



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, January 24, 2018

7:00 P.M.

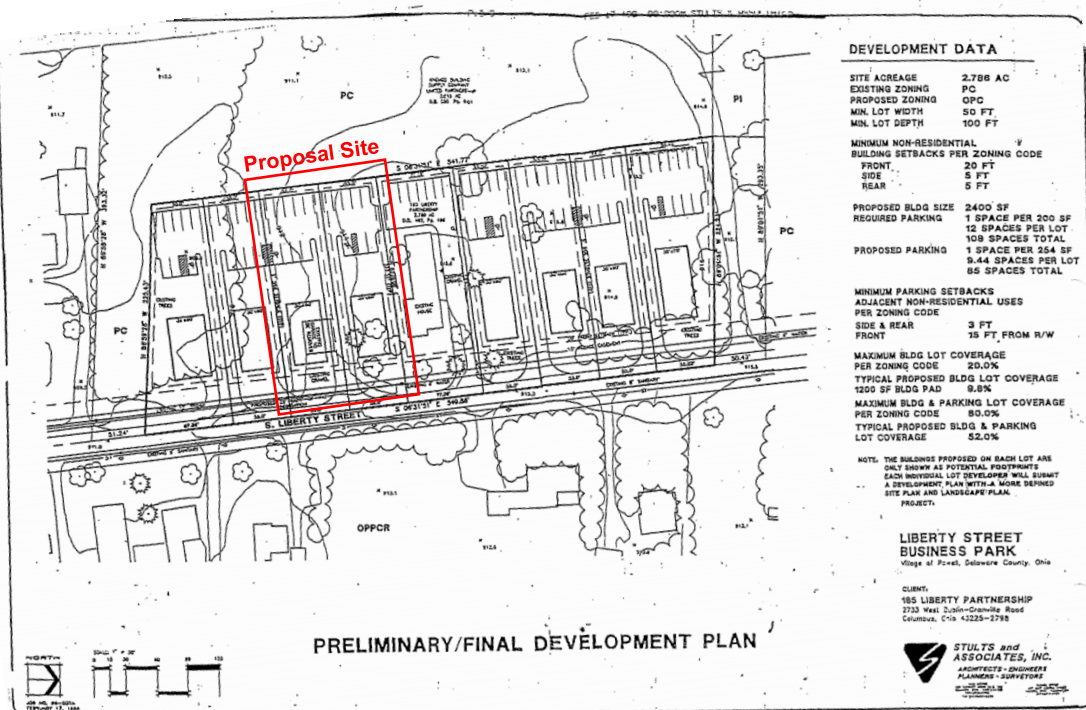
1. AMENDMENT TO A FINAL DEVELOPMENT PLAN

Applicant: Thomas Coffey
Location: 189 & 199 South Liberty Street
Existing Zoning: Downtown Business District (DB)
Request: To construct a mix-use two story 2,554 sq. ft. building, which would hold an office and two, two bedroom apartments. The site will also have 26 parking spaces, of which two are handicap signed.

Aerial Site Image: <https://goo.gl/maps/9J8wCupaWqK2>

Project Background

The proposal came before P&Z as sketch plan application at the November 15, 2017 meeting. The application received a positive reaction and was suggested to proceed to the preliminary development plan of the review process. However, in between that time Staff located a previously approved development plan for the site named [Liberty Street Business Park](#). As a result, the review process has changed to an amendment to a final development plan instead of a preliminary development plan.



Liberty Street Business Park Site Plan

Proposal Overview

The proposal remains the same from the sketch plan review.

The proposal is being proposed on what was two lots within this commercial subdivision. The plat shows an existing shared access easement that was abandoned as part of this amendment and re-established where the new driveway should be placed (see submission for easement documents). There are two more lots to the south of this site that are yet to be developed.

