



**STAFF REPORT  
PLANNING AND ZONING COMMISSION  
JULY 10, 2002**

**PROPOSED ZONING CODE AMENDMENTS\* (Tabled from the June 12 meeting)  
Amendment to Section 1147.12(b)(1), Preservation and Enhancement of Community  
Residential Character, of the Powell Zoning Code adding cement fiber siding for exterior  
walls.**

Staff has worked on amendments to the previously worded amendment that hopefully addresses the Commission concerns raised at the previous meetings. The sentence that was added requires the installation of all materials be done to the best standard practice and as required by manufacturer's specifications as well as those of any recognized building industry evaluation service report. In practice, if the Building Inspectors or Zoning Inspectors would notice that the materials are being stored incorrectly or being installed incorrectly, then they could require the removal of that material and the proper installation. A sentence has also been added that requires the removal of the old siding material if new siding material is being utilized. Staff discussed the installation requirements with the Building Department. It is recommended that the manufacturer's requirements be met with the double-wall construction utilizing OSB or plywood sheathing. A sentence was added to the proposed code amendment that reflects this needed requirement.

Staff recommends approval of this zoning text amendment as it is now amended.

**CERTIFICATE OF APPROPRIATENESS**

**Applicant: Goodwill Industries**  
**Location: 210 North Liberty Street**  
**Zoning: PC, Planned Commercial District**  
**Request: Approval of Sign Package for New Training and Drop-off Center**

Goodwill Industries has recently leased the vacant space at 210 North Liberty Street, formerly DHI, Inc. (Dairy Herd Improvement). The applicant has not met with Staff to discuss the details of the occupation of the site but has generally discussed the use. Goodwill will be using the site as an employee training facility and a drop-off center. These are permitted uses in the Planned Commercial zoning district. The applicant has made no indication that there will be any outdoor drop boxes at this location. If so, approval from the Commission will be required. Staff has requested a representative of Goodwill be present at the meeting (Hanover Signs to be present to discuss sign related questions) to discuss any use questions.

The applicant is requesting three signs for the site; a wall sign, free-standing sign, and projecting sign. There is an existing legal non-conforming free-standing sign on the site which will need to be removed since the site has been vacant for at least six months (1125.11(d)).

Staff has no concerns regarding the design of the signs. The internally lighted free-standing sign is a brick monument base with the brick to match the building. The applicant assures Staff the white background is opaque and will not emit any light. A divergence is being requested to allow the sign at the minimum 15 feet setback from the public right-of-way. By code, to have a maximum 25 square feet sign the setback must be at least 18 feet. Staff is not opposed to the divergence as the existing sign is only several feet from the edge of pavement, and there is an existing shrub hedge that will partially block the sign from southbound traffic.

The wall sign and projecting signs are of similar style to the sign plate of the free-standing sign and will not be illuminated. Based on the site plan, the wall sign will be on the north elevation facing the parking lot and rear of Liberty Plaza. No wall sign is shown on the Liberty Street elevation. A projecting sign is being requested on the same elevation as the wall sign. This sign is necessary to direct traffic to the drop-off center. Staff has no concerns with the projecting sign.

Staff is in support of this application and recommends approval of the Certificate of Appropriateness for 210 North Liberty Street.

**CERTIFICATE OF APPROPRIATENESS (Tabled from the June 12 meeting)**

**Applicant:** William and Pouneh Alcott, Village Academy School  
**Location:** 525 Village Park Drive  
**Zoning:** PC, Planned Commercial District  
**Request:** Approval of Free-standing Signs for Private Schools (Preschool and Jr. Academy)

The applicant has failed to return Staff's telephone calls regarding this application. No revised plans showing the permanent signage have been submitted. Currently, there are two temporary signs, one at each building, that were erected while the approval of permanent signage was pending. These signs have now exceeded the allowed 42 days of temporary sign placement (1151.04(d)). Staff requests this item be tabled until the August meeting as the applicant does have a pending sign permit application, which requires the approval of the Commission. The action taken on the sign permit will resolve the zoning violation, one way or the other.

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

**Applicant:** Multiple Powell Place Homeowners  
**Location:** Powell Place subdivision, Phases 1 & 2  
**Zoning:** PR, Planned Residence District  
**Request:** To amend the Architectural Guidelines for Powell Place Phases 1 & 2 to allow vinyl siding on the homes.

