



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers
47 Hall Street
Wednesday, February 14, 2018
7:00 P.M.

1. PLAT REVIEW

Applicant:	Pulte Homes of Ohio LLC
Location:	Steitz Road and Hunters Bend
Existing Zoning:	Liberty Township Farm Residence District (FR-1)
Proposed Zoning:	Planned Residential District (PR)
Request:	To review a plat for Carpenter's Mill Section 1 Part A and Part B, consisting of 67 single family lots and 6 open space lots.

Aerial Site Image: <https://goo.gl/maps/RnjqRLvkWWL2>

Project Background

The property was annexed in 2017 and the zoning was approved for these sections for patio home lots as shown on the plat. There are also several open space lots and a lot for the sanitary sewer pump station. The street layout, rights-of-ways and open space dedication is all shown and compliant with the approved development plan.

Approved Development Plan Synopsis

The proposed subdivision plat lot and block layout and open spaces are consistent with the approved development plan for Carpenter's Mill. With this first phase, the roadway improvements to Steitz Road will be completed. Staff will review all of the landscaping requirements at the time of acceptance of the subdivision improvements and prior to the occupancy of the first home.

Staff Comments

The subdivision plat is the document that gets recorded that establishes the dedication of public streets and rights-of-ways, and establishes the private lots on which will be the homes and/or open spaces. These plats also dedicate the common access driveway easement for the four lots (one for the pump station).

On Section 1, Part B, Note "DD" needs to be amended to reflect City of Powell Planning and Zoning Commission and City Council, rather than the county related language they have. Also, the setback table needs to be amended to show a minimum 6 feet side setback, total of 12 feet, and a driveway pavement setback of 3 feet.

Ordinance Review

Section 1107.08 of the Powell Codified Ordinances requires a plat to be submitted and approved, and then recorded, prior to the sale of any lots and the dedication of streets for public use. The owner has already begun construction of streets and site improvements as allowed by the County, and they are in progress to be completed for the Parade of Homes next summer. The owner has also submitted their guarantee for work to be completed.

Comprehensive Plan Consistency

These 2 plats are consistent with the Comprehensive Plan and approved Development Plan.

Staff Recommendation

Staff recommends that the Commission approve two motions; one for each plat.

Staff recommends approval of the Carpenter's Mill, Section 1, Part A plat with the following conditions:

1. That the setback table reflect the correct setbacks as identified by Staff.
2. That the City Engineer have final approval over addresses, lot numbers, easements and rights-of-way needs and other items prior to recording of the plat.

Staff recommends approval of the Carpenter's Mill, Section 1, Part B plat with the following conditions:

1. That the setback table reflect the correct setbacks as identified by Staff.
2. That Note "DD" be amended as recommended by Staff.
3. That the City Engineer have final approval over addresses, lot numbers, easements, rights-of-way needs and other items prior to recording of the plat.

2. AMENDMENT TO A FINAL DEVELOPMENT PLAN REVIEW

Applicant: The Ellis Co. Ltd./Cole Ellis
Location: 72 Industrial Park Place
Existing Zoning: Planned Industrial District (PI)
Request: To review a proposal to change the phasing of a self-storage site renovation to retain boat and RV storage in the short term and replace it with new self-storage buildings in the future.

Aerial Site Image: <https://goo.gl/maps/nK4JgkdxSH42>

The applicant first brought the proposal to P&Z as a sketch plan review on February 8, 2017, preliminary development plan review on March 22, 2017, for final review on April 26, 2017 (see staff reports below). Since that time, the applicant has resurveyed the market and wishes to change the phasing of construction.

Proposal Overview

Cardinal seeks to amend its final development plan to change the phasing of the self-storage site renovation and to propose a new façade material for building A.

Instead of constructing all the buildings at once, the applicant now proposes to retain boat and RV storage in the short term where buildings B and C were to be built and construct them in the future should the market warrant their construction. Furthermore, the applicant wishes to change the proposed materials on building A to metal instead of simulated brick.

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.

Staff Commends

Staff sees no issue with the proposed new phasing since the existing site already had outdoor storage and the applicant has expressed the intent to construct Buildings B and C when the market would bear their supply. In the short and long range, the change to the site will be an improvement to what exists.

In terms of façade change, staff does prefer brick look over metal. In fact, it is this elevation that faces the residential condominiums to the west. Therefore, Staff is against any change to this elevation.

The monument sign has been installed with the sign not having opaque white background, not in compliance with the approved Development Plan nor the permits issuing said sign. This sign face will need to be changed.

