



## STAFF REPORT

### PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, December 12, 2018

7:00 P.M.

#### 1. EXTENSION OF DEVELOPMENT PLAN APPROVAL

Applicant: The Day Dream Inn, LLC  
Location: 80 E. Olentangy Street  
Existing Zoning: Downtown Business District (DB)  
Request: To review an extension request for a previously approved plan.

Aerial Site Image: <https://goo.gl/maps/cmAGn4sPV172>

#### Project Background

The previous application was approved over three years ago but no construction began since that time. The applicant is now asking for an extension of the previously approved development plan so that they may secure funding to initiate the project.

The applicant came before P&Z at this beginning of 2017 for an extension and was granted another one year and once again in November 2017 for another extension. The applicant has still not been able to begin the project and is asking again for an extension.

#### Ordinance Review

Section 1143.11(q) of the Powell Codified Ordinances requires that an extension of the time limits set in subsection (p) hereof, as a modification of the approved final development plan, may be approved by Council upon the recommendation of the Planning and Zoning Commission. Such approval shall be granted only upon a finding of a valid purpose and necessity for such extension and evidences of reasonable and diligent efforts toward accomplishment of the original development plan within the originally established time limits, and upon finding that such extension is not in conflict with the general health, welfare and safety of the public or development standards of the district. No extension of time shall be granted except on application filed with the Zoning Administrator not later than ninety days before the expiration of the time limits set in subsection (p) hereof.

Section 1143.11(p): Expiration of Approval Period. The approval of a final development plan for a planned district development shall be for a period not to exceed five (5) years to allow for preparation and recording of the required subdivision plat and development of the project. Where a project is completed within five (5) years, the approved final development plan shall remain as the effective zoning control over the area included in the plan, in addition to the requirements of this Zoning Ordinance. If required plats are not properly recorded within nine months of final development plan approval and/or if no construction has begun on the site within two (2) years of such approval, the approved final development plan shall be void, and the land shall revert to the original district zoning regulations unless an application for a time extension is submitted and approved, which approval may be withheld for good cause.

### Staff Comments

Staff does not support providing an extension to this project for the third time. At this point, if the development has not occurred in three years it is unlikely it will within the next year. Overall, an improvement to this site would be a benefit to the downtown district and Powell but staff does not want to burden a future neighboring development if something were to come in within the next year. If another neighboring development were to come in they would have to consider this development as part of their process. Staff does not want to burden other possible development.

Staff is supportive of this development and would welcome the applicant resubmitting for review in the future with financing secured but no sooner than that.

### Staff Recommendation

Staff does not recommend approval of the extension.

## 2. COMBINED PRELIMINARY/FINAL DEVELOPMENT PLAN REVIEW

Applicant: Jennifer Carney  
Location: Woodcutter Drive  
Existing Zoning: Planned Industrial District (PI)  
Request: To review a combined preliminary/final development plan to construct a new 10,800 square foot building on approximately 1.8 acres.

Aerial Site Image: <https://goo.gl/maps/ApdDFJB36j82>

### Project Background

The current owner purchased the property in 2016 and is now ready to develop the land. The parcel in question was part of the Golf Village annexation but is subject to different requirements than other Golf Village commercial lands. Specifically, this land still requires developer architectural review but instead, goes through the city's three-phase development review process.

The sketch plan was review on November 14 (staff report below) and at that meeting staff recommended a combined preliminary/final development plan review which P&Z voted on and agreed to. The applicant has since refined their engineering and elevations and has submitted for the combined review.

### Proposal Overview

The proposal remains the same, to construct a 10,800 square foot building to be used as an athletic complex on 1.8 acres.

### Changes Since the Last Submission

The applicant has provided all the required documents for a combined review with the following changes:

- 1) Letters of financing support included.
- 2) Elevations have been refined to add windows and details.

### Ordinance Review

Combined reviews require will have both preliminary development plan and final development plan items for review by P&Z. As such, staff answered questions to both types of reviews below.

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 proposal is generally consistent with zoning ordinance and chiefly the Golf Village Commercial Development Plan. The height, scale, and use are all allowed by code. Staff would like to mention that the proposed parking although reasonable would recommend they build the future parking to the north of the site now instead of in the future. This would be a benefit for the owner as well as ensure there is adequate parking from the beginning. The owner will likely benefit from economies of scale of adding the parking now instead of mobilizing a crew in the future. Staff is hoping for a high success of this site and in turn, think that the additional parking will be utilized sooner than later.

