



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, March 14, 2018

7:00 P.M.

1. PRELIMINARY DEVELOPMENT PLAN REVIEW

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, the proposal went from residential to commercial and back again now to residential.

The applicant has brought three sketch plans for review to P&Z on [August 10, 2016](#), [March 22, 2017](#), and most recently January 24, 2018 (see staff reports below). At these meetings staff and P&Z provided the applicant with many recommendations. Before the third sketch plan, 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 submitted for a preliminary development plan 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. A site line analysis completed.
2. Development text provided that provides an overview of the development and addresses patios, trash and mail pickup, as well as light intrusion onto other sites.
 - The Organization of the development shall allow the individual owner to provide a patio on the garage side of the structure and have the following limitations [.]
 - Mail shall be provided by a mail kiosk located on site for those residents to access as directed per the local United States Post Office.
 - Trash pickup shall be weekly with each home owner maintaining them off the streetscape until trash pickup day.
 - Landscaping on the site adheres to the density required by the City of Powell with emphasis placed with landscaping materials in areas to block headlights from the adjacent development.
3. Provided colorized elevations and site plan.
4. Details provided of lighting and mailboxes.

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 proposed use is consistent with the permitted uses outlined in the zoning ordinance. This proposal of 5.26 dwelling units per acre (du/ac) is within the densities allowable in the Planned Residence District (PR), which is up to 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.

(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 residential use of the condominium development at the southeast corner of Old Sawmill and Zion road is appropriate, as it is a permitted use in the Planned Residence District. Furthermore, this residential proposal is similar in type to its surrounding uses, which are primarily residential and some are multi-family. At first the proposal was too intense for the site but the reduction in massing and improved architecture make it more suitable for the location and the amount proposed.

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

Residential uses on this site would have a good relationship with neighbors because the location is predominately surrounded by multi-family units and single family households, even though these are condominiums. In addition, these units are targeted toward retirees and empty nesters, which also leads to a harmonious relationship with the neighbors since these types of uses are typically low impact. There is also a fitness studio, church, and two preschools nearby, residents at this location should enjoy the facilities nearby.

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

The applicant stated that circulation shall be from Old Sawmill Road and provide direct access to the 2 car garages attached, while keeping the main front Zion Road elevations free of garage door, there is no access off of Zion Road. Main access to the condominiums will come from Old Sawmill Road, as this is a main road with no heavy traffic in this area. The city's engineering department will review the exact location in more detail in subsequent submissions.

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

There are adequate yard spaces on the proposed site. The four buildings are at a 13'-17' distance apart, with adequate space in the rear and the front.

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

As previously stated, there are 0.75 acres of open space and a total of 22 trees on this site. There will be 5 trees removed, which is a total of 84" caliper of trees. Based on the city code, it requires there be a minimum of 136" caliper of trees. After the 5 trees are removed there will be 17 existing trees at a total of 94" caliper. The applicant proposes to add an additional 47.5" caliper of trees to meet the city code requirement of 136". The additional caliper of trees gives 5.5" more than the minimum requirement at a total of 141.5" caliper of trees on this site.

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

The applicant needs to specify the phases and how long this development will take place. Staff believes the development should take one phase.

(8) Estimates of the time required to complete the development and its various phases;
See #7.

(9) Improvements to be made by the Municipality, if any, and their cost;
No municipal improvements are anticipated with this development.

(10) The community cost of providing public services to the development, and
There should be very little costs of providing public services to this property.

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

The proposal configured would have a positive impact on its surroundings and adjacent areas. The architecture and design of the condominiums matches the other adjacent homes and businesses nearby. The design elements have correctly been incorporated from the City of Powell Architectural Guidelines. The design of the condominiums have been structured to fit in with the adjacent single family homes. The colors for the condominiums matches the existing natural tones that are primarily throughout the area. Furthermore adding these mutli-dwelling units for retirees and empty nesters should not change the development direction for targeted single families, since there are only 8 dwelling units available.

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.

