



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers
47 Hall Street
Wednesday, May 8, 2019
7:00 P.M.

1. FINAL DEVELOPMENT PLAN REVIEW

Applicant: Home Steitz LLC, c/o John Wicks
Location: Northwest Corner of Home Road and Steitz Road
Proposed Zoning: Planned Commercial District
Request: Review of a Final Development Plan for development of the property for housing, commercial and a library.

Aerial Site Image: <https://goo.gl/maps/QNNEHrCvyaC2>

Project Background

The applicant has the property in contract to purchase, and the annexation process is proceeding. It is anticipated that this Development Plan will go before City Council in conjunction with the Annexation Ordinance later this year. In anticipation of that, Staff recommended a Sketch Plan Review come before the Planning and Zoning Commission to discuss the merits of the proposal and to open dialogue about its conformance with the Comprehensive Plan. The previous sketch plan review on June 13, 2018 is below for reference. A second sketch review was review by P&Z on November 14, 2018. Subsequently, the applicant came before P&Z as a preliminary development plan on January 16, 2019. Since that time, the applicant has received confirmation from the Delaware County District Library that they want to locate a new library on this site. The applicant, after hearing this information, updated their plan and submitted for a final development plan review.

Proposal Overview

The proposal is now for a mixed-use development consisting of a 25,000 sq. ft. public library (size subject to change), 14,700 sq. ft. of commercial/office space and 62 apartment units with 21 garage spaces as well as surface parking.

Changes Since the Last Submission

The applicant made the following changes since the last meeting:

- 1) Reduced 6 units: 30 townhomes instead of 36.
- 2) Parking revised: 98 instead of 108 for the library and 108 instead of 104 for the commercial area.
- 3) Pool instead of a pond in the center of the apartment area.
- 4) Provided aspect renderings, utility plan, zoning text, and divergence requests.
- 5) Revised storm-water ponding plan, parking lot layout and library building location and orientation.

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;

As per item "L" on page 3 of the development text, the applicant plans to initiate construction by the Summer/Fall of 2019 and building construction 2020. Staff believes that the project can be completed well within five years.

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

The Comprehensive Plan's land use map (P. 29) calls for conservation development in this and north of Home Road. However, as part of the Comprehensive Plan, mixed used activity centers are also called for. Although this exact site may not be where mixed use centers are specified by the plan, the intent and effects remains the same – provide services and uses that residents can use outside of the downtown and main shopping areas such as at Powell Rd./Sawmill Parkway. This helps alleviate traffic in those more congested areas and provides services to those nearby. Staff sees commercial nodes like this as a benefit to Powell residents and believe that these activity centers provide a place for residents to congregate and frequent.

(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 Engineering Department reviewed the proposal and suggested that the applicant "show proposed public roadway improvements recommended from traffic study on plan."

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

The commercial/retail portion of the site is ideal for neighborhood services types of users, such as convenience store, insurance office, ice cream store or restaurant. As shown on the site plan there is plenty of parking and the buildings are well designed in a Powell farm vernacular. The power line and easement therefore does have a unique presence for making the commercial area.

(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;

The overall gross density of residential use to the entire site is at 5.87 du/acre (62/10.55 acres). The net density (just the residential portion of the site) is at 12.75 du/ac, however most of the green space provided for the overall development plan is located on the commercial portion of the site. With that, the gross density meets with the overall PC, Planned Commercial District allowance of 9 du/ac for other than single family, and the portion of the code that requires no more than 12 du/ac on any one acre. Staff believes that without the multi-family aspect to this plan a library site would not be doable.

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

All lands to be dedicated, namely rights-of-way, are acceptable to Staff.

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

The surrounding area is mostly already planned or developed as it is today, with a single family subdivision to the north, large lot residential to the west, and now planned open space as part of the recent rezoning of the land within the Township Planned Overlay District (POD), which identifies the northeast corner of Steitz and Home Road as open space.

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

Utilities are at or can be extended to the site by the developer without issue and capacity is available for this development as stated by the developer.