Staff Recommendation

Staff recommend approval of the amendment of final development plan with the following conditions:

1. All Engineering Department issues are reviewed and approved by the City Engineer.
2. That the west façade of Building A remain brick panel.
3. That the monument sign face be replaced with a compliant sign face per the approved Development Plan.

Project Background

The applicant first brought the proposal to P&Z as a sketch plan review on February 8, 2017 and preliminary development plan review on March 22, 2017 (see staff reports below). Following the preliminary development plan meeting, the applicant took into consideration staff and P&Z's comments and has now submitted for a final development plan review.

Proposal Overview

The proposal remains the same, to build new buildings and the removal of boat and RV storage from the site. The site plan shows the construction of seven new structures with no parking for recreational vehicles. Not shown on the image is the removal of one structure in order to build the proposed buildings.

Changes since the Last Submission

The applicant made the following changes since the last submission:

1. The application provided a development text, a condition of preliminary development plan review.
2. The development text also specifies the timeline for construction, another condition of preliminary approval.
3. The applicant submitted refined engineering drawings which were preliminarily reviewed by the Engineering department and deemed sufficient for this stage of review.
4. The applicant is proposing to change the sign out front on Industrial Park Place, removing the existing sign and replacing it with the new sign shown on the plans. The existing sign was originally approved in the mid-1980s. This sign was originally approved by the City to be within the right-of-way, right along the edge. The existing sign, however, was placed onto what is now the Germain property. The applicant is proposing to place the new sign where it was originally approved, within the right-of-way. Our Law Director has indicated that this previous approval is still valid, in addition, it appears as though the past approval was granted to allow for signage for all businesses back on Industrial Park Place. This was confirmed by Staff through a conversation with Frank DelGreco, the long-time owner of the property to the south of the storage facility. He is currently looking for documentation to show that this is the case. In any event, the only way Staff will be supportive of a new sign located within the right-of-way is for all businesses within the Industrial Park Place location to have access to a readable sign panel on any new sign, and a formal agreement be made between the property owners that is a recordable instrument.

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 initiated immediately and completed within 6-8 months.

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

As stated before, the proposal is generally consistent with the city's comprehensive plan. Specifically, with one of the comprehensive plan's guiding principles that, "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." This is true of this proposal, storage facilities are a needed use within the city. Furthermore, storage facilities require very little municipal cost. The net result is more services to residents and more property tax for local schools and the city.

(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 existing public roadways and interior roadways should have adequate capacity for the likely minimal increase of traffic to the site.

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

The proposal is no different than what exists there today. The existing use has proven to have no issues with its surroundings and as a result, the new proposal is also not expected to fit in just as well.

(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;

Not applicable.

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

No lands will be dedicated to public use.

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

The proposed development will have no negative impact on surrounding uses.

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

The proposed uses will have limited utility service requirements. As a result, it is assumed that the existing services will be adequate for the proposal.

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

From the Engineering Department's cursory examination, it was assessed that surface drainage was appropriately handled. A closer examination will be conducted by the Engineering Department at the final engineering review during the building permit submission.

Staff Comments

Staff's position is the same since the sketch plan. Staff is in favor of the development as it will add to services for Powell residents, clean up the site by removing outdoor storage, and help lessen the visual impact on surrounding neighbors. Architecturally, the Commission may want to review several different colors of brick panel to be sure that a color is chosen that is compatible with the area. We recommend that the Applicant provide several sample panels for your review and approval.

Staff Recommendation

Staff recommend approval of the final development plan with the following conditions:

4. All Engineering Department issues are reviewed and approved by the City Engineer.
5. All Architectural Advisor comments are addressed.
6. A complete packet, including all formerly submitted materials, are included in the submittal to Council.
7. That the proposed monument sign is allowed in the right-of-way as previously approved in 1987 (including the approved Indemnity Agreement by City Council) subject to the following:
 - a. The sign can be the same size as the existing sign.
 - b. The sign can be re-designed, such re-design subject to approval of both property owners and by the Commission prior to issuance of the Sign Permit.
 - c. An Agreement be worked out and approved between the applicant and the property owner to the south (D&S Investments), subject to Staff and Law Director approval for how the multi-tenant sign panels are maintained and changed as tenants change. This Agreement shall be approved prior to approval of the Final Development Plan by City Council.

Preliminary Development Plan Review – March 22, 2017

Project Background

The applicant first brought the proposal to P&Z as a sketch plan review on February 8, 2017 (see staff report below). Since that time, the applicant took into consideration staff and P&Z's comments and has now submitted for a preliminary development plan review.