The building is proposed to have an office for a real estate firm on the first floor consisting of 2,554 sq. ft., and two apartments upstairs consisting of 1,277 sq. ft. each with two bedrooms each. The main entrance to the apartments is located on the south side, having their own external covered stairwell. The building as proposed consists of a double gable front with a large front porch. All elevations have great detail of windows and porches and has nice massing. There will be a full basement to utilize for storage. The site plan shows 26 parking spots.

Changes since the Last Submission

The applicant made the following changes from the last submission.

1. Applicant provided refined elevations with material details.
2. Landscape plan added.
3. Shared access easement release provided.

Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(r), all plats, once a final development plan for a planned district has been approved by Council, all subsequent substantial changes to that plan shall only be permitted by resubmission as a new substitute plan and repatriation of the procedures established in these sections. "Substantial change" for the purposes of this section shall mean any modification of an approved planned district development plan, as determined by the Zoning Administrator that results in:

1. Any increase in the number, or change in the type and/or mix of residences, and/or non-residential building area or land use;
2. Decrease in the approved minimum lot size, number of parking spaces to be provided, and/or trash storage areas;
3. Change in the approved location of land uses, land use subareas or sub-elements, streets, public or private parklands and other public facilities, and/or natural environmental preserves or scenic easements by more than thirty (30) feet;
4. Reduction in area of public and/or private parklands or other public facilities and/or natural environmental preserves or scenic easements;
5. Alteration of the basic geometry and/or operational characteristics of any element of the approved street pattern, parking facilities, service access, trash storage facilities, and/or system of pedestrian and/or equestrian paths that results in a change in operating characteristics or character;
6. Any circumstance below the minimum requirements established in this Zoning Ordinance or as required in the approval of a conditionally permitted use in a planned district.

Comprehensive Plan Consistency

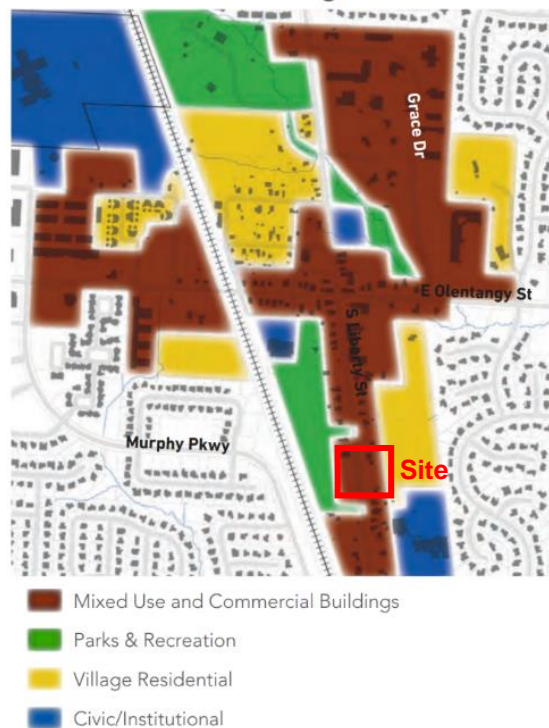
This plan is very consistent with the Comprehensive Plan in that it is a mixed use proposal, adding office and much needed residential space to the downtown. It is being designed in a manner consistent with the Architectural Guidelines and it is connecting parking areas. There is plenty of parking and green space provided.

Staff Comments

The proposal is consistent with intent and requirements of the existing development plan – to create a commercial/office park. Furthermore, the proposal is consistent with the recommendations of the City's Comprehensive Plan. For instance, to add mixed uses and residential space to the downtown core, increase the tax base, and provided residents with service. Lastly, the proposal is consistent with the Powell Architectural Guidelines. Including but not limited to, preserving downtown character, enhancing the downtown core, as well as adhering to approved material and architectural styles.

The allowed uses in the Liberty Street Business Park development plan do allow residential uses but it does not specifically refer to apartments. In Staff's opinion, apartments are an appropriate use for the site as recommended by the Comprehensive Plan (land use map below). As such, staff recommends amending the allowed uses list as part of approval.