**(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;**

This site is very well suited to this type of development. The neighboring uses are storage facilities on a roadway that provides the right context for this scale, type, and amount of building. Staff would also

like to mention that the applicant did a wonderful job designing this building so that is "future-proof". If this use is to fail, the building can be broken up into pieces and used for office/commercial space. Even this future use is appropriate for the site selected.

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

As stated above, the neighboring uses are storage facilities, a residential development across the street and future commercial development. This development should fit into the context of the area with little issue. The site will likely generate a good amount of traffic but Home Road and Woodcutter Drive should be capable of handling the increased traffic.

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

The proposal site has provided a simple and easy to traverse site. Detailed engineering will be done following the P&Z review but as of now, staff sees no issue with the site layout.

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

For a commercial use such as this the applicant has provided a great deal of landscaping around the edges of the site.

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

This is a more industrial area with little natural preserves to begin with. That being said, the applicant has added landscaping to south that adds some natural space.

**(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 the applicant will complete the project within one phase. As stated before, staff would recommend the parking be done in one phase as well.

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

The project should take one year to complete.

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

No municipal improvements required.

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

There is no significant community costs associated with this development. City Police will likely patrol this areas as per usual.

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

This development should have a positive impact on surrounding uses. The development will bring more users to the area and in of itself, be an additional service for Powell residents.

*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."*

## 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;**

Staff sees no reason why this project will not initiate within two years and be completed within five years. The applicant has provided a letter of financing that provides evidence of this.

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

As stated in the sketch plan review:

The proposal location and type are consistent with the City's Comprehensive Plan. Under the guiding principles (p. vi) it states 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." The proposal adds more commercial space to the city which leads to an increase in taxes that helps the city's economic well-being. Also, the type of use proposed, athletic facility, adds to the service needs of the community. Powell is a community with a large population of children who use these types of services. Lastly, what makes this proposal useful for future economic well-being is the fact that if the current proposed use was to fail, the building can be broken down into individual components and used as commercial space for other businesses. In essence, future-proofing the building.

The proposal is within the *employment center* area identified by the future land use map and meets the intent of the area (p. 29 & 36). The Comprehensive Plans calls for these lands to be infilled as much as possible by additional facilities for office and retail uses, which this proposal does. Furthermore, the new commercial space will add to the employment opportunities in the city – the very purpose of this area.

**(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;**

This use will generate more traffic to the area but Home Road as a major east-west road and Woodcutter as a large arterial road should be capable of handling the increased traffic.

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

The proposed site is zoned Planned Commercial and is intended to accept this type of proposal. Not to mention the proximity to Home Road will help to bring users to and from the site.

- (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;**

No housing is proposed.

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

No lands being dedicated.

- (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 does not hinder any neighboring properties. On the contrary, the proposal may help to push neighboring properties to develop with the influx of users to the area.

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

There are adequate utilities to the site.

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

Initial review by staff sees no issue with the proposed stormwater management.

### Staff Comments

Staff sees the proposed development as having a positive impact of the community. It develops a vacant parcel to a tax generating use that also provides a service to our residents. This type of use will also likely have a wide catchment area and may help bring in people from outside of the city. More people brought into city increases the changes of these individuals frequenting our other businesses.

Staff also likes that this property can be repurposed in the future if need be. The elevations are very well done and the ability to break the building up into components for office/retail space make it a great development for now and the future.

### Staff Recommendation

Staff recommends approval of the combined preliminary/final development plan review with the following conditions:

- 1) All parking is completed in one phase.
- 2) All Engineering Department comments are adhered to.
- 3) Any Architectural Advisor comments are addressed.

## **Sketch Plan Review – November 14, 2018**

### Project Background

The current owner purchased the property in 2016 and is now ready to develop the land. The parcel in question was part of the Golf Village annexation but is subject to different requirements than other Golf Village commercial lands. Specifically, this land still requires developer architectural review but instead, goes through the city's three-phase development review process.

### Proposal Overview

The proposal is to construct a 10,800 square foot building to be used as an athletic complex on 1.8 acres.

### 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 location and type are consistent with the City's Comprehensive Plan. Under the guiding principles (p. vi) it states 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." The proposal adds more commercial space to the city which leads to an increase in taxes that helps the city's economic well-being. Also, the type of use proposed, athletic facility, adds to the service needs of the community. Powell is a community with a large population of children who use these types of services. Lastly, what makes this proposal useful for future economic well-being is the fact that if the current proposed use was to fail, the building can be broken down into individual components and used as commercial space for other businesses. In essence, future-proofing the building.

