



**DEVELOPMENT DEPARTMENT REPORT
JUNE 2016**

CODE ENFORCEMENT REPORT

Report attached.

HISTORIC DOWNTOWN ADVISORY COMMISSION

No meeting held.

PLANNING AND ZONING COMMISSION

June 15, 2016 – Minutes attached.

FINAL DEVELOPMENT PLAN REVIEW

Applicant: Dr. Ali Khaksarfard, DDS
Location: Northwest corner of West Olentangy Street and Lincoln Street
Existing Zoning: (DB) Downtown Business District
Request: To review a Final Development Plan proposal to construct a commercial building containing approximately 21,647 square feet on a 2.3 acre site.

- *Reviewed and approved with conditions.*

BOARD OF ZONING APPEALS

No meeting held.

June 2016 City Council Zoning Report

Zoning Violations

Address	Name/Business	Date of Letter	Date to Be In Compl	Primary Violation	Action Corrected	Date Checked	Notes
635 Village Park Dr	T&R Properties	6.2.16	6.12.16	557 in progress	557 in progress	6.13.16	tall grass - re-occurring problem
640 Old Pond	David Brehm	6.2.16	6.12.16	557 yes	557 yes	6.14.16	tall grass
80 S. Liberty Street #201	Powell Psychic.	6.7.16	6.14.16	1151.08 yes	1151.08 yes	6.22.16	stick sign
951 Retreat Lane	Umesh S. Vazirani	6.10.16	6.17.16	557 / 1145 no	557 / 1145 no	6.22.16	tall grass - disabled vehicle parking
690 Retreat Lane	Gregory Chalfant	6.13.16	6.23 / 7.23	557 / 1145.33 yes	557 / 1145.33 yes	6.22.16	grass & weeds / hazardous tree
260 Cedarbend Ct.	Molly Feldmann	6.14.16	6.21.16	557 yes	557 yes	6.22.16	tall grass
3474 Sawmill Drive	LA Fitness	6.16.16	6.23.16	557 yes	557 yes	7.8.16	tall grass
43 Chenago Dr.	Garrett Power	6.21.16	6.28.16	557 in progress	557 in progress	7.11.16	weeds near mailbox
35 N. Liberty St.	Hamelberg Properties	6.22.16	6.29.16	557 yes	557 yes	7.11.16	grass & weeds
157 Trail Edge Circle	Hjames & Linda Steinhilber	6.23.16	6.30.16	114.06 in progress	114.06 in progress		disabled car parking - again



City of Powell, Ohio

Planning & Zoning Commission

Donald Emerick, Chairman

Richard Fusch, Vice Chairman

Shawn Boysko

Ed Cooper

Trent Hartranft

Joe Jester

Bill Little

Chris Meyers, AIA, Architectural Advisor

MEETING MINUTES

June 15, 2016

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, June 15, 2016 at 7:00 p.m. Commissioners present included Shawn Boysko, Ed Cooper, Richard Fusch, Trent Hartranft and Joe Jester. Commissioner Little was absent. Also present were Rocky Kambo, GIS/Planner; Chris Meyers, Architectural Advisor; Leilani Napier, Planning & Zoning Clerk and interested parties.

STAFF ITEMS

Rocky Kambo, GIS/Planner, advised the Commission the first public workshop of the Keep Powell Moving initiative will be Tuesday, June 28th at 7:00 p.m. Postcards, HOA letters and online social media are being sent/used to notify the community. The City would like as much public input as possible. Commissioner Hartranft asked what will be covered in the workshop. Mr. Kambo said a preliminary, in-house/consultant background analysis has been done to provide information on different parking and roadway options. This information will be shared with the community. The community will be asked to share what they think of the preliminary information and will be asked to provide feedback on what they do or don't like. The feedback will allow Staff to refine the recommendations.

The Code Update committee is moving forward, hoping for an end of year recommendation.

The next meeting of the P&Z Commission will be July 13th. There will only be one meeting in July.

