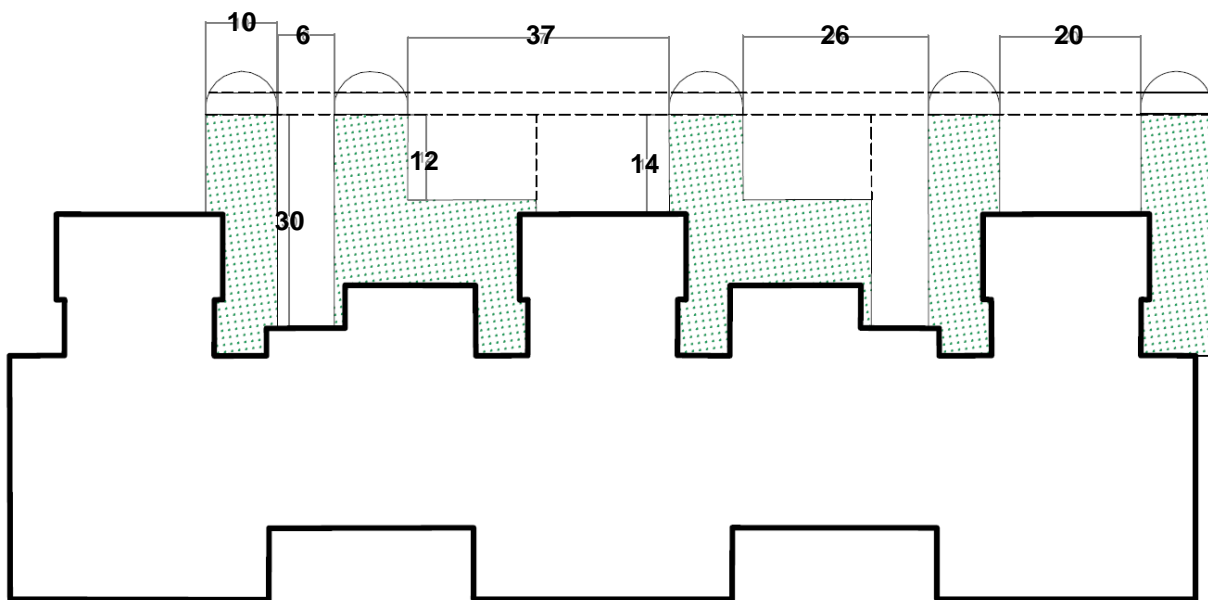
**(3) The relationships between uses, and between uses and public facilities, streets, and pathways;**

As proposed, the layout of the site seems appropriate for access and egress from the public streets. Work will need to be done on Sawmill Parkway for the installation of a traffic signal and changes to access to Sawmill Drive. The new interior public streets are necessary access points for the commercial properties as well as the residential. The public park is to the north and a tunnel under Seldom Seen Road is proposed. A pathway connection along Sawmill Parkway will be done south all of the way to Big Bear Avenue.

