



**STAFF REPORT
PLANNING AND ZONING COMMISSION
APRIL 9, 2003**

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN

Applicant: B & D Properties, Inc.
Location: 316 West Case Avenue
Northeast corner of West Case Avenue and Industrial Park Drive
Zoning: PI, Planned Industrial District
Request: Approval of a Combined Preliminary and Final Development Plan for two 16,000 sq. ft. office/warehouse buildings on 3.018 acres

The applicant is proposing to construct two 16,000 sq. ft. office warehouse buildings on property currently being used as an office and garage apartments. The surrounding land use includes the Time-Warner Cable Hub Facility to the east, Auto Assets and Germain Ford Auto Body Shop to the south, Powell Road Self-Storage to the west and the Scioto Ridge Elementary School to the north. The property is currently zoned PI, Planned Industrial District and is well suited for the use of an office warehouse facility.

The property contains 3.018 acres of land that currently contains a house that was converted to office space, and two garages with one having an upstairs apartment. The development is proposed to be done in two phases. The first phase would be the construction of the access drive, and central loading area, and the westernmost building. The existing structures will be removed once the first building can be occupied so the existing user within the house can relocate. The second phase will be the construction of the easternmost building and commence immediately following the completion and occupancy of phase one.

The site plan has been developed in order to provide for a common area where loading and unloading occur and the overhead doors face each other. That is an ideal situation for this type of development. The applicant may want to consider additional space between the buildings to allow for easier access for larger vehicles. However, this is just a suggestion. Staff suggests the pavement of this central area not extend past the rear edge of the buildings as it is not needed for any loading area or turning movement. This will increase the amount of green space. The dumpsters are appropriately located at the rear of this central area but must be screened.

The development includes the construction of West Case Avenue as their access drive. The City Engineer has developed a standard to utilize for the construction of this street. Due to the size of the right-of-way and location of the adjacent fence to the south, it is a 24 feet wide, inverted crown cross section. The City was dedicated this right-of-way in 1999 by the previous property owner with the proviso that the property owner will not be assessed the cost of building the street. The applicant, however, has agreed to construct the street with a reasonable cross section that would otherwise be built for an access drive.

At the Sketch Plan, the proposed buildings were to be simple, pre-engineered steel buildings with the addition of a split-faced block wainscoting along the front of the buildings. The Commission had some concerns with the proposed design of the buildings. Prior to the current submittal, Staff met with the applicant and the Architectural Advisor to discuss the possibility of two warehouse buildings treated with architectural elements that create the appearance of horse barns. This proposal would allow for steel buildings without the brick wainscoting. To accomplish this, a

divergence will be required as the Zoning Code requires that the facades visible from a public street should be wood, brick, stone or rough-split block. There are several existing steel buildings around this location. With the architectural elements provided that give a satisfactory barn style appearance on all elevations, Staff is in support of this divergence.

The applicant has submitted revised architectural plans to reflect the comments made by Staff and the commission at the last meeting. They have met with the Architectural Advisor in order to develop the details of the plan. Staff will defer any architectural comments to the Architectural Advisor.

The applicant is requesting a divergence to the maximum building coverage requirement of 20%. At 3.018 acres the maximum amount of building area is 26,292 square feet. The applicant is proposing 32,000 square feet or 24% coverage. Because of the street construction, as determined by the City Engineer's standard, Staff has no problem with the increased allowance for lot coverage by building. Overall lot coverage and green space is still met.

The Zoning Code does not include a required parking ratio for office/warehouse uses. In the past, Staff has relied upon the parking ratio used in the Wolf Commerce Park, a similar development use, of 1 space for every 400 square feet. With this ratio, the required parking is 80 spaces, of which 4 must be handicap accessible. The applicant has revised their parking lot design as requested by Staff at the last meeting. There are still some slight changes that we would like to see at the dumpster location in order to keep the pavement amount to a minimum.