Mr. Kambo commended the P&Z Commission members who have moved to digital packet material. Staff is willing to meet with any Commission member to help with using electronic devices.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Emerick opened the public comment session. Hearing none, he closed the public comment session.

APPROVAL OF MINUTES

MOTION: Commissioner Cooper moved to approve the minutes of May 11, 2016. Commissioner Jester seconded the motion. By unanimous consent the minutes were approved.

FINAL DEVELOPMENT PLAN REVIEW

Applicant: Dr. Ali Khaksarfard, DDS
Location: Northwest corner of West Olentangy Street and Lincoln Street
Zoning: (DB) Downtown Business District
Request: To review a Final Development Plan proposal to construct a commercial building containing approximately 21,647 square feet on a 2.3 acre site.

Tom Berry, Thomas Beery Architects Inc., 1890 Northwest Blvd., Columbus, said he is presenting on behalf of Dr. Ali Khaksarfard. He pointed out the progress since the Preliminary Development Plan meeting. An easement was discovered at the southwest corner of the property which forced them to make changes to the southwest corner of the building. The change created a nice opportunity for a patio or a gathering area in the front of the building along Olentangy Street. They also created some gathering areas in spaces which were planned to be sidewalks before to activate the space along Olentangy Street. They are working with the developer to the west to have a crosswalk across Traditions Way. The location of the crosswalk has been established and is shown in drawings. They did away with parking spaces right at the main Traditions Way entrance and created a large, landscaped island. They reallocated the other landscape islands to maintain the 92 parking spaces. The fountain area has been

converted from a green space area to a hardscape surface so it can be used by the public. The dumpster enclosure is more integrated with the building and a gateway from the side was created. The dumpster will be screened with a lattice work. The same lattice will be used throughout the property to screen utilities and other unsightly items. The submittal now includes roof plans, building sections and elevation details which further explains what the construction of the buildings will be like. Signage requirements are now included. Architectural details have been revised. Chris Meyers felt the dormers were too squatty so they made the dormers more vertical. The building materials have been finalized and Darrell Pappa will go over the details.

Darrell Pappa, Thomas Beery Architects Inc., 1890 Northwest Blvd., Columbus, presented drawings of store fronts to show color and finish, sample materials and colors for signage and signage letters, finish and color for light fixtures, trim and vertical siding colors, brick samples, shingle samples and stone veneer samples.

Mr. Kambo reviewed the Staff Report (Exhibit 1).

Project Background

The applicant brought this proposal to P&Z as a Preliminary Development Plan on April 27, 2016. P&Z and Staff offered the applicant some suggestions. Since then, the applicant has made changes and resubmitted for a Final Development Plan review.

Changes since the Last Submission

The applicant made the following changes since the Preliminary Development Plan meeting:

1. Grading plan provided.
2. Landscaping plan refined.
 - a. New layout for central courtyard space (including a different fountain), front and west side of site also reconfigured.
 - b. Tree screening of dumpsters reoriented.
3. Utilities locations now shown on plans.
4. Roof plan provided.
5. Gables changed.
6. Details of dumpster screening provided.
7. Lighting fixture details provided.
8. List of building materials provided.
9. Sign details provided.

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 letter from the owner states they would like to begin construction right away. It is assumed by Staff, due to the scale of the development, it may take between 12 - 18 months to complete. Staff asked the applicant to provide a letter of financing. Huntington Bank provided a letter to Staff and the letter assures the applicant has financing in place.

- (2) The requirements of the Comprehensive Plan relative to the site at issue have been fulfilled;**

The proposal meets the requirements of the Comprehensive Plan. A detailed analysis is provided in the Preliminary Development Plan Staff Report.

(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;

The applicant provided a traffic study which stated, regardless of the proposed development, improvements need to be made. A summary of the traffic study is below. See item #3 in the Preliminary Development Plan Staff Report for Staff analysis.