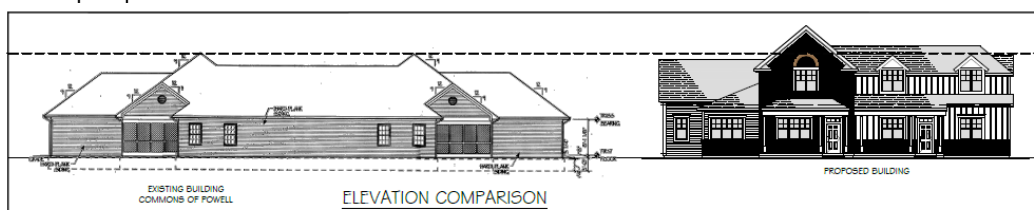
The Commission's approval in principle of the preliminary development plan shall be necessary before an applicant may submit a final development plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility."

Comprehensive Plan Consistency

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 Comments

Staff is pleased with the revised proposal and the added detail to this submission. Staff would, however, like to hear how discussions with the HOA representatives went. Also, at the last meeting, there were concerns about the height of the buildings being two stories. Staff was concerned about this but after reviewing the sightline study, finds that the height of the buildings will not be out of scale or obtrusive at the proposed amounts.



At the last meeting, a resident asked if the bike path could be a different material other than asphalt along the front of this proposal. After speaking with the Engineering Department, it was stated that it is not a standard material used in the city for bike paths due to cost, maintenance, and consistency considerations.

Staff Recommendation

Staff recommends the applicant continue to the final 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 – January 24, 2018

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.

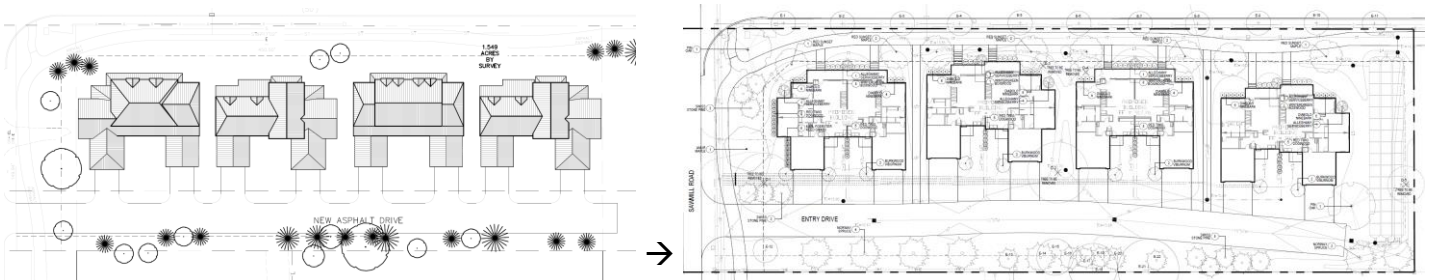
Changes since the Last Submission

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 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.