Proposal Overview

The proposal remains the same, to build new buildings and the removal of boat and RV storage from the site. The site plan below (Image 3) shows the construction of seven new structures with no parking for recreational vehicles. Not shown on the image is the removal of one structure in order to build the proposed buildings.

Changes Since the Last Submission

The applicant has provided all documents needed for a preliminary development plan review. Including, interior drawings, landscaping, and sign plan. The proposal also includes images of the existing site and images of what the proposed storage materials and colors will be.

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;

The use already exists on the site and is a conditionally permitted use within the Planned Industrial District.

(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 location and type of use is appropriate for this site as it is hidden away from major thoroughfares and is masked by landscaping. Although an intensification of the use, the amount not greater than the site can handle and the use is in the appropriate location.

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

The proposal is no different than what exists there today. The existing use has proven to have no issues with its surroundings and as a result, the new proposal is also not expected to fit in just as well.

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

The existing public roadways and interior roadways should have adequate capacity for the likely minimal increase of traffic to the site.

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

This type of use does not require yard spaces but the proposed increased vegetation along the entryway will help to soften the site.

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

Not applicable for this type of use.

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

It is assumed that the development is to occur in one phase.

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

It is estimated the development will be completed within a year.

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

No improvements need to be made by the municipality.

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

The community cost will remain unchanged. The same level of services provided today will continue.

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

The businesses and residents near the site and around the city will have additional storage space.

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

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

Comprehensive Plan Consistency

As stated before, the proposal is generally consistent with the city's comprehensive plan. Specifically, with one of the comprehensive plan's guiding principles that, "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." This is true of this proposal, storage facilities are a needed use within the city. Furthermore, storage facilities require very little municipal cost. The net result is more services to residents and more property tax for local schools and the city.

Staff Comments

Staff's comments are the same as the sketch plan. Staff is still in favor of the development as it will add to services for Powell residents, clean up the site by removing outdoor storage, and help lessen the visual impact on surrounding neighbors.

Staff's request to have the divergences in the development text were not included in this packet. However, seeing as though they are minimal in nature and can be provided at the final development plan review, staff sees no reason to hold up the process. Staff would, however, recommend that the applicant provide the divergences in a development text for the next submission. For the sake of the preliminary review, staff will outline the two divergences required: 1) the proposal has a lot coverage of 42.6% (78,000 square feet/185,000 square feet). This coverage is higher than the code maximum lot coverage of 20%. However, staff has no issue with this divergence as the overall intensity of the site is not overwhelming due to the type of use proposed.

Staff met with the applicant's engineers to discuss updates to the site's current storm water management system and the need for improvements to meet the City of Powell's Storm Water Management Criteria as well as the Ohio EPA's General Construction Permit requirements. As of this

proposal, the applicant does not meet the minimum requirements. However, the applicant and their engineer stated that they would work toward a solution for the next submission.

Staff Recommendation

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

1. A development text is provided at the final development plan listing all divergences.
2. All Engineering Department comments are addressed before the final submission.
3. The applicant clarifies the expected date of completion in the next submission.

Sketch Plan Review – February 8, 2017

Project Background

The existing structures and site plan were approved in 1986 (image 1). Since that time, there was a change to the entry sign and approval to utilize boat/RV/vehicle storage in place of Buildings 4, 5, and 6 until the owner found it time to build those buildings. Today, the site has seven structures with open areas used for boat and RV storage (Image 2). The ownership has now changed and the new owner, the applicant, is proposing to improve the site, construct new buildings, and remove boat and RV storage.