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

The Engineer Department did a cursory review of the proposal and provided the following comments:

1. Provide Storm-water feasibility analysis which will include but is not necessarily limited to comments below:
 - Unless part of annexation agreement; utilize the City of Powell storm water management requirements 100 year post developed storm detained to 1 year pre -developed storm or the capacity of downstream capacity (whichever is the lesser).
 - Provide outlet analysis for downstream storm-water outlets to ensure capacity including the offsite existing pond and existing storm sewer on Home Rd.
 - Show/delineate all offsite drainage to the East and North and how this drainage is appropriately being accommodated.
 - Provide concept for providing /maintaining appropriate drainage into existing pond on adjacent lot. A drainage area from this site and offsite is the water source for this existing pond. Explain coordination with adjacent property owner.
2. Provide any requirements/offsets for locating retention ponds within overhead easement areas.
3. Provide any requirements for working near existing Raw Water Lines. The grading plan shows this line straddled between 2 proposed ponds and lowering the grade above this pipe by approximately 2'.

Staff Comments

The overall mixed-use concept for this property is the most appropriate development scheme for this property. Such a mixed-use development that is appropriately located can help a community in many ways. By providing commercial and office services in a neighborhood setting for the area to the north of Powell allows for reduction of congestion to the south parts of Powell.

The reduction of density and refined architecture is much better than what staff previously saw. There is more variety of materials and the shape of the buildings makes sure they are not one big mass. Also, Staff is pleased that the applicant is taking design cues from Powell Crossing. Staff defers to the Architectural Advisor for more detailed comments.

As of now, the site is designed for the use of a library, which Staff is in support. However, if the library is not going to locate here, Staff would recommend an alternate plan. The whole site is predicated on a library being located on this site and if it were not to happen, the interplay amongst uses would have to be re-thought. One idea staff had would be to provide an alternate option where two smaller commercial building could substitute for the one large building. Staff's fear is designing for one user without thought for re-use if that one user is to leave. Of course, we would also need to reconsider the residential density as well. The other idea could be to keep the same building and have it broken up in the future into smaller pieces internally. Staff is not set in one direction but would like the applicant to consider this possibility.

The most essential part of this plan is the proposed library. As part of the Final Development Plan application, the only layout provided for the library site is a building pad location and the parking lot, and within the text that the library portion of the Final Development Plan will be submitted as its own Final Development Plan sometime into the future. We know that the Delaware County District Library announced this location as their chosen location for the next Powell Branch Library. As part of the approval for this Final Development Plan, we need to make sure that the library IS going to happen on this site. The Planning and Zoning Commission and City Council should examine additional commitments from the developer and the Delaware County District Library and this should be included within the approval of this plan.

Staff Recommendation

Staff recommends approval of the Final Development Plan with the following conditions:

- 1) That the City Law Director and Applicant create a Development Agreement to ensure that a Delaware County District Library is located on this property for implementation of this plan. If the Delaware County District Library ceases to locate here, then a revised Development Plan shall be submitted.
- 2) That the comments from the Architectural Advisor shall be implemented as required by the Planning and Zoning Commission.
- 3) That all Engineering Department comments are adhered to during the engineering plan review.
- 4) That all roadway improvements as outlined within the traffic report, or as required by the County Engineer, be implemented.

PRELIMINARY DEVELOPMENT PLAN REVIEW – January 16, 2019

Project Background

The applicant has the property in contract to purchase, and is going to submit an annexation petition. In anticipation of that, Staff recommended a Sketch Plan Review come before the Planning and Zoning Commission to discuss the merits of the proposal and to open dialogue about its conformance with the Comprehensive Plan. The previous sketch plan review on June 13, 2018 is below for reference. Being a Sketch Plan review, no action shall be taken by the Commission, just discussion. A second sketch review was review by P&Z on November 14, 2018.

Proposal Overview

The proposal is now for a mixed use development consisting of a 25,000 sq. ft. public library (size subject to change), 14,700 sq. ft. of commercial/office space and 62 apartment units with 21 garage spaces as well as surface parking.

Changes Since the Last Submission

The applicant made the following changes since the last meeting:

- 6) Reduced 6 units: 30 townhomes instead of 36.
- 7) Parking revised: 98 instead of 108 for the library and 108 instead of 104 for the commercial area.
- 8) Pool instead of a pond in the center of the site.
- 9) Provided aspect renderings, utility plan, zoning text, and divergence requests.

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 proposal meets the intentions of the zoning code but does require some divergences. The applicant has listed out these requests. Staff has no issue with the requests as they do not change the overall character or intent of the zoning code. The building and sign setbacks, separation of buildings, and location of parking are reasonable requests due to the site constraints.

(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 Comprehensive Plan suggested having nodes of commercial outside of just the downtown core to help provide services to residences in other parts of the City, which would help alleviate traffic in other commercial areas and also help those nearby residents. The mixed used proposed with commercial, housing, and library would help to insistently create a commercial node in a primarily residential area. As such, Staff sees this mixed use development as an appropriate type, location, amount and intensity.