Summary:

The site drives and adjacent intersections operate acceptably with year 2017 opening day conditions. In the 2027 and 2037 horizon years, SR 750 continues to operate well, but the Traditions Way and Lincoln Street side streets will experience increasing delay. Widening southbound Lincoln Street to provide a left turn lane and a through/right lane will help reduce delay for the side street. An eastbound left turn lane on SR 750 to Lincoln Street will improve access to the site and reduce delay for SR 750.

The City of Powell should consider pursuing dedicated right of way for W. Case Street to make it a through street to Village Point Drive. This would provide access to a signalized intersection, which will also help reduce delay for the side streets adjacent to this project.

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

The non-residential development is justifiable at the location and amount proposed. See item #2 in the Preliminary Development Plan Staff Report for further details.

(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;

There are no housing units proposed for the site.

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

There is no dedication of land.

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

The surrounding area is actually being planned and zoned in coordination with and compatibility with this development. The Traditions commercial to the west of the site and the Powell Crossing development to the southeast of the site will all be reviewed hand-in-hand with one another. In this way, there is no clearer example of coordination and compatibility of the surrounding area with the proposed development.

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

The letters provided by utility providers prove services are available and at the amount needed for the development.

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

The Engineering Department has provided a cursory examination of the site. There are some storm water detention/retention numbers/amounts which need to be worked on. The water which runs off of the property needs to be treated adequately before leaving the site. Run off water must meet EPA standards before leaving the site. While a solution is being sought, changes won't be substantial enough to change the development plan. Staff advised the applicant they will need to come back before the P&Z Commission again if Engineering Department recommendations do substantially change the development plan.

Comprehensive Plan Consistency

As there was no substantial change since the last submission, the Preliminary Development Plan review regarding Comprehensive Plan stands.

Staff Comments

As stated in previous Staff Reports, Staff sees this proposed development as an overall benefit to the community. This proposal will develop a currently unused property accomplishing a few things. First, it will encourage the expansion of the downtown core westward. Second, in conjunction with the proposal to the west, will create a continuous building façade. This urban design consideration has been shown to promote safety and walkability. Lastly, instead of an open area with a for sale sign, we will get a commercial/office space which will provide residents and visitors with more services and another reason to enjoy the downtown core.

Staff Recommendation

Staff recommends Final Development Plan approval with the following conditions:

1. All City Engineering Department requirements are met upon their final review. If requirements substantially change, the applicant will come back before the P&Z Commission.
2. Roadway improvements recommended by the traffic study be implemented by the developer and be coordinated with the Powell Crossing development and the City Engineer. Case Street improvements can be done at a future date and would be the responsibility of the City. The Lincoln Street and Traditions Way side street improvements should be taken care of by the applicant.
3. A shared parking/access agreement is finalized before final occupancy is provided by the City.
4. Future tenants are required to have front door access to their business (frontages along Olentangy Street and Lincoln Street). No business shall have access solely from the interior of the development (parking lot area).
5. Any and all Architectural Advisor comments are met.

Chris Meyers, Architectural Advisor, said he was pleased to see every comment he made in the Preliminary Development Plan review addressed. He does want to point out the walkability of the property, especially from the condo development. The cut-out in the front corner of the building due to the easement will technically be the City's property. The City needs to collaborate with the property to the west to make sure the landscaping is developed in concert with the property to the west. Mr. Meyers said he appreciates what the applicant is proposing on the east side of the property; the more scalable front entry walkways to each space rather than the previous, continuous walk which ran across the front. There are a number of low level walk and landscape lighting details provided. There will be accent lighting on the building also. The courtyard space usability became more prominent with the change to hardscape from green space. The tower piece could be made a little more prominent, even if with an accent trim color. This would give the center tower piece more dominance. Mr. Meyers questioned the height and scale of the area where the 2 pendant lights are hanging. The pass-through looks a bit small. Maybe one bigger fixture would work better. The graphic for the fountain clarifies the intent of the fountain. Mr. Meyers asked the applicant to think about what the fountain will be transformed to in the winter. Will the area have an art piece or an evergreen tree in a pot, something which will allow the fountain to be a nice feature all year round? He encouraged the applicant to use lighting in the fountain.