Image 1 – Approved Plan

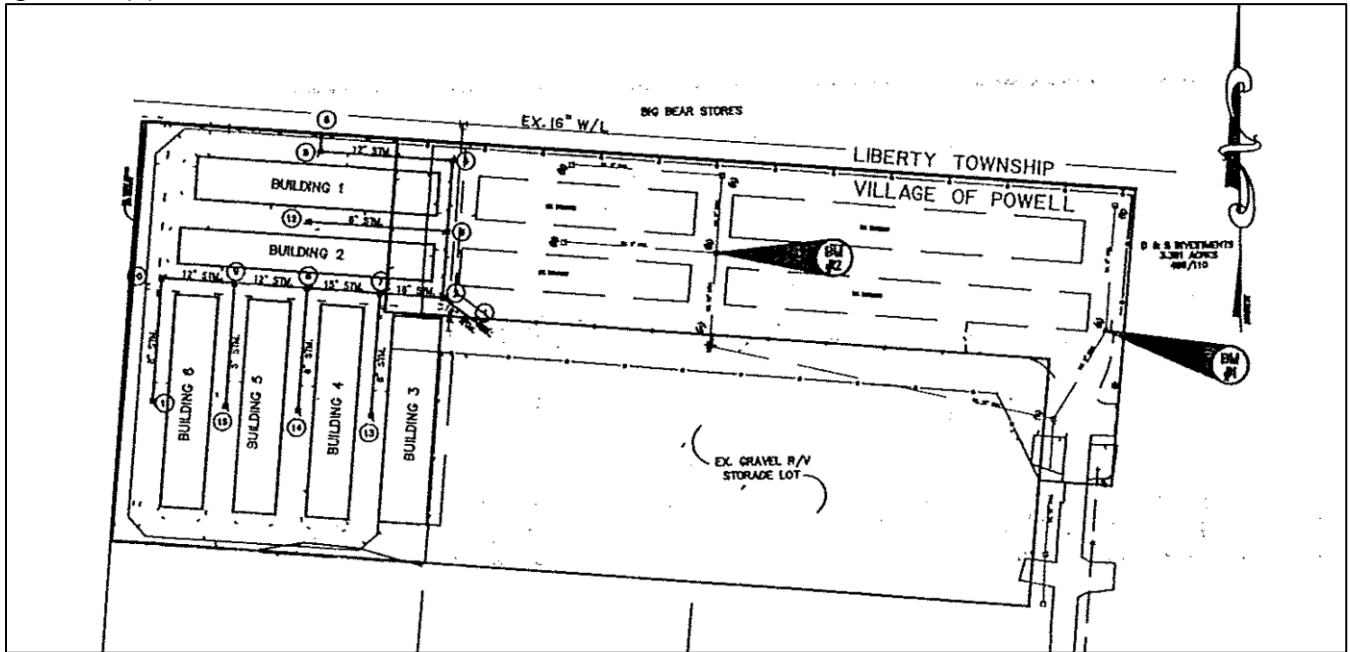
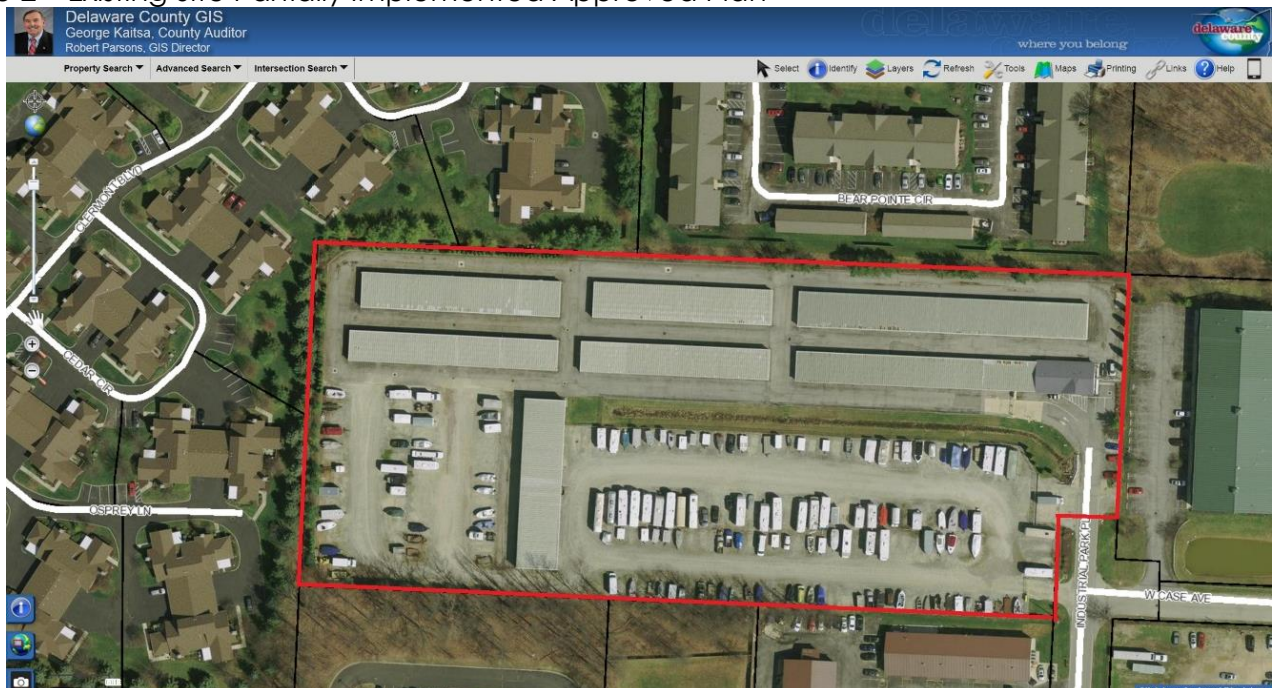