The proposal is within the *employment center* area identified by the future land use map and meets the intent of the area (p. 29 & 36). The Comprehensive Plans calls for these lands to be infilled as much as possible by additional facilities for office and retail uses, which this proposal does. Furthermore, the new commercial space will add to the employment opportunities in the city – the very purpose of this area.

### Staff Comments

Staff is pleased with the proposal and the level of detail provided at the sketch plan phase. The proposed athletic facility is an appropriate and permitted use for this site. The scale and designs are also well thought out. Staff as always would defer to the Architectural Advisor for detailed comments about the design. Although, staff would like to mention that the proposed design is very-well done and adds a lot of visual interest to a commercial pre-fabricated building.

The proposal also meets all dimensional requirements regarding setbacks, heights, and lot coverage. Further detailed review will be done at the next phase regarding parking counts. Staff would like to note that typically parking should be in the rear and side of buildings but this type of building the parking out front may be appropriate. Staff defers to P&Z comments on parking location.

The city has limited commercial lands in the city and as the Comprehensive Plan states, should be preserved and reserved for commercial uses which generate taxes and services for residents. This

proposal does both and the design allows for reuse in the future if the proposed use does not succeed.

In summary, staff sees this is a fine proposal for this site and what it brings to the city.

### Staff Recommendation

With such a well-developed sketch plan and barring any unforeseen issues, staff recommends that the proposal move forward as a combined preliminary-final development plan review.



### 3. SKETCH PLAN REVIEW

Applicant: Andy Johanni, for Milton Properties  
Location: 8930 Liberty Street  
Existing Zoning: Planned Commercial District (PC)  
Request: To review a sketch plan to construct seven commercial buildings on approximately 4.44 acres.

Aerial Site Image: <https://goo.gl/maps/JhUBCJ5WFnv>

#### Project Background

This is the first time in reviewing this project. The City has approved a previous project, for offices and a day care, and the great recession hit right after that so the project did not proceed. The zoning for the property was adopted in 1988 based upon the Huffman-Hill Master Plan when all of the property containing Wolf Commerce Park. We have included this information in the packet. We do find that this proposal is very consistent with the plans dating back to 1988 and our current Comprehensive Plan.

#### Proposal Overview

The proposal is for seven office buildings of 4,200 to 5,780 square feet. These buildings will be built as an office condominium development, with each building able to provide one or two units each. A large green space will be provided along the street frontage in keeping with the large setbacks that are required. This is where the storm water control will happen, with a mix of wet pond and dry basin. There will be a proposed full access point on seldom Seen Road and a controlled access point across from the entrance of Ashmoore subdivision. This is a similar design to the previous plan approval. A traffic analysis is being conducted to be sure that this plan is acceptable. The City and County are planning a signal installation and north bound left turn lane for the intersection. In terms of timing, it is the City's intention that the intersection improvement will be completed prior to final occupancy of all of the buildings.

#### 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. This area is slated for office and commercial uses. It is anticipated that medical offices and ancillary uses will be in this development. Business services such as insurance agencies, law offices etc. are also anticipated.

#### Staff Comments

Staff has the following comments that are all intended to make this development more compatible to the area and to help with providing alternative access to the property via our pathway plan:

1. Bring pathway(s) into the site from the main pathway along Liberty Street. No pathway is anticipated along Seldom Seen Road as the existing path is on the north side including the crossing of the railroad.
2. Build a sidewalk along the fronts of the building so people can access the doors easier by walking on a sidewalk.

3. Building No. 2 should be pushed in front of the setback line by 10 feet and moved a little northeast. This may also be done to Building Number 4. By setting the buildings at different setbacks will add visual interest.
4. Increase the interior parking lot green space by making a larger landscape island in the middle utilizing at least 4 to 6 bays.
5. Provide an overall sign plan with the development plan to include how wall signs, monument signs and interior traffic maintenance directional signs will be utilized.
6. Provide detailing of the proposed fencing. Recommended 3-rail white fencing to match existing in the area.
7. Architecture is fitting the area. Be sure to add something to roofline to lessen its massing. Staff will rely on the Architecture Advisor for advice in this regard.

### Staff Recommendation

Staff recommends that the applicant pursue a Preliminary Development Plan. We find that this proposal is well in keeping with the Comprehensive Plan and the current zoning for the property.