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

The site is neighbored by residential to its north and west and by roads on its east and south. There may be some friction with the residential neighbors but staff believes the landscaping and appropriate lighting will help with this issue.

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

The proposal as shown seems adequate to handle traffic to and through the site. There has, however, been discussions with the owner to the south to have the entrances align to not create conflict points. The City Engineer and County are working to ensure the entrances will be as safe as possible to align.

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

The pool and pond add to the yard spaces in the development but overall, this is not a very green development. The mixed use nature of the site and size contribute to this. Staff does not see an issue however, since this will be a commercial node – a lot of green space may not be needed. However, this does meet our minimum requirements overall.

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

There are no open spaces and natural preserves 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 development will be done in one phase.

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

It will likely take 2 years to complete the project.

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

No improvements needed by the municipality.

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

There are minimal costs to provide public services. The police department already patrols this area.

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

The proposal will have a net positive impact on the surrounding area. Adding to the service and office mix to the area will help provide nearby residents with services they may otherwise have to drive to. The residential neighbors may see some friction with the use but with appropriate landscaping and lighting – this can be minimized.

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 Comprehensive Plan's land use map (P. 29) calls for conservation development in this and north of Home Road. However, as part of the Comprehensive Plan, mixed used activity centers are also called for. Although, this may not be where it is specified by the plan, the intent and effects remains the same – provide services and uses that residents can use outside of the downtown. This helps alleviate traffic and help those nearby. Staff sees commercial nodes like this as a benefit to Powell residents and believe that these activity centers provide a place for residents to congregate and frequent.

Staff Comments

Staff thinks a development such as this is appropriately located and helps those nearby. Staff would like to see more detail on the lighting of the site and possible a lighting study.

The refined architecture is much better than what staff previously saw. There is more variety of materials and the shape of the buildings makes sure they are not one big mass. Also, Staff is pleased that the applicant is taking design cues from Powell Crossing. The scale and material selection as well as the connection to the downtown helps to solidify this area as an extension of the downtown. Staff defers to the Architectural Advisor for more detailed comments.

As of now, the site is designed for the use of a library, which Staff is in support. However, if the library is not to locate here, Staff would need to see an alternate plan. The whole site is predicated on a library being located on this site and if it were not to happen, the interplay amongst uses would have to be re-thought. One idea staff had would be to provide an alternate option where two smaller commercial building could substitute for the one large building. Staff's fear is designing for one user without thought for re-use if that one user is to leave. The other idea could be to keep the same building have it broken up in the future into smaller pieces internally. Staff is not set in one direction but would like the applicant to consider this possibility.

Staff Recommendation

Staff recommends approval of the preliminary development plan with the following conditions:

- 5) That the annexation is approved.
- 6) All Engineering Department comments are adhered to.
- 7) All Staff and Architectural comments are incorporated.
- 8) That if a library is not chosen for this site, then the development plan needs to be revised to a whole new plan.

SKETCH PLAN REVIEW – November 14, 2018

Aerial Site Image: <https://goo.gl/maps/QNNEHrCvyaC2>

Project Background

The applicant has the property in contract to purchase, and is going to submit an annexation petition. In anticipation of that, Staff recommended a Sketch Plan Review come before the Planning and Zoning Commission to discuss the merits of the proposal and to open dialogue about its conformance with the Comprehensive Plan. The previous sketch plan review on June 13, 2018 is below for reference. Being a Sketch Plan review, no action shall be taken by the Commission, just discussion.

Proposal Overview

The proposal is now for a mixed use development consisting of a 25,000 sq. ft. public library, 14,700 sq. ft. of commercial/office space and 68 apartment units with 24 garage spaces as well as surface parking.

Staff Comments

The property where this proposal is located is at the northwest corner of Home and Steitz Roads. It is fully an open farm field with some minimal tree line edges. There is a 150 foot wide electric transmission line easement running diagonally across the property which is a deterrent to any type of development on this as parcel.

There is large lot residential to the west, a single family subdivision to the north, farmland to the east side of Steitz Road as well as the south side of Steitz Road.

Because of the adjacent residential land uses and the power lines, the property owner, as well as the City, is in a hard place to determine the types of land use that is appropriate. When the subdivision to the north was platted, the street that is a cul-de-sac should have been directed to stub in to this property, for a natural extension of that subdivision. However, that was not done.