A new landscaping plan was going to be submitted by the applicant; however that has not yet happened. Based on the existing conditions site plan, it appears numerous trees will be required to be removed although the applicant is relocating only several trees. The applicant will need to provide an accurate tree survey to determine the amount of replacement trees that must be planted. There are 99,277 square feet of developed area on this site. This requires 77 caliper inches of trees. Only 64 caliper inches of trees are proposed. Also, the applicant does not show trees being planted in the landscape bays. Trees are required in landscape bays by the Zoning Code. The applicant is requesting a divergence to the 70% foundation perimeter landscaping requirement as the interior sides of each building are adjacent to pavement. Staff is in support of this divergence so long as the applicant provides heavy landscaping in the green area in front of the central loading area and adds perimeter landscaping to the front of the building (not blocking the false doors). Additionally, in order to achieve the 30 feet rear setback for parking next to a residential district the applicant must provide a screening along the north property line. Although there is an existing tree line, this buffer is minimal in several places. The applicant must provide additional landscaping along the rear property line to obtain a 30 feet setback or be required to utilize a 40 feet setback.

Stormwater detention/retention has been provided for with the development plan. There are two large ponds proposed at the front of each building. These ponds will be wet at all times and Staff suggests the applicant use a fountain or other decorative feature.

Staff recommends to the Planning and Zoning Commission approval of the Combined Preliminary and Final Development Plan for 316 West Case Avenue with the following conditions,

- 1. That the pavements in the central loading area not extend past the rear of the buildings, except for only the dumpster pads.**
- 2. That screening as required by Section 1145.33 of the Planning and Zoning Code is shown around the dumpster location and detail drawings be approved by Staff.**
- 3. That the applicant works with Staff and the Architectural Advisor to develop a building design consistent with a barn style, complete with detailed architectural information, and be approved by the Planning and Zoning Commission.**
- 4. That additional landscaping to serve as a buffer be added along the north property line and approved by Staff.**

5. That additional landscaping is added along the central access point to screen the central loading area from view from the public right-of-way.
6. That a tree survey be submitted showing all trees proposed to be saved, relocated, and removed.
7. That a revised landscaping plan meeting the requirements of Sections 1145.29 through 1145.33 of the Planning and Zoning Code and with contingencies in the event the relocated trees cannot be relocated or do not survive the relocation be submitted and approved by Staff.
8. That all materials, colors, and exterior lighting (if any) be approved by the Commission.
9. That the City Engineer review and approve all engineering plans.

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN

Applicant: The Kenny Company LLC
Location: 399 West Olentangy Street
Zoning: PC, Planned Commercial District
Request: Approval of a Combined Preliminary and Final Development Plan for an 8,073 sq. ft. retail center on 1.0 acre

This site is located between the future location of the HER Realtors office building and the nearly completed Goddard School. Across Olentangy Street are Auto Assets and Levis-4-Floors. The Commission has reviewed and approved a development plan on this site already for ASK Watersports. Citing financial reasons, ASK Watersports has abandoned the approved development plan and the purchase contract with Triangle Real Estate.

The site is currently vacant with some significant trees located primarily at the rear of the property. Access is provided by a full access point on West Olentangy Street, shared with HER Realtors, and via an access drive located at the rear of the property connecting these commercial lots to Murphy Parkway.

The applicant is proposing an 8,000 square foot building with six retail and/or commercial tenants. At this time Handel's Ice Cream is committed to the north space along West Olentangy Street. The required parking for an 8,000 square foot retail building is 20 spaces plus 5 for employees; 25 spaces total. Thirty-seven spaces have been provided. Additionally, the drive aisle is being shown at 25 feet in width. This is excessive for the size of the parking area and should be reduced to 22 feet as the rear access drive is only 20 feet in width and a narrower drive allows for more green space.