**Hill/Huffman Master Plan and Zoning for property since 1988 – See included Documents Below.**

#### 4. SKETCH PLAN REVIEW

Applicant: Romanelli and Hughes/The Camber Company, LLC  
Location: 2770 Carriage Road  
Existing Zoning: Liberty Township Farm Residence District  
Proposed Zoning: Planned Residence District (PR)  
Request: To review a sketch plan to rezone the parcel to Planned Residence District and construct 11 buildings on approximately 4.01 acres.

Aerial Site Image: <https://goo.gl/maps/BNAnJUx3mFp>

#### Project Background

The applicant has the property in contract to purchase. A Sketch Plan Review is the first review that comes before the Planning and Zoning Commission to discuss the merits of the proposal and to open dialogue about its conformance with the Comprehensive Plan and development standards within the City. Being a Sketch Plan review, no action shall be taken by the Commission, just discussion.

This same parcel was reviewed at the July 11, 2018 P&Z meeting with a 34 townhome submission. Since that time a new applicant is in contact with the site to instead to 11 single family homes.

#### Proposal Overview

The proposal consists of 11 single family homes. Speaking with the developer, these are intended to be fee-simple homes with an HOA that are aimed at empty-nester retirees and small families. As drawn, the streets will be private with access off of Carriage Road.

#### Staff Comments

Staff is pleased with the proposal type, scale, and layout. This lower density options is more in line with the character of the surrounding uses – less dense single family homes. Also the setbacks from the edges of the property help to keep the rural aesthetic, especially along Liberty Road. The proposed vegetation also helps to soften the edges of the development. Staff would suggest more screen on the north side of the property though to clearly define the edge of the property from the school property.

The proposed layout will lend itself to this development feeling like a small community which helps add to its sense of place and gives the small subdivision character. The provided elevations are small in scale and have a unique character which will also set the development apart from its neighbors but still fit in. Unique design that fits with this area is certainly going to be important as visible as these units will be from the schools and Liberty Road. Staff defers to detailed review of the elevations to the Architectural Advisor.

This is an infill piece of land, that which remains from the original Woods of Powell development. The owner of the farm on which all Woods of Powell North is built is the current property owner. For some reason until now, nobody has shown interest in developing this piece of land. The zoning code allows for up to 1.7 dwelling units per acre for single family, and up to seven units per acre for multi-family, and up to 9 units per acre on a major thoroughfare that can already handle the increase in traffic and the design is outstanding. At 11 units, this is at 2.67 units per acre which is in line with this area.

Staff would recommend though that the developer add bike paths along the east and south side of the property to help students get to and from the site. Staff would suggest speaking with the schools as well to determine the best placement of such pathways.

### 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 comprehensive plan asks for high quality homes to be built with great character in the community. The comprehensive plan also calls for a variety of housing types. This development is consistent with these recommendations.

### Staff Recommendation

Staff recommends the applicant proceed to the preliminary development plan review stage taking into account comments by P&Z, residents, staff and the Architectural Advisor.

## 5. ADMINISTRATIVE REVIEW

Applicant: Mathew Althouse  
Location: 26 W Olentangy Street  
Existing Zoning: Downtown Business District (DB)  
Request: To review a proposal to allow an off-site gravel parking to remain unpaved.

Aerial Site Image: <https://goo.gl/maps/8RVXc1RzpGE2>

### Project Background

As part of the approval for this project, the applicant was made to create a shared parking agreement with the owner at 49 & 55 Scioto Street. The approval also stated that the applicant come back before P&Z if the agreement was voided. In this case, the agreement is not voided but the owner of the off-site parking is considering developing their property and decided that having the parking spaces paved would be an added cost to him as well as the owners of 26 West Olentangy. As a result, they asked staff if they could leave the parking lot gravel. City Code (1149.05(e)) requires that parking be paved and staff cannot make this determination. However, P&Z does have the authority to allow the owners to keep the parking lot gravel. Consequently, this proposal is being brought before P&Z.

### Proposal Overview

To allow the off-site parking at 49 & 55 Scioto to remain gravel.

### Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(u), all plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Administrator, to the Planning and Zoning Commission, and to the Council or to their designated technical advisors upon request for administrative review to assure substantial compliance with the final approved development plan.

### Staff Comments

Staff sees no issue with this request since based on previous parking standards, the applicant had adequate parking on-site and this off-site parking was meant to be overflow only. Also, with the owners likely to develop in the future, staff sees no reason to add additional costs to both owners for an improvement that will likely be taken out in the near term.

### Staff Recommendation

Staff recommends approval of the administrative review to allow the off-site parking to remain gravel.