



## STAFF REPORT

### PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, September 11, 2019

7:00 P.M.

#### 1. PRELIMINARY DEVELOPMENT PLAN REVIEW

Applicant: Andy Johanni  
Location: 8930 Liberty Road  
Existing Zoning: Planned Commercial District (PC)  
Request: To review a plan to construct six commercial buildings on approximately 4.44 acres.

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

#### Project Background

The project came before Planning and Zoning Commission on December 12, 2018 as a Sketch Plan Review. Zoning for the property was established in 1988 based upon the Huffman-Hill Master Plan, which developed all of the property containing Wolf Commerce Park. The City approved a previous project, for offices and a day care, which never came to fruition due to the recession. Information on these plans are included in the packet below.

#### Proposal Overview

The proposal is for six office buildings, which range in size from 4,021 to 10,017 square feet. The proposal is for an office condominium development, with each building able to provide one or two units each. A large green space is provided along the street frontages on Liberty and Seldom Seen Roads. This is where storm water will be controlled with the combination of a wet pond and a dry basin. There will be a semi-controlled access point on Seldom Seen Road (no left turns in controlled by signage) on Seldom Seen Road, and a controlled access point across from the entrance the Ashmoore subdivision on Liberty Road. This design is similar to the previously approved plan. A traffic analysis has been conducted to be sure that this plan is acceptable. The City and County are planning to install a signal and north bound left turn lane for the intersection. In terms of timing, the City expects that the intersection improvements will be completed around the same time the buildings final occupancy is given.

#### Changes since the Last Submission

- 1) The buildings on the north and east side of the site have been pushed into the setbacks along Seldom Seen and Liberty Road, following staff comments provided from the Sketch Plan.
- 2) Originally designed with seven buildings, now the development only proposes six buildings as a daycare is planning to move into a large space in the southwest corner of the site.
- 3) Design changes have been made to the proposed buildings to address some of the architectural comments made from the last submission.
- 4) A landscape plan has been added for the development, which includes the relocation of the dumpster farther from the main thoroughfare, as well as the addition of landscaping islands in the parking lot.
- 5) Sign plans are now included to show the design for monument signs near the site entrances at Seldom Seen Road and Liberty Road.

## 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 is consistent with the requirements of the City Code. Dimensionally, the site meets height, size, and lot coverage requirements. As for setbacks, at the request of Staff, the buildings along the streets were brought into the 150 foot setback. This helps add more character to the street. As for use, the commercial uses proposed are allowed in the Planned Commercial District.

**(2) The appropriateness of the proposed land uses with regard to their type, location, amount, and intensity, where not specifically specified in this Zoning Ordinance;**

This property is located near Wolf Commerce Park, in the city's Employment Center as called out in the Comprehensive Plan's Future Land Use Map. The community currently has a limited amount of employment centers and infill near existing business parks is encouraged. As such, the proposed office condominiums are appropriate for this location

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

The proposed office use fits well into the existing context, as it shares the same use with Wolf Commerce Park, which borders the site. The low density, agricultural looking, residential style will help to connect the style and scale of this development with the residential condominiums to the north, as well as the commercial buildings to the west. Although the development will create additional traffic on the roadways, the limitation to the access points as well as the turn lane/signal improvement to the intersection will lessen the potential negative impacts.

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

A traffic study is currently being done on the site. The City and County are planning to install a traffic light at the intersection of Seldom Seen and Liberty Roads, as well as adding left turn lanes.

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

For a business use, the proposal has sufficient green space along the street frontages. About 48% of the site is designated as green space.

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

Green space along Seldom Seen and Liberty Roads will help to create an aesthetically pleasing buffer between the development and the existing bike path and streets, as well as control the site's storm water.

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

This development will be built incrementally since the buildings are build-to-suit. Currently buildings #3 and #6 already have tenants, a dental office and daycare center, and are working on designs to be reviewed and approved by the Commission. Other buildings will come back at a later time, and the development may take 3-5 years to be fully completed.

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

See above.

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

There are no improvements needed by the City.

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

There is minimal community cost to providing service to the site. Additional Police presence may be needed but likely no more than is already present at this location, since it is so close to Wolf Commerce Park.

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

The project should have minimal impact on the surrounding areas. The site is surrounded by commercial uses on three sides and a residential use across the street. There will be more traffic to the site but it will also provide a service to the residents to its north and be another office use similar to the neighboring small offices.

*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**

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. The Comprehensive Plan calls for commercial uses along major roadways. This proposal does just that. Also, one of the Plan's guiding principles is to have "new commercial development contribute to both the service needs of the community as well as the economic and fiscal well-being of the City." A proposal such as this will help with the city's tax base and provide services to our residents.

**Staff Comments**

The proposal is a positive development for the City of Powell. On two major routes, the existing empty lot needs to be activated and a development like this helps to add to the tax base but also provides services to our residents. The proposed architecture adds to the character of Powell with a unique feature on the corner. Staff defers to the Architectural Advisor for more detailed review of the design. The proposal is also in line with the Comprehensive Plan and our City Code. As such, Staff looks forward to more business coming into Powell and having the remaining four buildings occupied quickly. One item missing from the proposal is a development Text that Staff would like to see with the Final Development Plan submittal.

**Staff Recommendation**

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

- 1) That a Development Plan Text be submitted with the Final Development Plan. Within this text, there should be included anticipated approved and unapproved uses, the restriction of turning movements as recommended by the City Engineer on the Seldom Seen Road entrance, condominium documents, maintenance responsibilities for all improvements on the site, a lighting plan,
- 2) That all Engineering Department comments are adhered to as part of the Final Development Plan and Engineering Plan Review process.
- 3) That the comments from the Architectural Advisor be implemented on the Final Development Plan submittal.

## **Sketch Plan Review – December 12, 2018**

### **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. Build a sidewalk along the fronts of the building so people can access the doors easier by walking on a sidewalk.
2. 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.
3. Increase the interior parking lot green space by making a larger landscape island in the middle utilizing at least 4 to 6 bays.
4. 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.
5. Provide detailing of the proposed fencing. Recommended 3-rail white fencing to match existing in the area.
6. 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.**