The proposed development seems a bit too intense for the area. The busy intersection of Steitz and Home Roads, as well as the turning movements needed for this development, can handle the additional traffic if properly designed through the City and County Engineer's office. There will probably need to be some additional widening of Steitz Road.

The proposed residential development is just way too dense for the area and there leaves hardly any green spaces that are usable for the residents. Staff has developed a revised plan that decreases the density and increases the usable green space for the property, including a dog park and resident gardens. Staff's plan did not remove any parking, but that too can be reduced because of the reduced density. Also, this can be uniquely designed to have some green space usable for library customers and programming in an outdoor reading park. See next page.



Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(a), “the developer shall meet with the City Manager, with the Zoning Administrator, and with the Planning and Zoning Commission prior to submission of a preliminary development plan. The purpose of such meetings is to discuss early and informally the purpose and effect of this Zoning Ordinance and the criteria and standards contained herein, and to familiarize the developer with zoning and other applicable regulations; it being understood that no statements by officials of Powell, Ohio, or Planning and Zoning Commission members, made in such informal meetings shall be binding on either party.

Comprehensive Plan Consistency

This property falls into the area of our north growth corridor area and is on the edges of our Conservation Development. Conservation Development is generally examined as a whole, much larger property development plan, and can contain a mix of residential uses, commercial uses and public uses at major intersections (p.40). If you look at our conservation district as a whole, this property is situated at a main

intersection within it. A conservation district should have at least 50% open space that is naturalized in design. Buildings should be designed in a traditional Midwest character. Multi-use paths should be included in the plan and make connections to other paths. Large setbacks should be utilized in a conservation district.

Policy recommendations as they relate to land use that are affected by this proposal includes (p. 48-52):

1. Using the Land Use Map as a guide to decision making.
3. Balance land use, community character, transportation and fiscal sustainability goals
8. Create an interconnected open space system throughout community.
9. Ensure development quality meets Powell's standards for aesthetic and community character.
12. Preserve rural character by requiring conservation development patterns in growth areas north of Home Road.

Within the Thoroughfare Plan, we examined the need for additional commercial north of Home Road, knowing that additional residential growth is expected there. The model indicated that by adding commercial areas north of Home Road, we greatly help out the traffic patterns further south into the City of Powell, at the Sawmill Parkway/Powell Road area. Therefore, the Comprehensive Plan Land Use Map identifies areas at Sawmill Parkway and Hyatts Road where it may be desirous for commercial land uses at what will tend to be a busy intersection in the future. Although not specifically identified for commercial uses at Steitz and Home Roads, the Comprehensive Plan does infer that within Conservation Districts at major intersections, commercial land uses can be established, assuming all other Conservation District requirements are followed.

Staff Recommendation

Staff recommends that the Commission carefully consider all issues related to this proposal and the ideas and policies presented in the Comprehensive Plan. The developer and the Commission should consider the following:

- Include at least 50% "green space" within the development, utilize multi-use pathways within and around the site connecting to the subdivision to the north.
- Consider reducing the density per Staff's plan, if not more.
- Absolutely follow conservation district standards for planned open space and multi-use trails.
- Seek advice from the City and County Engineer for roadway improvements needed due to this development.

SKETCH PLAN REVIEW – JUNE 13, 2018

Project Background

The applicant has the property in contract to purchase, and is going to submit an annexation petition. In anticipation of that, Staff recommended a Sketch Plan Review come before the Planning and Zoning Commission to discuss the merits of the proposal and to open dialogue about its conformance with the Comprehensive Plan. Being a Sketch Plan review, no action shall be taken by the Commission, just discussion.

Proposal Overview

The proposal is to annex the 11.75 acres of land, and develop the following uses:

- Up to 10,500 square feet of retail convenience store with about 8 fuel pumps.
- Up to 21,000 square feet of mixed retail/office
- An unknown amount of indoor storage, mainly for RV's, recreational trailers, boats and vehicles.

Staff Comments

The property where this proposal is located is at the northwest corner of Home and Steitz Roads. It is fully an open farm field with some minimal tree line edges. There is a 150 foot wide electric transmission line easement running diagonally across the property which is a deterrent to any type of development on this as parcel.

There is large lot residential to the west, a single family subdivision to the north, farmland to the east side of Steitz Road as well as the south side of Steitz Road.

Because of the adjacent residential land uses and the power lines, the property owner, as well as the City, is in a hard place to determine the types of land use that is appropriate. When the subdivision to the north was platted, the street that is a cul-de-sac should have been directed to stub in to this property, for a natural extension of that subdivision. However, that was not done.