Chairman Emerick opened this item to public comment. Hearing none, he closed the public comment session.

Chairman Emerick opened the floor for comments and questions from the Commission.

Commissioner Cooper asked if a divergence is needed for the lot coverage. Mr. Kambo said it was mentioned in the Sketch Plan review but it could be added as a condition. Commissioner Fusch said if the Commission is granting a divergence it must be a part of a motion; a Sketch Plan is not a motion-able action. Mr. Kambo said Commissioner Fusch was correct. Commissioner Fusch asked what the divergence is. Mr. Kambo said a 1% lot coverage divergence needs to be added. Lot coverage allowed is 20%. The proposal has 21% lot coverage. Commissioner Cooper asked if there is anything in writing regarding parking agreements. Mr. Beery said not at this time. He doesn't anticipate any issues with a shared parking agreement with the property to the west. Mr. Beery said he is concerned about meeting a condition which states all 3 properties must enter into a parking agreement. Will their ability to complete this project hinge on a parking agreement? What if an owner 2 doors down doesn't agree to a parking agreement. Mr. Kambo said the Staff recommendation could be clarified to say a shared parking/access agreement is finalized with the property to the west. We should at least have a Traditions commercial agreement. An agreement with the other plaza shouldn't affect this development. Commissioner Cooper asked if a shared parking agreement was already in place with the Traditions commercial. Mr. Kambo said it wasn't in place but it is being worked on. Staff's recommendation was meant to allow the developer to continue on with the project and not hinder the project continuation with a parking agreement. The applicant has sufficient parking. The shared parking will help businesses. Commissioner Cooper said he would like to see a parking agreement with the property to the west only. He wouldn't expect the applicant to have more than this. The Engineering Department's storm water recommendations need to be satisfied. The Architectural Advisor's comments need to be incorporated. Mr. Beery asked if the parking agreement will be a condition on the other developer's review also. Mr. Kambo said yes. Commissioner Hartranft said it would have to be. Mr. Beery said yes it would need to be equitable. Mr. Kambo said Staff will recommend this. Mr. Beery asked what will happen if the other developer doesn't follow through on a parking agreement. Mr. Kambo said the condition will say a parking agreement needs to be established with the Traditions commercial development. If the Traditions commercial development doesn't happen, there would be no need for an agreement. Mr. Beery said fair enough.

Commissioner Jester asked if there will be any lighting along Lincoln Street. The area is very dark at night. He mentioned this in the last meeting. He had hoped to see more detail on lighting along Lincoln Street. Mr. Pappa said the focus has been on West Olentangy Street in regards to lighting. There will be lights focused on the buildings

and there will be parking lot lighting. Commissioner Jester said these areas are on the inside of the property. Mr. Pappa said they will definitely look at the Lincoln Street line and try to light it more. Mr. Beery said there is post lighting out front on Olentangy Street. There is no reason they couldn't carry post lighting onto Lincoln Street. Commissioner Jester said this is what he wanted to hear.