There are two parking spaces being shown on the southwest corner of the development. Staff questions the need for parking in that location and would rather see this area be green space. In the previous submittal the area at the south end of the building along the west property line was shown as a combined service/delivery area and employee parking. Staff thanks the applicant for dedicating this area solely as a service/delivery area. Also, the dumpster location has been moved to this area as suggested. The applicant will need to provide dumpster screening and Staff suggests this screening match that of the Goddard School. At the Sketch Plan, Staff suggested a wall be constructed along the west side of the building to screen the service area and rear entries from the Goddard School. Although the applicant has not provided this wall, they have added some brick along this elevation and added significant landscaping. Staff is comfortable with the current proposal.

The applicant has provided landscape bays in the parking area as required by code. A divergence is requested to allow 9 continuous spaces along the building; only 8 are allowed by code. It is possible to avoid this divergence by simply repositioning the bays. Also, the landscape bay near the access point to Olentangy Street should be a full bay. This will be the most visible point from Olentangy Street and HER is proposing a full width bay at this location on their site. Unfortunately doing so will result in the loss of one parking space. However, with the

removal of the two in the southwest corner, the applicant has still provided 34 spaces, which is more than is required. The applicant will need to landscape the striped area at the south end of the parking row adjacent to the building as any parking aisle that is bounded by a traffic lane must end with a landscape bay.

As has been done with other developments in this area to maintain the front yard as green space, the applicant is requesting a divergence of the required front setback from 60 feet to 40 feet. This green space will be partially developed with a small patio area for Handel's Ice Cream. All other required setbacks have been met.

The building is a large rectangular building with a bump out at the north end of the building. This space is to be occupied by Handel's Ice Cream. Handel's Ice Cream requires a three-sided service area. Staff feels the design and location of this space is appropriate.

The applicant has submitted revised architectural plans. The front of the building has been made larger with the addition of a gabled front and sides. The building materials have also been changed, with the use of a stone water table and detailing and lap siding. They have also added windows at the front of the east side elevation as requested. This gives more uniqueness to the front of the building that the Commission had asked for. Staff will rely on the comments of the Architectural Advisor.

This building is a small retail center located between two single-user buildings. With six tenants, the applicant needs to give careful consideration to sign design requirements for this development. Although Staff wants each tenant to be visible, we also want to maintain the quality design achieved thus far on these lots. The elevation plans make reference to a sign package but a sign package has not been submitted. A comprehensive sign plan will be required.

There was some concern by the Commission with the blue and white awnings being requested by Handel's Ice Cream. Based on discussions with the applicant, these awnings are the corporate identity of Handel's just as McDonald's has the golden arches. It is imperative to Handel's that these awnings be approved. Staff does not have any objections to the awnings but request they not be back lighted as shown in several photos. Lighting can exist there, however the awning canopy itself should not allow light through it. There is an existing Handel's in the Hilliard area that Staff plans to visit before the meeting to better understand the appearance of the awnings. Staff would like to add a condition that the awnings be removed if Handel's leaves the building.

The applicant has provided a very good landscape plan that meets all requirements of the Planning and Zoning Code. Staff is concerned with the removal of the 29 inch caliper Ash tree in the front setback and requests that the applicant work with Staff and a Certified Arborist to determine if the tree is worth saving. If necessary, Staff would like the applicant to perform a resistograph on the tree. (A resistograph is a technique in which a core sample is bored from the trunk of a tree to determine if any disease or rot that may be taking place internally of a tree.)

Proposed site lighting has been submitted. It is a typical commercial box, cut-off, pole mounted light. The applicant will need to revise this design and match the lighting being used by the Goddard School. It was determined at the time of the HER and then Goddard approvals that all lighting in this commercial area will be decorative and match each site. Also, the applicant will need to submit materials and colors for approval.