Exhibit 2.3: Mixed Use Village Center Detail



The proposal meets their parking requirements. Per section 1149.07 of the City's Code, the proposal would require three spots for each dwelling unit and one spot per 200 square feet for an office use. This would total six spaces for the apartments and 13 spots for the office use. The total required per code is 19 (before the potential 50% reduction) and the spaces provided are 26, which include two handicap spots.

Staff Recommendation

Staff is excited about the opportunity to develop more of the downtown core and bring in uses that will contribute to the tax base as well as services to Powell residents. The proposal is a very creative way of providing a mix of office and residential uses as outlined in the Comprehensive Plan. This is a perfect location for such a proposal. As a result, staff recommends approval of the amendment to the final development plan with the following conditions:

1. All Engineering Department comments are addressed.
2. P&Z determines whether the proposal requires HDAC review.
3. The allowable uses be amended to include apartments.

Sketch Plan Review – November 15, 2017

Project Background

The South Liberty Business Park was envisioned to be where small office or retail buildings could be built in a manner consistent with the Downtown Architectural Guidelines. The buildings are to be up at the minimum setback with parking to the rear that has some common shared access ways that help with the distribution of vehicles coming and going along South Liberty Street. Over time, the City has grown and benefitted from the offices that have developed at this location. This is the next proposal within this development and includes a mix of two residential apartment units.

Proposal Overview

The proposal is being proposed on what was two lots within this commercial subdivision. The plat shows an existing shared access easement that will have to be abandoned as part of this development plan and re-established to where they propose a new driveway at the southern portion of the site. There are two more lots to the south of this site that are yet to be developed.

The building is proposed to have an office for a real estate firm on the first floor consisting of 2,554 sq. ft., and two apartments upstairs consisting of 1,277 sq. ft. each with two bedrooms each. The main entrance to the apartments is located on the south side, having their own external covered stairwell. The building as proposed consists of a double gable front with a large front porch. All elevations have great detail of windows and porches and has nice massing. There will be a full basement to utilize for storage.

Staff Comments

This proposal will be very consistent with the existing buildings along this side of South Liberty Street. It makes for a good opportunity to add some residential units to mix of businesses within the downtown. Parking requirements are met, access to and from the site is well done as a change to the original plat, and the buildings design is very consistent with the architectural guidelines. Care must be taken as to the location of the air conditioning units, gas meters, electric meters, etc. Also, follow trim detailing as outlined in the Architectural Guidelines and be sure to make to post posts large enough to be consistent with the size of the porch and building. Skimpy posts would look funny. A lead walk should parallel the driveway leading back to the residential units and not just have a walk lead out to the driveway as shown on the site plan. The north/south parking lot drive aisle should connect to the property to the north. A good landscaping plan should accompany the plans as they are submitted for Final Development Plan.

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.

Comprehensive Plan Consistency

This plan is very consistent with the Comprehensive Plan in that it is a mixed use proposal, adding office and much needed residential space to the downtown. It is being designed in a manner consistent with the Architectural Guidelines and it is connecting parking areas. There is plenty of parking and green space provided.

Staff Recommendation

The applicant has shown great promise with these plans. It is a very creative way of providing a mix of office and residential uses as outlined in the Comprehensive Plan. This is a perfect location for such a proposal. Staff would not have a problem for the applicant to submit a Combined Preliminary and Final Development Plan.

2. SKETCH PLAN III

Applicant: Dave Pontia
Location: 10331 Sawmill Road
Existing Zoning: Planned Residence District (PR)
Request: To review a proposal to construct four, two-unit residential buildings.

Aerial Site Image: <https://goo.gl/maps/MRt3YwRXmQL2>

Project Background

This site has seen multiple proposals since the early 2000s. First with [Hwang in 2006](#), then with [Burkam in 2009](#) and now with Elite Real Estate, which went through two previous proposals. All proposals are hyperlinked (in blue with underlining) for ease of reference. Over time, you can see that the proposal went from residential to commercial and back again to residential.