Commissioner Boysko asked about the underground storm water system and how it could or would impact the site development or the building design. Mike Overstreet with E.P. Ferris & Associates said they have been in contact with the City Engineer and the size of underground storage pipes will be increased per the City Engineer's recommendation. There will be a large pipe and water will be stored underneath. There will be stone and pervious pavers. The site will release at the recommended rate and the rest of the storm water will be stored on-site underground. Commissioner Boysko asked if the underground storage is on the north part of the site. Mr. Overstreet said there is a large pipe which will run along Lincoln Street and the pervious pavers have a stone underlay which will store water also. There will be one outlet at the southeast corner of the property. Commissioner Boysko said it sounds like recommendations have already been worked out. Mr. Kambo said it was news to him. Mr. Overstreet said they received the City Engineer's recommendations two days ago and satisfied the recommendations over the two days. Commissioner Boysko asked if the changes were incorporated in the plan. Mr. Overstreet said they will be. Mr. Kambo said, to be clear, the recommendations aren't in this submittal yet. One of the conditions needs to be the Final Development Plan shall be updated prior to going to City Council, showing the size of pipes. Commissioner Boysko asked if the roadway improvements which are to be a part of this development should be identified specifically. Mr. Kambo said #3 of the summary under Ordinance Review of the Staff Report specifies what improvements the applicant should be responsible for. The applicant will be required to complete widening of southbound Lincoln Street to provide a left turn lane and a through/right lane. The applicant will also be required to complete an eastbound left turn lane on SR 750 onto Lincoln Street. Typically Staff Reports state "make the necessary road improvements as per the Engineering Department's requirements". This verbiage is broad, providing flexibility in case other improvements are necessary. Commissioner Boysko asked if the verbiage is too flexible, to the point the work isn't identified. Mr. Kambo said no, the same verbiage has been used in numerous other larger scale developments and it has proved useful to have the condition written like this. Commissioner Boysko said the development is going to be a great addition to the City.

Commissioner Hartranft thanked the applicant for bringing in all of the materials presented. Seeing the materials helped him envision the details. He asked if the fountain is glass. Todd Faris with Faris Planning & Design said they are envisioning a blue tile. When water isn't running, the fountain will still have a color to it. The fountain will be lit with white lights on the falls and color changing lights on the spigots. Commissioner Hartranft asked if the fountain has a 3-tier system. Mr. Faris said yes and there are plant beds on the sides.

Commissioner Fusch said he likes the plan and design. His colleagues asked all of his questions except for one. He asked for the status of West Case Street. Mr. Kambo said the Keep Powell Moving initiative is underway. The committee is looking at possible roadway connections and extensions to address traffic issues. Case Street improvements will be the responsibility of the City. At the moment there are no recommendations to improve Case Street but hopefully one of the recommendations coming from the Keep Powell Moving committee is to put funds towards Case Street's connection and completion. Commissioner Fusch said he would have liked to have heard better than that. Mr. Kambo said at least planning is taking place and things are headed in the right direction.

Chairman Emerick said he had nothing else to add. He thinks the project is going to be exciting for the City.

MOTION: Commissioner Fusch moved to approve the Final Development Plan for the property located at the northwest corner of West Olentangy Street and Lincoln Street as represented by Dr. Ali Khaksarfard, DDS, to construct a commercial building containing approximately 21,647 square feet on a 2.3 acre site, subject to the following conditions:

1. That all City Engineering Department requirements shall be met upon their final review; and
2. That if the City Engineering Department requirements substantially change the development (substantial changes to be determined by Staff), those changes shall be re-submitted to the Planning & Zoning Commission at a future date; and
3. That the roadway improvements recommended by the traffic study shall be implemented by the developer and shall be coordinated with the Powell Crossing development and the City Engineer; and
4. That a shared parking/access agreement shall be finalized before final occupancy is provided by the City; and
5. That the future tenants shall be required to have front door access to their business (frontages along Olentangy Street and Lincoln Street). No business shall have access solely from the interior of the development (parking area); and
6. That all Architectural Advisor's recommendations shall be met; and
7. That a divergence of 1% in lot coverage, from 20% to 21%, shall be granted; and

8. That lighting shall be extended along Lincoln Street as outlined in this presentation to the Planning & Zoning Commission.

Commissioner Cooper seconded the motion.

VOTE: Y 6 N 0 Little absent

OTHER COMMISSION BUSINESS

No other business.

ADJOURNMENT

MOTION: Chairman Emerick moved at 7:48 p.m. to adjourn the meeting. The Commission seconded the motion. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED:

Donald Emerick
Chairman

Date

Leilani Napier
Planning & Zoning Clerk

Date