Here is a review of a few possible scenarios:

- The proposed development seems a bit intense for the area. The busy intersection of Steitz and Home Roads, as well as the turning movements needed for this development, can handle the additional traffic if properly designed through the County Engineer's office. There will probably need to be some additional widening of Steitz Road. The gasoline station and the storage facility just seem to be too intense and provide more of a regional facility rather than providing neighborhood type retail and office establishments, or uses that tend to be more favorable for neighborhood design and use. Day care uses, although one might think the City has plenty, we understand the existing day cares around Powell are near capacity and future home growth to the north will bring about an even greater need. Having neighborhood commercial, office and day care uses may be an appropriate use given the unique nature of the site. There then would need to be something different in the back where the warehousing is located. Is there a chance to do some residential there? Maybe the size of the facility can be lessened and provide much greater amount of green space. To allow this as some other than residential use, there needs to be a greater emphasis on increased green space.
- New residential could be built here, netting probably about 26 to 28 units, which in our estimation, would be single-family or attached patio homes. Typical for the area single-family homes in the types and styles built in the area, and having main access from Home Road and Steitz Road (and electric lines) would not make it as desirable and marketable. However, a different kind of product popular with those who would like to downsize may find it more appropriate. Reviewing our economic model we use to analyze new annexations and land use, this would net a negative \$9,000 per year to the City.
- Larger lot single family is not as desirable, and provides a lot more negative economic model to the tune of negative \$26,000.

Ordinance Review

In accordance with the requirements of codified ordinance 1143.11(a), “the developer shall meet with the City Manager, with the Zoning Administrator, and with the Planning and Zoning Commission prior to submission of a preliminary development plan. The purpose of such meetings is to discuss early and informally the purpose and effect of this Zoning Ordinance and the criteria and standards contained herein, and to familiarize the developer with zoning and other applicable regulations; it being understood that no statements by officials of Powell, Ohio, or Planning and Zoning Commission members, made in such informal meetings shall be binding on either party.

Comprehensive Plan Consistency

This property falls into the area of our north growth corridor area and is on the edges of our Conservation Development. Conservation Development is generally examined as a whole, much larger property development plan, and can contain a mix of residential uses, and can contain commercial uses at major intersections (p.40). If you look at our conservation district as a whole, this property is situated at a main intersection within it. A conservation district should have at least 50% open space that is naturalized in design. Buildings should be designed in a traditional Midwest character. Multi-use paths should be included in the plan and make connections to other paths. Large setbacks should be utilized in a conservation district.

Policy recommendations as they relate to land use that are affected by this proposal includes (p. 48-52):

2. Using the Land Use Map as a guide to decision making.
4. Balance land use, community character, transportation and fiscal sustainability goals
10. Create an interconnected open space system throughout community.
11. Ensure development quality meets Powell’s standards for aesthetic and community character.
13. Preserve rural character by requiring conservation development patterns in growth areas north of Home Road.

Within the Thoroughfare Plan, we examined the need for additional commercial north of Home Road, knowing that additional residential growth is expected there. The model indicated that by adding commercial areas north of Home Road, we greatly help out the traffic patterns further south into the City of Powell, at the Sawmill Parkway/Powell Road area. Therefore, the Comprehensive Plan Land Use Map identifies areas at Sawmill Parkway and Hyatts Road where it may be desirable for commercial land uses at what will tend to be a busy intersection in the future. Although not specifically identified for commercial uses at Steitz and Home Roads, the Comprehensive Plan does infer that within Conservation Districts at major intersections, commercial land uses can be established, assuming all other Conservation District requirements are followed.

Staff Recommendation

Staff recommends that the Commission carefully consider all issues related to this proposal and the ideas and policies presented in the Comprehensive Plan. The developer and the Commission should consider the following:

- Is it possible to remove the gas station and considerably downsize if not totally remove the storage uses, include at least 50% open space not counting the easement for the electric lines, utilize multi-use pathways around the site and though it connecting to the subdivision to the north, creating a large green area to the north where the storage is located.
- Consider instead of gasoline use and storage adding some other type family oriented indoor commercial use.
- Consider instead of gasoline and storage adding a residential component.
- Absolutely follow conservation district standards for planned open space and multi-use trails.
- If planned for a totally residential use, somehow balance the unit types to help create a positive number for residential development economic impact.
- Seek advice from the County Engineer for roadway improvements needed due to this development.