The applicant brought the original sketch plan for review to P&Z on [August 10, 2016](#) and a second review on [March 22, 2017](#), see staff reports below. At these meetings staff and P&Z provided the applicant with many recommendations. Since that time, the applicant worked with staff on numerous architectural, site, and massing revisions to be more in line with the requests of staff and P&Z. The applicant has now selected to come back as a sketch plan resubmitted a new sketch plan with greater detail for review.

Proposal Overview

The applicant is proposing to construct four 2-unit condominiums on a currently vacant site.

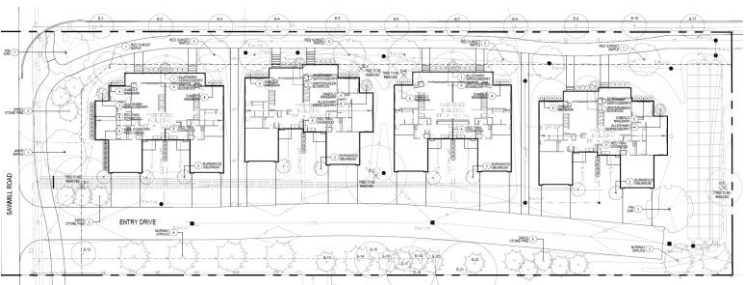
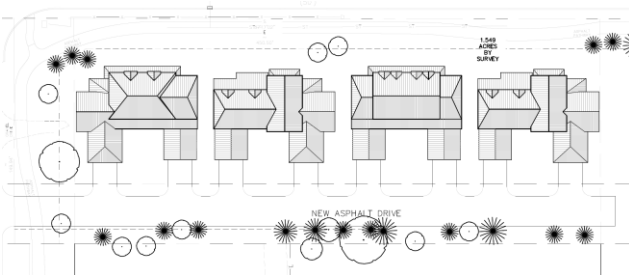
Changes since the Last Submission

The applicant has made significant changes since the last submission. They are as follows:

1. Project now named Mews at Zion.
2. A new site plan showing the location of the proposed buildings.
3. New elevations and material selections for each building (see image below – not to scale).



4. At staff's request, the middle two buildings were moved closer to the pathway and the roadway was curved to match the buildings to soften the look and feel of the site as well as to save the trees in the rear.



5. Roof plan provided.
6. Elevations provided for all four sides of the buildings.

Staff Comments

Staff comments remain the same from the previous sketch plan review.

Staff is pleased with the revised site plan, number of units, and elevations presented. Furthermore, staff commends the applicant for following staff's comments and suggestions in order to create a proposal that is much more in line with P&Z's comments.

"Leftover" parcels such as this are often difficult to develop due to their size and location. Typically, they are too small to develop anything reasonable upon and/or their location is sometimes not the best in terms of access. The proposal, however, does a fine job of overcoming each of these hurdles. For one, the site size allows the siting of four units in such a way that they mimic the development to the south (see image 1). Second, the site has adequate access onto Sawmill Road, a road that has adequate capacity for four condominiums.

Other items to consider are the density, scale of buildings, architecture, effect on roadways, and impacts on schools. Overall, the development addresses each of these concerns. One, this new proposal of 5.26 dwelling units per acre (du/ac) is within the densities allowable in the Planned Residence District (PR), which is 9 du/ac. The proposed density of 5.26 du/ac is higher than the 2.98 du/ac of The Commons of Powell to the south. However, a higher density development on a corner parcel is acceptable, and possibly beneficial as a barrier between the road and the less dense existing development. Two, the development is of similar scale to the buildings to the south and as a result, will blend into its surroundings better. Three, the new architecture is of high quality, which helps to be in-line with city's Comprehensive Plan calls for. Furthermore, the fine architecture which is somewhat of a "farm-style" aesthetic would further improve a piece of the city. Lastly, the total 8 units will be geared to empty-nesters and retirees. In turn, they will have little impact of roadways and schools since the users of these type of units have fewer car trips and children than single family homes. As a result, staff does not consider any potential negative traffic impact generated by the proposed development.