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

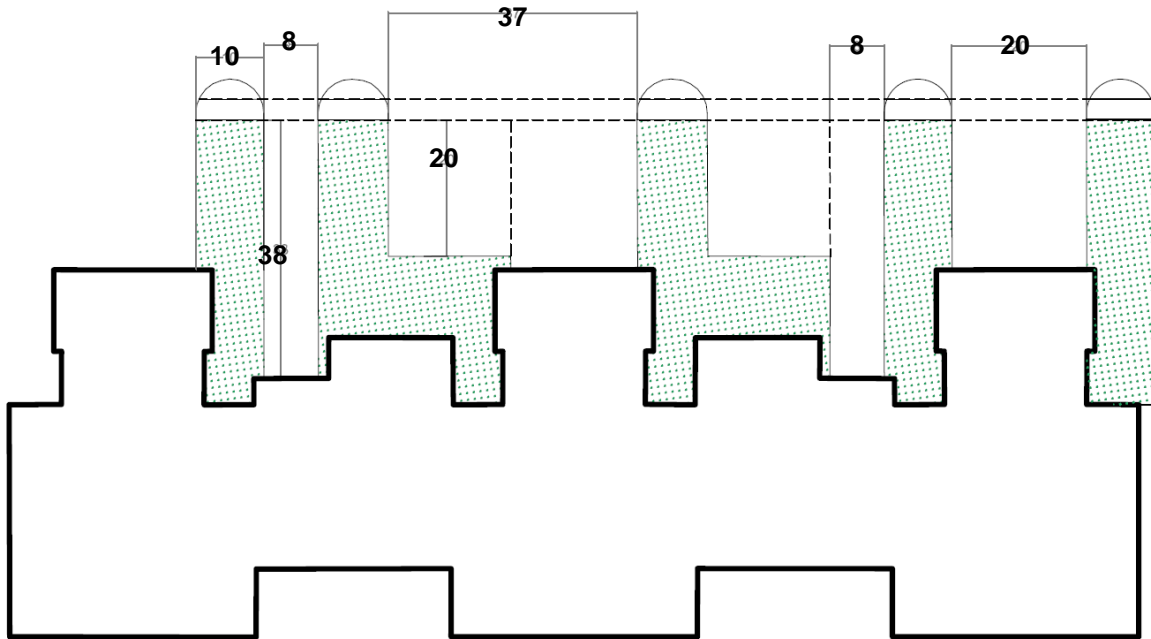
Staff just received the Traffic Study on Friday. We will update this report later. Staff does have an issue with the interior sidewalk plan related to the depth of parking driveways for the townhomes. The depth of parking areas are not deep enough. See the images on the next page. We need the applicant to pinch the rear of the townhome buildings a few feet closer together to create better parking situation where the parking does not interfere with sidewalks.

existing (approximation)





# Ideal



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

All of the required setbacks are met. There is a large 100 foot buffer between the existing condos to the south. There are a few units that are set back 40 feet from the railroad right-of-way.

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

There is over 30% green space allotted for the residential portion of the plan. There are also many outdoor recreation opportunities for active older adults as well. There is a large tree planting plan provided.

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

The developer proposes to build the residential area in one phase and has established the financing for it. The commercial properties will be built as proper users are found.

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

It is estimated that the build-out of the residential property will be 12 to 14 months.

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

The developer will be making all of the required capital infrastructure improvements associated with the impacts of this development. The City and developer will, in all likelihood, enter into a TIF agreement for portions of the improvements necessary due to bettering the community. A Financial Analysis that the developer intends to submit has yet to be submitted and reviewed.

**(10) The community cost of providing public services to the development;**

The additional services required due to this development is not going to overburden current staffing levels.

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

Although this development will create additional traffic, the traffic that is created is much less than many other things that could be developed here such as movie theaters, commercial strip centers, and the like. The population that is expected to live here do not drive as much as a typical single family home, or create traffic as a destination commercial space. The residents will support the local businesses that are nearby, especially the CVS.

**Staff Comments**

This being a Preliminary Development Plan, we expect to see a lot more detail than we do at the Sketch Plan and that has been provided. However, as of this writing on June 5, we have yet to review the traffic analysis and receive the financial analysis. Staff expects them today and in all likelihood will be able to present results and ideas due to those reports at the meeting. Continued work on architectural details are also progressing but not yet submitted.

Staff has had a chance to review the proposal as well as nearby proposals with the County Engineer's office. Some parameters were established for the traffic study and hopefully it can come to a good conclusion. We will continue to coordinate as we go through the plan review process.

**Staff Recommendation**

Staff recommends that the Planning and Zoning Commission begin the public hearing process and continue it to a future known meeting time where additional detail as required can be presented. There is substantial communication and coordination between the City and the County, and public infrastructure detail that is needed as we continue to the Final Development Plan and any future TIF Agreement that City Council will need to consider.

## SKETCH PLAN REVIEW – May 13, 2015

### 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 on 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.