



**STAFF REPORT  
PLANNING AND ZONING COMMISSION  
JUNE 26, 2002**

**FINAL DEVELOPMENT PLAN (Tabled from the June 12 meeting)**

**Applicant: Newbury Homes**  
**Location: 10331/10571/10441 Sawmill Road**  
**Zoning: PR, Planned Residence District**  
**Request: Approval of a Final Development Plan for 16.454 acres on the east side of Sawmill Road and west of Lakes of Powell for 15 two unit condominium buildings (30 units) on 10.4 acres and an existing church on 6.25 acres**

The subject property was part of the original annexation of 65 acres that included Lakes of Powell Sections 1-4 and the Tyler Run Elementary School site. At the time of the annexation and zoning in 1996, the property was placed in the PR, Planned Residence District as a church site as the site had already been partially developed for the church. Church membership has declined over the years, so they would like to sell a portion of their property. Newbury Homes has submitted a Final Development Plan consistent with the approved Preliminary Development Plan. Some minor adjustments have been made to the western portion of the plan in order to provide for better alignment of the private street and layout of the buildings for better tree preservation. Access to the site is provided from Sawmill Road, which will be the only way into and out of the development. The remainder of the church property will remain a church with the parking lots redeveloped as shown on the preliminary development plan.

The property totals 17.454 acres. The site area for the condominiums is 11.4 acres, so the residual for the church is about 6 acres. The density of the proposed condominium development is now at 2.98 dwelling units per acre. This is the net density of the subject 11.4 acre tract. As a comparison, the Lakes of Powell Section 1-4 net density is 3.56 dwelling units per acre. Surrounding land uses include Zion Drive and Woods of Sawmill subdivision (1.8 du/ac net) to the north, Lakes of Powell to the east, Wedgewood Place subdivision to the south, the Zion Church and Sawmill Business Park to the west. There are also one existing home fronting Sawmill Road. There is one home located on the subject site that is in poor condition that will be torn down. The property on which this home is located is one acre in size and was recently purchased by the applicant. This property will have to be annexed into the City prior to final approval by City Council on the development plan and zoning. The zoning for the property in its entirety will be PR, Planned Residence District with the approval of this development plan.

The property is well suited for residential development, being adjacent to existing subdivisions. The buildings are one story plans utilizing stone and the plans still indicate vinyl siding as exterior materials. Each unit has two bedrooms, a den or spare bedroom, two baths and a screened in porch. There will also be some units with the option to have a third bedroom. The Preliminary Development Plan required buildings 2, 10, and 15 to be 3 bedroom units. The buildings are renumbered from the Preliminary Plan so that the correct corresponding numbers are 3, 10 and 15 on the Final development Plan. Staff wants to be sure that these are the buildings the Commission intended for 3 bedroom units.

Staff studied the property for possible single family development. The only possible scenario is to have a cul-de-sac developed off of Sawmill Road and curve around to utilize the entire property. A retention pond open space area can also be preserved. This scenario would create 30 single family home sites with the same lot sizes within the Lakes of Powell. If a single-family subdivision

were to be favored over condominiums, it will be important to create a subdivision that will be desirable for the community as a whole, and desirable for the potential residents who will live there. It does not make sense to have a subdivision developed where the density will be so low and the lot sizes so large. It would have to command a higher lot price and home price than what the market will find desirable for this location (due to the land uses adjacent to this parcel at its entrance and having the church so close on two sides). If a single family subdivision is preferred, something similar to Staff's single-family layout is appropriate.

Comparing both plans, Staff prefers the proposed condominium concept for several reasons. The property is a transitional piece between existing single family residential uses and the commercial and office to the west side of Sawmill Road, and having another street, Zion Drive, along the north side of the property. The proposed condominium layout actually would provide for more green area and the buildings can be laid out to provide for more buffer and fewer buildings backing to the most affected subdivision Lakes of Powell. There is an existing stand of trees at the northeast corner of the site that can be better preserved with the condominium layout than the single family layout. Also, by having the development construct a private street owned and maintained by a condominium association rather than a public street owned and maintained by the City, there is less associated public cost to this development.

The Commission has asked Staff to cite other examples of condominiums being utilized as a transitional use and to see what affect, if any, this type of development would have on the community's tax base and what the resale aspects could be. The City has approved other condominium projects in the past as a transitional use from single family to commercial/office uses. The Murphy Park development plan includes condominiums as a transition. Also, the Village at Powell Condominiums at the northwest corner of Seldom Seen Road and Liberty Road is a transition from Powell Place single-family to Wolf Commerce Park office uses. The effect this development will have on the community's tax base will be minimal. Looking at minimum incomes needed to purchase a \$250,000 single family home versus a \$200,000 condominium, with everything else being equal, varies by about \$15,000 per year. This would make a difference of \$75 per year of income tax income to the City per dwelling unit. However, the City will have no maintenance liability and costs with regard to any public street with the condominium development. In relation to resale of condominiums, the City has historical resale information on the Woods of Big Bear Farms condominiums. Based on the Delaware County Auditor website, resale of five of those condominium units averaged an increase of \$12,675 in an average time period of 20 months. The average transfer value, based on the Delaware County Auditor, for the 14 Lakes of Powell homes adjacent to this site was \$222,595 (between 1998-2001)

Throughout the Preliminary Development Plan discussion, there was concern with the density bonuses for this site based on no public improvements being provided. To help justify the 2.98 du/ac, Staff has suggested the applicant secure easements on the one Township property that is adjacent this site to the north and construct a bikepath that will extend from Zion Drive to the south property line of the church. Also, the way the proposed open space and pond are situated, a path could be developed around the pond and by placing a public access easement over this area, it could be utilized for public open space. The applicant intends to show on the Final Development Plan how to address this item. Staff has sent a letter to the adjoining property owner to see about an easement for this pathway.