At the last sketch plan staff and P&Z asked brought up a number of items that needed to be addressed. These include pathways from the rear of the buildings to the front, speaking with the Commons' HOA, increasing landscaping to the rear of the site and addressing draining, as well as providing detailed lighting plan. Also, at the last meeting, the former Architectural Advisor Chris Meyers, provided a number of comments and questions that were not addressed in this submittal. For instance, the lighting plan and fencing locations. The comments are provided below for reference. Staff asks that staff, P&Z's, and Chris Meyer's comments are addressed before the next submittal.

At the last meeting, P&Z asked whether the movement of the buildings toward the street would require a setback divergence. Staff looked into this and found that the in the Planned Residence district, the front setback is a minimum of 30 feet for two family attaching housing with a gross density of 1.51-1.7 and the proposed setback is 20.2 feet at its closest point to the street. As a result, the proposal will need a setback divergence.

In summary, the re-designed proposal will be a positive addition to the city with little impact on schools and roadways.

Chris Meyers, Architectural Advisor, said he appreciates the adjustments which have been made to the Sketch Plan since the first meeting. Staff's suggestion to move away from the linear pattern of the buildings is good. Leaving the mature buffer which already exists is a good idea. A larger view of the site plan would be beneficial at the next phase. It would be nice to see the interaction with the entry drive across Sawmill Road. A larger apron at the entry drive of this site might be needed, to allow residents to easily make a right or left turn. Landscaping on this property is going to be enormously important. A detailed landscaping plan would be nice with the next phase. The uniqueness and effort being applied to the architecture should also be applied to the site work, landscaping, site lighting, site amenities, fencing, etc. The connectivity to the pedestrian trail on the north is a great opportunity for a walk path from the trail to the front doors of each unit. This would create better connectivity. The side view of the garages and buildings will be a front façade to the development on both roads. The work on the architecture should apply to all 4 sides of the buildings because of this. Side elevations should be presented with the next phase. Mr. Meyers said he is assuming there will be some type of amenity space on the south side whether it is patios or hardscape, in between garages for the residents. The details should be provided with the next phase. The space in between each building is a great opportunity to create a pedestrian path or walk system so people can park in the back and walk to the front. Material samples should be presented with the next phase; color pallets, mock ups of column post details, casings on windows, etc. Mr. Meyers encouraged the applicant to consider a different color pallet. White would be a nice touch for the board and batten. Not on every building. Maybe a variation of colors. The historic guidelines aren't required for this property but would provide a good perspective on proportion and window sizes. The paired double windows on the pop-up dormers seem really big for the size of the dormer. The scale and size of the dormer should be elevated to accommodate the size of the windows. Or, the window size could be adjusted down to accommodate the size of the dormer. Some nice touches have been added to the architecture to give the buildings individuality. There are two buildings which have identical roofs. Roofs could be changed a little to give more variation. Unit plans don't need to be changed but subtle variations in the detail could be worked in. Details on where utilities will come in should be provided with the next phase; where gas meters will be, electric meters, condensing units, how condensing units will be screened, site lighting, exterior lighting, where mail will be delivered, where trash will be picked up or go, will there be property signage, etc. A foot candle study will eventually be needed of the overall site. Details on landscaping buffering will be needed. Great steps have been made towards a good project. The next step needs to get into all of the details.

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.

Comprehensive Plan Consistency

The proposal is consistent with comprehensive plan's guiding principle of creating diverse housing options with high quality standards as it provides housing stock other than single family residential with a high value architectural design. Another guiding principle of the comprehensive plan is to reinstate the rural character of Powell. The chosen "farm-style" architecture helps to do just that.

Staff Recommendation

Staff recommends the applicant continue to the preliminary development plan review with the following conditions:

1. The applicant meet with the Commons' HOA.
2. Staff, P&Z, and Chris Meyer's comments are addressed before submitting for the preliminary plan review.