This proposed amendment to the approved development plan for phases 1 and 2 of Powell Place is being proposed by several homeowners in this subdivision. Because of failing hardboard siding, this proposal is being brought forth as a more affordable alternative for the homeowners that want to replace the hardboard siding. At this time, no more than 50% of the exterior walls could have vinyl siding. This 50% requirement stems from old language from the zoning code at the time the development plans were originally approved in 1992 and 1993. This 50% requirement is enforced by examining each individual elevation of a home. Some homes may be able to meet this requirement depending upon how many windows and doors are on that particular elevation. As it is, the homeowner could replace both sides with vinyl, and replace the rear elevation with cedar, or vice versa. We doubt that would happen, but it could happen.

The applicants propose utilizing the same vinyl siding that was approved for Phase 3. It is very evident that some homes are having problems with their existing siding material. Some homes have been able to maintain the existing siding in a fashion that seems to be working. Over time, however, Staff feels that the material used on these homes will be a problem and that some alternatives should be available to homeowners. It will be important that if this is approved, that the existing siding material be removed. The comments from the Architectural Advisor will be important for this issue.

At the June 12, 2002 meeting the Commission directed Staff to conduct a survey of Powell Place residents. Staff in turn sent pre-paid postcards to the residents. At the time of this report 48 of 130 cards have been returned (37% response) with a count of 30-18 in support (63-37%) of vinyl. Some of the comments on the cards included "would favor hardiplank" on an opposition card and "but not over existing siding" on a support card.

Staff encourages the Commission to act cautiously on this matter as other subdivisions could make the same request. Also, depending on the outcome of the cement-fiber issue, the residents could have another alternative to wood siding, which is a superior material to vinyl. If approved, the existing siding must be removed.

#### **ZONING MAP AMENDMENT**

**Applicant:** City of Powell Initiated Amendment Pursuant to Section 1131.03(a) Codified Ordinances of Powell

**Location:** 935.92 acres located north of Seldom Seen Road, west of the CSX Railroad, south of Home Road and east of Steitz Road

**Current Zoning:** Liberty Township PC, Planned Commercial and Office District, PR, Planned Residence District and I, Industrial District

**Proposed Zoning:** City of Powell PC, Planned Commercial District; PR, Planned Residence District; and PI, Planned Industrial District

**Request:** Approval of a Zoning Map Amendment for newly annexed territory containing 935.92 acres, subject to the requirements of the Cooperative Economic Development Agreement and Pre-Annexation Agreement previously approved by City Council

The Planning and Zoning Commission previously received copies of the Liberty Township Zoning Plan for the Golf Village Development. This Zoning Plan is Exhibit C in the approved Cooperative Economic Development Agreement (CEDA). The CEDA and the Pre-Annexation Agreement, which have been approved by City Council, both refer to the Liberty Township Zoning Plan which is required to be approved as part of both of those agreements as the zoning if the property is to annex into the City of Powell. The proposed annexation has been approved by the County Commissioners and will be on City Council's agenda for the August 6, 2002 meeting. This request is to amend the Zoning Map to PR, Planned Residence District, PC, Planned Commercial District, and PI, Planned Industrial District and adopting the Liberty Township Zoning Plan as previously agreed to by the CEDA and Pre-Annexation Agreements. Enclosed with the packets is information on the proposed area being considered with this annexation and zoning map amendment, which is a little different from the original zoning plan because some of the land is not part of the annexation.

Staff recommends approval of the proposed Zoning Map Amendment application.

#### **AMENDMENT TO APPROVED FINAL DEVELOPMENT PLAN**

**Applicant:** Rockford Homes

**Location:** Murphy Park Subdivision

**Zoning:** PR, Planned Residence District

**Request:** Approve Amendment to Approved Development Plan text to include cement-fiber siding as a natural material.

The applicant is requesting to amend the approved development plan for Murphy Park subdivision to allow the use of cement-fiber siding. Obviously, this is an issue that Staff and the Commission have discussed at great length.

Rockford Homes has had several buyers request cement-fiber siding rather than the required cedar. The applicant would like to have the ability to offer cement-fiber as a siding option. Staff is not opposed to this request.

Staff recommends approval of the Amendment to the Approved Development Plan to allow cement-fiber as an approved material.