The final development plan has been reworked to provide a large open space area with a pond along Zion Drive so that no buildings back to Zion Drive. This has created a large buffer area and the pond is now a public amenity rather than a private amenity to the neighborhood. Mounding and landscape screening is also proposed for this area, although this could probably be enhanced. Along the east-side, the buildings have been relocated to have a setback of 80 to over 173 feet from the property line. These buildings have also been sited so that the sides of the buildings face the subdivision. The large tree grouping at the northeast corner of the site has now mostly been saved, with the exception of the area where building numbers 10 and 11 are located. Although being a nice grouping of trees, there are not that many trees over six inches in diameter

that will be affected by the development. The tree survey that has been submitted is accurate, and the placement of buildings 10 and 11 was done to minimize destruction of the better trees.

Since the Sketch Plan, the applicant has conducted an environmental assessment of the property; the final report is not yet complete but will need to be provided to Staff. Several wetland areas have been found on the site. The largest is in the area immediately off of Sawmill Road where the access drive and first three buildings are proposed. The second is at the east end of the property at the northeast corner with Zion Drive. The applicant will need to address these issues with Army Corps of Engineers and OEPA before completing the development plan approval process. Until Staff is provided with the report, we are unsure of the ecological significance of these wetlands.

Architecturally, the units have changes slightly. The rear elevations no longer reflect an upgraded look because no units face Zion Drive any longer. The fireplace chimneys now reflect the use of stone.

This development will require the removal and reconfiguration of the existing church parking lot. Although detailed parking information is not required, it is expected the provided parking will be less than required by the zoning code. Staff has no concerns with providing less parking than required, provided there are enough spaces for the current congregation and foreseeable future membership expansion. Several future parking expansion areas are noted on the site plan.

Staff wants to commend the applicant for listening to the concerns of the community and for revising the plan to address those concerns. This plan has been changed to provide as much buffer as possible, with minimum building separation of the condominium units, that it would be infeasible to create more buffer without removing more units. This is a very good plan now. Staff recommends approval of the Final Development Plan with the following conditions,

1. That the applicant work with Staff on the alignment of the bike paths and that these paths be 8 feet in width..
2. That the applicant determine the extent of the wetland delineation, provide Staff with a copy of the study, and determine how the applicant intends to mitigate.
3. That Staff approve the layout of underground utilities and that the utilities avoid treed areas.
4. That storm water feasibility calculations be provided to ensure the proposed retention pond is large enough to accommodate the development site, including the church.
5. That the Commission identify which units are desired to have 3 bedrooms.
6. That the applicant work with Staff regarding the possibility providing for a public path around the pond
7. That the Commission determine what the exterior materials will be for the buildings.
8. That the zoning will be effective upon the annexation of the 1 acre parcel.
9. That Staff approve the final condominium association documents to be sure they are consistent with City regulations and this development plan.

**COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN (Tabled from the June 12 meeting)**

**Applicant:** Steve Moberger, Construction One, Ltd. (Goddard School)  
**Location:** 419 West Olentangy Street (Murphy Commercial)  
**Zoning:** PC, Planned Commercial District  
**Request:** Approval of a Combined Preliminary and Final Development Plan for an 8,000 sq. ft. Preschool/Daycare Building on 1.23 Acres

The site is located at the far western part of the old Murphy Party Barn property just east of Colonial Fireplaces and is zoned PC, Planned Commercial District. The applicant is proposing to build a one story pre-school/daycare called The Goddard School.

Access is provided from Olentangy Street via a right-in/right-out drive and a shared access drive from the east coming from Murphy Parkway at the rear of the site. The original traffic study for the Murphy property zoning indicated that a right-in only was recommended at this location. After

further consultation with the City Engineer, Staff is comfortable with this being a right-in/right-out access. Staff is examining the right-in/right-out access to ensure left turns would not be possible into and out of the site. The porkchop median may need to be exaggerated to meet this requirement.

The applicant has adopted Staff's revised site layout showing a reduction of parking spaces to 30 from the required 32 spaces. Additional spaces could be installed on the southern end of the lot, however that would mean the destruction of additional trees. Thirty spaces should be plenty for this use. The dumpster pad and screening is shown at the south end of the drive aisle and the intersection with the rear access drive.