Sketch Plan Review II – March 22, 2017

Project Background

The applicant brought the original sketch plan for review to P&Z on August 10, 2016, see staff report below. At that meeting staff and P&Z suggested to the applicant to reduce the number of units and/or massing of the buildings in order to reduce the intensity on the site. Since that time, the applicant worked with staff on numerous architectural, site and massing revisions to be more in line with the requests of staff and P&Z. The applicant has now resubmitted a new sketch plan that proposes four 2-unit buildings instead of the original two 4-unit unit condominiums.

Proposal Overview

The applicant is proposing to construct four 2-unit condominiums on a currently vacant site.

Changes since the Last Submission

The applicant has made significant changes since the last submission. They are as follows:

1. The proposal now has 4 two-unit buildings instead of 2 four-unit buildings.
2. A new site plan showing the location of the proposed buildings.
3. New elevations for each building.

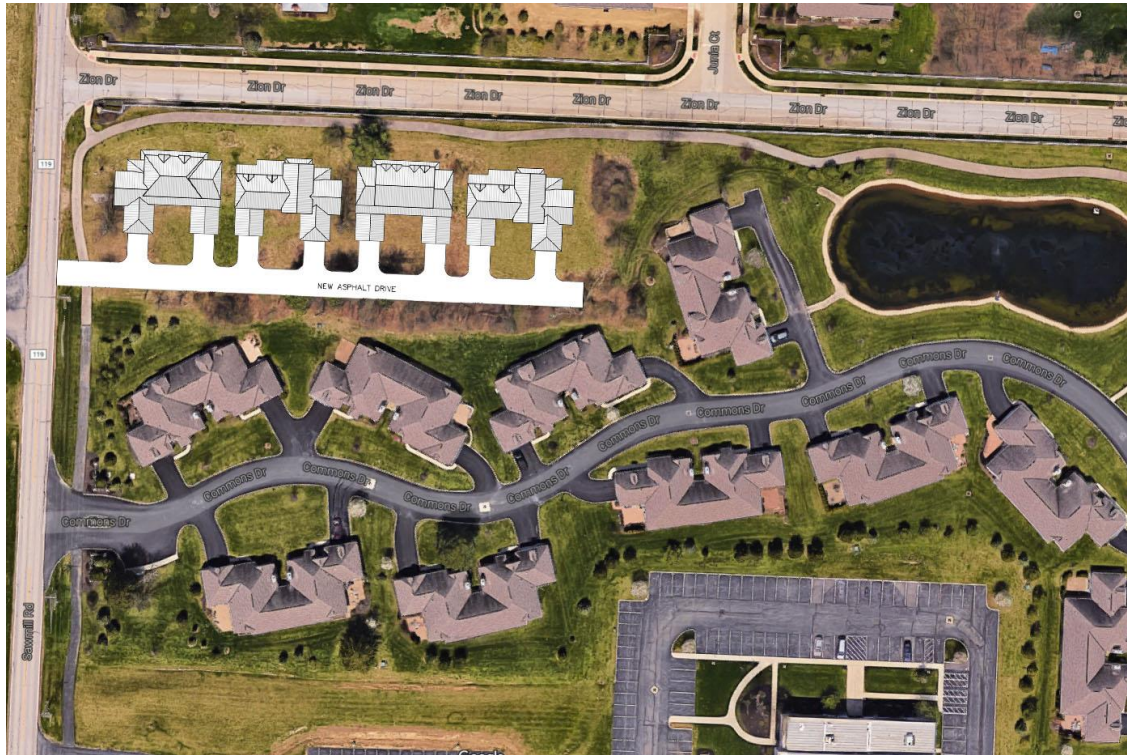
Staff Comments

Staff is pleased with the revised site plan, number of units, and elevations presented. Furthermore, staff commends the applicant for following staff's comments and suggestions in order to create a proposal that is much more in line with P&Z's comments.