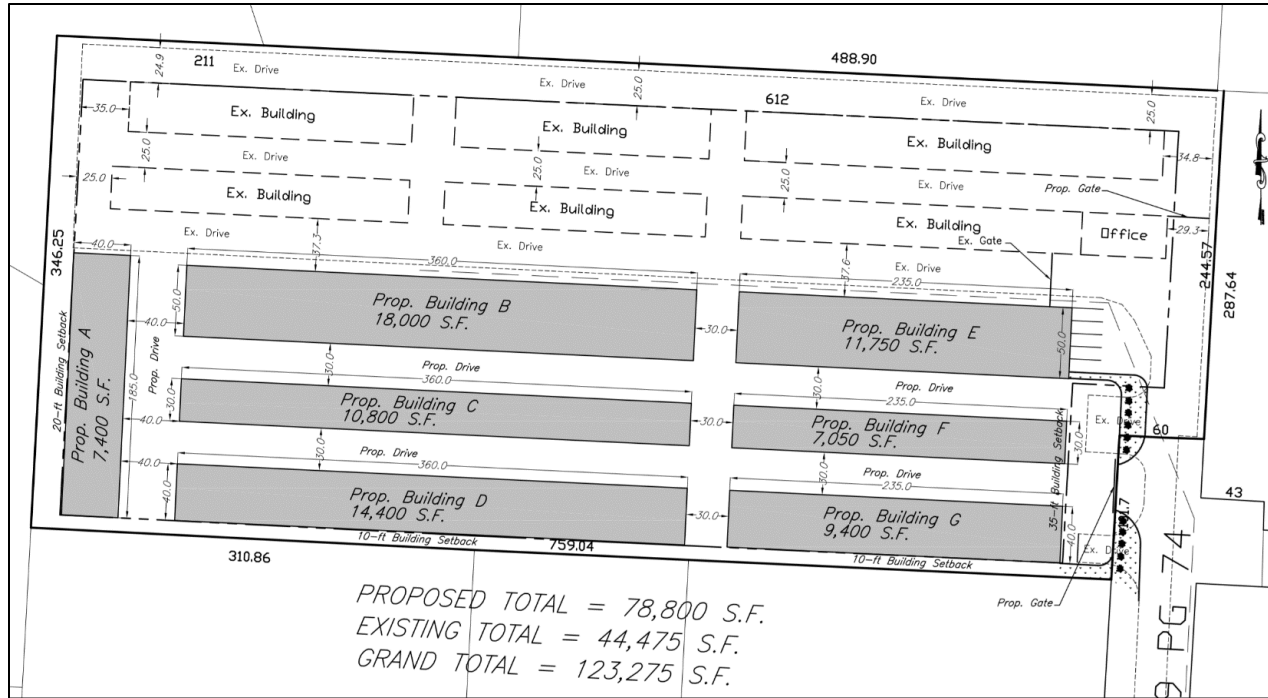
Image 2 – Existing Site Partially Implemented Approved Plan



Proposal Overview

As stated above, the applicant is proposing new buildings and the removal of boat and RV storage from the site. The site plan below (Image 3) shows the construction of seven new structures with no parking for recreational vehicles. Not shown on the image is the removal of one structure in order to build the proposed buildings.

Image 3 – Today's Proposed Plan



Comprehensive Plan Consistency

The proposal is generally consistent with the city's comprehensive plan. Specifically, with one of the comprehensive plan's guiding principles that, "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." This is true of this proposal, storage facilities are a needed use within the city.

Staff Comments

Overall, staff is in favor of this development. The construction of new storage buildings adds additional service to Powell residents and the construction of new buildings, as well as the removal of outdoor parking, will help lessen the visual impact to neighboring commercial and residential uses. Instead of seeing parked recreational vehicles, neighbors will see new and well-designed buildings. Also, the new buildings will help "fence off" the site and block it from the street. Thereby further lessening the impact of the site on neighboring uses. Lastly, the number and spacing of the buildings also seem reasonable as it is a more efficient use of site. The only issues from Staff's standpoint is that there will be Divergences to the Planned Industrial code as it relates to building coverage and total coverage by building and pavement, which should be set forth within the Development Plan text when submitted.

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 continue through to the preliminary development plan stage of the development review process.