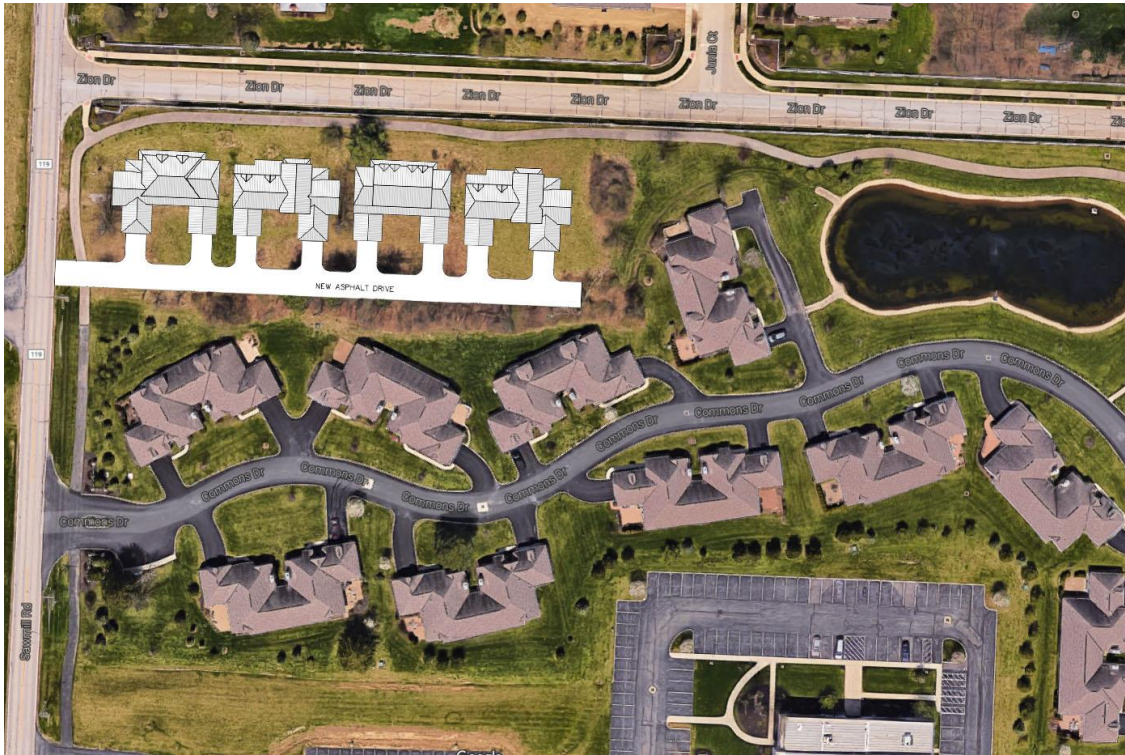
Staff Comments

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.

2. AMENDMENT TO A FINAL DEVELOPMENT PLAN

Applicant: BBCO Design LLC
Location: Sawmill Parkway and Home Road
Existing Zoning: Planned Commercial District (PC)
Request: To approve an Amendment to an approved Development Plan for a proposal to construct two office buildings, with a reduced setback for a portion of one building.

Aerial Site Image: <https://goo.gl/maps/A4WVLSHNxNU2>

Project Background

The applicant is in contract with the subject parcel, which is currently vacant. The applicant is proposing two buildings on the site.

This proposal is located within the [Golf Village Plan](#). Therefore, all requirements of Golf Village development plan need to be met. As per the Golf Village Plan, P&Z has authority to review the proposal but the architecture and signage will be reviewed and approved by the developer or his designated representative for conformance to the plan standards.

Proposal Overview

The proposed use includes two structures, labeled Building A and Building B for the submittal. Building A is intended as an Urgent Care managed by an independent contractor. Building B is intended as a Kumon school in one third of the building and two independent office suites in the remainder of the building. The proposed building plans and elevations have been reviewed by Golf Village and we are approved to move forward with the zoning variance process.

The applicant does require one divergence to the development plan. The applicant requests the 100'-0" building setback along Sawmill Parkway be reduced to a 75'-0" building setback.

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 development is within the PC, Planned Commercial District and within the Sawmill Parkway commercial corridor. This plan is consistent from a land use perspective to the Comprehensive Plan.

Staff Comments

The proposed use's location and type is a great fit for the selected site. It is on a major thoroughfare in a commercial area of Powell. As stated many times before, commercial space has a number of benefits. For one, the proposed commercial adds to the service options to residents but also provides additional tax revenue for the city that in turn, can be used for municipal services.

The use and location are in line with the zoning ordinance and the development plan for Golf Village. The site, however, does require one divergence from the zoning ordinance for Building A of 100 feet to 75 feet. Staff has issue with the requested setback divergence. The intent of the setback will remain – to retain sightlines for safety, visibility from neighbors, and to retain the character of the roadway.

As mentioned earlier, the Golf Village owner has review authority over the architecture and sign. The applicant told staff that they have already received approval for both. Staff would like to add that the proposed architecture is of high quality and has a unique design.

Staff Recommendation

Staff recommends approval of the amendment to a final development plan with the following conditions:

1. All Engineering Department requirements are met.