"Leftover" parcels such as this are often difficult to develop due to their size and location. Typically, they are too small to develop anything reasonable upon and/or their location is sometimes not the best in terms of access. The proposal, however, does a fine job of overcoming each of these hurdles. For one, the site size allows the siting of four units in such a way that they mimic the development to the south (see image 1). Second, the site has adequate access onto Sawmill Road, a road that has adequate capacity for four condominiums.

Other items to consider are the density, scale of buildings, architecture, effect on roadways, and impacts on schools. Overall, the development addresses each of these concerns. One, this new proposal of 5.26 dwelling units per acre (du/ac) is within the densities allowable in the Planned Residence District (PR), which is 9 du/ac. The proposed density of 5.26 du/ac is higher than the 2.98 du/ac of The Commons of Powell to the south. However, a higher density development on a corner parcel is acceptable, and possibly beneficial as a barrier between the road and the less dense existing development. Two, the development is of similar scale to the buildings to the south and as a result, will blend into its surroundings better. Three, the new architecture is of high quality, which helps to be in-line with city's Comprehensive Plan calls for. Furthermore, the fine architecture which is somewhat of a "farm-style" aesthetic would further improve a piece of the city. Lastly, the total 8 units will be geared to empty-nesters and retirees. In turn, they will have little impact of roadways and schools since the users of these type of units have fewer car trips and children than single family homes. As a result, staff does not consider any potential negative traffic impact generated by the proposed development.

IMAGE 1



In summary, the re-designed proposal will be a positive addition to the city with little impact on schools and roadways.

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.

Comprehensive Plan Consistency

The proposal is consistent with comprehensive plan's guiding principle of creating diverse housing options with high quality standards as it provides housing stock other than single family residential with a high value architectural design. Another guiding principle of the comprehensive plan is to reinstate the rural character of Powell. The chosen "farm-style" architecture helps to do just that.

Staff Recommendation

Staff recommends the applicant continue to the preliminary development plan review with the following conditions:

1. All Engineering Department comments are addressed before the next submission.

Sketch Plan Review – August 10, 2016

Project Background

The site came before P&Z in 2006 and was approved for two 3-unit condominium buildings similar to the ones to the south. Since that time, the approval has expired and a new owner has brought forth the submitted proposal.

Proposal Overview

The applicant has proposed two 4-unit condominiums.

Staff Comments

Staff spoke with the applicant before submission and suggested that they keep with the previously approve 3-unit plan. The applicant, after discussion with staff, continued with a 4-unit plan. As stated to the applicant before, staff feels that the increase in density is too intense for this site. Furthermore, the scale of the proposed buildings are larger than those to the south. Staff would be more comfortable with a building in the same proportion to those to the south in The Commons development. Lastly, staff would like to commend the applicant on providing two buildings that have a variety of material and texture. However, the style proposed does not fit well with the existing units to the south.

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

Staff recommends that the applicant revise their plan to include only 3 units per building and also reduce the massing of the buildings to be similar to The Commons' units. Also, staff would like the applicant to continue with the mixture of stone and siding proposed in this initial design but refine the overall design of the buildings.

3. SKETCH PLAN

Applicant:	Robert Corwin
Location:	W Case Avenue
Existing Zoning:	Planned Commercial District (PC)
Request:	To construct an office/warehouse building with two 1800 sq. ft. units. The site includes nine parking spaces.

Aerial Site Image: <https://goo.gl/maps/cUa5yUkigPo>

Project Background

The applicant is the owner of the title agency on Lincoln Street and has now gone into contract for the site at the corner of West Case and Lincoln Street. The applicant wants to create more office/warehouse space in the downtown area.

Proposal Overview

To construct an office/warehouse building with two 1800 sq. ft. units. The site includes nine parking spaces. The applicant has indicated that he may use one of the units and rent out the other unit to another business or user.

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.