Based on comments at the Sketch Plan, the building layout and design has undergone dramatic changes. The building now fronts Olentangy Street rather than the parking area. Architecturally the building has been adjusted to reflect the styles of HER, ASK, and Rutherford. The applicant has presented three alternatives for exterior materials, (1) stucco stone over brick wainscoting, (2) brick over stucco stone wainscoting, and (3) stucco over stucco stone wainscoting. The applicant prefers the first alternative. Staff prefers brick over stone structure with a stone entryway and columns. As stated in the Sketch Plan by the Architectural Advisor, it is more appropriate to have brick over the stone. Regardless of the final choice, Staff recommends the stucco on the front entry and wall behind be entirely of stone rather than a mix with stucco. The horizontal roof has been accented with a wood or vinyl railing similar, not matching, the fence to be used around the property. Staff is not opposed to vinyl on the roof top. Additionally, the four panel doors, with one panel a window, on the side elevations could look awkward. Staff recommends the applicant submit a cut sheet of the door with any material and color submission.

For security and safety reasons, surrounding the building will be a fence extending from the rear of the property to just north of the last doors on the side elevations. The applicant shows two styles of fences, picket and shadowbox. It is unclear where each fence will be utilized but Staff recommends the picket be used solely for the perimeter of the playground. The shadowbox should be utilized for the dumpster screening. Due to the sidewalk and fence location, the applicant is seeking a divergence on the 70% perimeter foundation plantings. The applicant has provided a significant landscape area, exceeding the required lineal feet, around the periphery of the building, parking, and play area to compensate for the loss. Staff is in support of the divergence.

The applicant has submitted a landscape plan. The required tree plantings appear to be 24 caliper inches. At this time the replacement plantings are not clear, however the applicant will be arranging a meeting with Staff and an arborist to walk the site to determine the tree removal. The applicant has provided 38 caliper inches of tree plantings. Adjustments will be made if necessary. Staff recommends landscaping be shown around the dumpster screen. Also, given the proximity of the wooded park site and the extent the Commission and Staff have gone to preserve the existing trees in the area, the Commission may want to consider placing a 50 feet tree preservation easement on the property. This will preserve the trees south of the triple hoop game shown on the site plan. This lot has many more trees than the HER and ASK properties and is not physically divided from the park by the access drive.

Although a wall sign is shown on the elevations, no detail is provided. The applicant needs to submit all sign detail, including any ground sign, to the Commission for approval. If a ground sign is utilized, Staff recommends a stone base with a wood sandblasted sign.

The Engineering Department has concerns regarding the proposed storm water retention. EMH&T has calculated 3,900 cubic feet of storm water needs to be retained but only provided retention for 2,500 cubic feet. The applicant will need to address this issue with the Engineering Department.

The applicant has not submitted any details regarding the playground equipment although they did show photos from other site. This can be a detail left for approval with the building material final approval.

The applicant is proposing cut-off box lights mounted to 25 feet poles for site lighting. Staff is opposed to the use of 25 feet poles and recommends 18 feet (max.) poles be utilized. Additionally, Staff feels the lighting on the six commercial sites of the Murphy development should be consistent and recommends the applicant work with Staff to identify an attractive decorative light to be used throughout the development.

Overall, Staff feels this proposal will be a good fit for the area especially with Murphy Park adjacent to the rear and recommends approval of the Combined Preliminary and Final Development Plan with the following conditions,

1. The applicant work with Staff to design the porkchop median of the right-in/right-out access in a manner so as to prevent left turns.
2. That the applicant replace the stucco on the front gable and the wall behind with stucco stone and submit all materials and colors to the Commission for approval.
3. The applicant submit a cut sheet of the proposed classroom doors to the Commission for approval.
4. That the applicant arrange an on-site meeting with Staff and a Certified Arborist to determine the extent of tree removal.
5. That landscaping be added around the dumpster screening.
6. That a 50 feet tree preservation easement be shown at the rear of the property and the applicant work with Staff to determine the text of the easement.
7. That detailed sign drawings be submitted to the Commission for approval and any ground sign utilize a stone or brick base with a wood sandblasted sign.
8. That the applicant submit all engineering plans to the Engineering Department for approval.
9. That the applicant submit details of play equipment to be utilized for approval by the Commission.
10. The applicant work with Staff to identify appropriate decorative lighting to be used throughout the commercial properties at the Murphy development.

#### **ADMINISTRATIVE REVIEW**

**Applicant:** Church of Latter Day Saints  
**Location:** East Side of Liberty Street between Ashmoore Drive and Liberty Ridge Avenue  
**Zoning:** PR, Planned Residence District  
**Request:** Approval of a revised site plan based upon error in previously approved Final Development Plan.

Since the approval of the Final Development Plan, an error has been discovered on the site plan which impacts the setback of the parking area from the side property lines. Although the square footage of the church building was accurately stated at 12,800, the footprint and dimensions shown on the approved site plan only reflected a 9,000 square feet building. When shown accurately, the building is 13 feet wider than proposed. This in turn widens the entire development area and reduces the side parking setbacks from 35 feet to 27 feet.

The applicant has demonstrated that the required landscaping and mounding will not be compromised by the error. Staff recommends approval of the revised site plan.