

PLANNING & ZONING COMMISSIONZoom Webinar (**VIRTUAL**)

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Wednesday, February 24, 2021

7:00 P.M.

1. CERTIFICATE OF APPROPRIATENESS REVIEW

Applicant: The Hessenauer Corporation c/o Michael Hessenauer
Location: 8 N. Liberty Street
Existing Zoning: DB – Downtown Business District
Request: Review and approval of a revised parking plan.

Aerial Site Image: <https://goo.gl/maps/Wq3JorAea4xPx9LMA>**Project Background**

On July 17, 2007, Powell City Council approved Ordinance 2007-34 for a Final Development Plan for 8 North Liberty Street. The approval from City Council was subject to the following condition: "That in the event that there is intention to utilize part or all of the property for a high-use client, such as a restaurant, the owner is required to gain Commission approval of a parking plan prior to the approval of the Zoning Certificate."

To satisfy the conditions of Ordinance 2007-34, Ordinance 2007-64 was passed on January 3, 2008 to establish a Parking Agreement between the owner of 8 N. Liberty Street and the City. The Agreement reserved 12 parking spaces for the use of 8 North Liberty Street at a City owned building (44 N. Liberty St.). This parking agreement expired on December 31, 2020.

A new tenant, Mr. Chen, is now leasing space in the 8 N. Liberty St building to open a gourmet sushi restaurant. With the parking agreement expired, the building owner, Mr. Hessenauer, must gain Commission approval of a new parking plan prior to the restaurant being granted a Zoning Certificate.

Proposal Overview

The proposed parking plan is a request for a two-year extension of the Parking Agreement City Council passed with Ordinance 2007-34.

The proposed application is a request for a renewal of the expired lease with the City of Powell for the lot at 44 North Liberty Street and use of the previously allotted 12 spaces for 8 N. Liberty Street tenants. The applicant has stated that the parking lot will be maintained, and there will also be provision for valet parking whenever the restaurant is open.

Ordinance Review

The proposed Parking Agreement review does not directly align with the Code section for Certificate of Appropriateness. However, the Final Development Plan approval expressly stated that the Commission prior to the approval of the Zoning Certificate must approve a parking plan. In this case, Staff determined the Certificate of Appropriateness review was appropriate, as the restaurant tenant will intensify the building use in the Downtown District.

Staff Comments

Although a parking study was conducted in 2018 by Powell Staff, there has been now follow-up based on those findings. Staff has recently identified the issue of downtown parking as departmentally priority and is working toward updating the study and proposing options to address potential solutions this coming year. Therefore, this agreement is limited to the two-year timeframe.

Staff Recommendation

Approval of the parking agreement for a two-year timeframe.