Comprehensive Plan Consistency

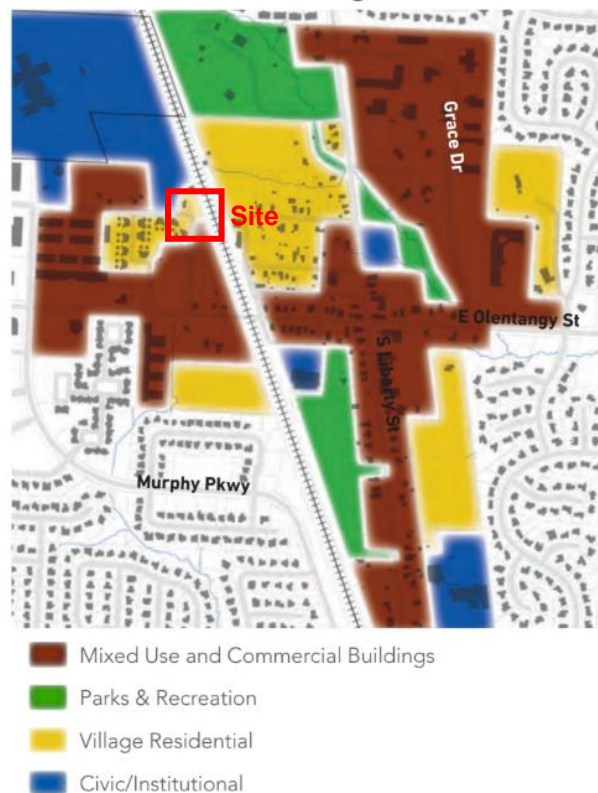
The proposed development is consistent with the following guiding principles of the comprehensive plan:

1. The historic, small town charm of Downtown Powell should be preserved and enhanced. Downtown Powell should be a vibrant, accessible center of the community with a diverse mixture of uses and activities.
 - Although not technically in the historic downtown, this site is next door to the downtown. The architectural proposed in this developed is such that it blends in nicely with the historic architecture of downtown and would add to the character of the downtown as well. It helps to extend the downtown further out, not by imitation but by having its own unique design and scale.
2. Development patterns should seek to minimize traffic impacts by mixing uses or locating compatible uses within walking distance (i.e. a 5 to 10 minute walk), and by providing interconnected street systems with sidewalks and multi-use paths that provide safe, comfortable and convenient pedestrian routes.
 - This proposal locates compatible uses near other mixed uses. In this way, it potentially helps minimize traffic, since users can park once and walk to multiple uses on and around the site. Also, the proposal would likely provide an interconnected street and path system for pedestrian routes. This should help to reduce car trips as well.

3. New commercial development should contribute to both the service needs of the community as well as the economic and fiscal well-being of the City.
 - Adding to the office and commercial base of the city helps to provide residents with additional services. This lends the city to becoming an even greater place to live. For instance, it may require residents to travel less out of the city to obtain services they can now find in the city. Commercial uses also help with the fiscal well-being of the city. By in large, commercial uses typically generate more revenue to the city's tax base than residential uses. Locating more commercial uses in the city is a two-fold win for residents. For one, the services they provide are directly for residents and two, the taxes they generate can be used by the city to provide municipal services.

The Comprehensive Plan also provides general policy and goals of land in different areas of the city. This site is located in the area between Village Residential and Mixed Use Village Center and is generally consistent with the goals of this land use category. A further analysis of this land use type will be conducted in later stages of the review process.

Exhibit 2.3: Mixed Use Village Center Detail



Staff Comments

Staff is overall impressed with the proposed design and use. This is a very difficult site to design but the applicant did a good job of siting a building and parking that could work on this site. Furthermore, as per the Comprehensive Plan, Staff would like to see another vacant site in the downtown developed into a tax generating site. Staff is also appreciative that the applicant took design cues from the historic downtown in their design but in a unique direction and picked a farm aesthetic. A use such as this with a distinctive design will add to the character of the downtown core.

Staff Recommendation

Staff recommends the applicant submit a preliminary development plan application.