Staff looks forward to the addition of an ice cream shop to the City of Powell. As a note, in the comprehensive plan survey, an ice cream shop was one of the top businesses listed as a need for the City. **Staff recommends to the Planning and Zoning Commission approval of the Combined Preliminary and Final Development Plan for 399 West Olentangy Street with following conditions (the applicant has agreed to most of these conditions at the last meeting, but no new site plan has been submitted):**

1. That the north-south drive aisle be reduced from 25 feet in width to 22 feet in width.

2. That the two parking spaces at the southwest corner of the site be removed.
3. That the dumpster enclosure be made to match the Goddard School design.
4. That the first landscape bay south of the Olentangy Street access be made the full width of a parking space resulting in the loss of one parking space from row in which it is located.
5. That the landscape bays be repositioned to remove the need of a divergence to the one landscape bay every eight parking spaces requirement.
6. That the striped area adjacent to the east-west access drive be made a landscape bay and a tree planted in the bay.
7. That the applicant submits a sign package to the Commission for approval.
8. That the blue and white awnings be removed if Handel's vacates the space (a future user must receive approval of the Commission for the use of awnings).
9. That the applicant works with Staff and Certified Arborist to determine the feasibility of saving the 29 caliper inch Ash tree and if necessary perform a resistograph.
10. That the exterior site lighting be made to match the proposed Goddard School lighting.
11. That exterior materials and colors be submitted to the Commission for approval.
12. That the City Engineer review and approve all engineering plans.

SUBDIVISION PLAT

APPLICANT: M/I Schottenstein Homes
LOCATION: Golf Village Section 8 Phase A
ZONING: 13.151 acres north of Village Club Drive
REQUEST: PR, Planned Residence District
 Approval of a Subdivision Plat for 31 single-family lots

APPLICANT: M/I Schottenstein Homes
LOCATION: Golf Village Section 8 Phase B
ZONING: 14.525 acres north of Village Club Drive
REQUEST: PR, Planned Residence District
 Approval of a Subdivision Plat for 39 single-family lots

These proposed subdivision plats will be the northerly extension of the M/I portion of Golf Village, which is in the northwest quadrant of the subdivision. This section consists of a pair of loop streets and a cul-de-sac, where all of the perimeter lots back up to the golf course.

It appears as though all requirements of the Golf Village Zoning Plan are met with this plat. There are a few changes that we are requesting to be made with regard to the street names. Hidden Hill Lane is a cul-de-sac and should be named "Hidden Hill Court". Also, Polo Lane wraps around and intersects itself. The western leg of Polo Lane south of Havenrock Lane should be given another name.

The applicant has also requested that they have the ability to proceed with construction prior to recording the plat. The engineering plans were approved prior to the annexation as well as the preliminary plat at Delaware County Regional Planning Commission. Our regulations require that the plat be recorded prior to construction. This is one situation where the builder is caught in the middle of the annexation and development process due to the timing of the annexation. Staff sees no problem with approving the request to allow them to begin construction at this time.

Staff recommends approval subject to the following conditions:

1. That the City Engineer approve all lot numbers, addresses, and easements necessary for this development.
2. That Hidden Hill Lane be renamed Hidden Hill Court and that the west leg of Polo Lane south of Havenrock Lane be renamed.
3. That the developer can begin construction prior to recording the plat.

FINAL DEVELOPMENT PLAN

APPLICANT: Steve DeWesse, Esq.
Rutherford West Associates and Harold and Patsy Coleman
Rutherford Estates

LOCATION: 43.47 acres located on the south side of Rutherford Road
just west of the CSX Railroad.

EXISTING ZONING: Liberty Township FR-1, Farm Residential District

PROPOSED ZONING: City of Powell PR, Planned Residence District

REQUEST: Approval of Preliminary Development Plan for 59 single-family dwelling units on 43.47 acres, including 2.85 acres of open space, for property recently annexed into the City of Powell, and amending the Zoning Map to PR District.

The applicant received Preliminary Development Plan approval at the February meeting (the following is the motion):

Commissioner Wiencek moved to approve the Preliminary Development Plan with the following condition:

1. That all floodplain management requirements be met and coordinated through Staff.
2. That a left turn lane be provided west bound on Rutherford Road.
3. That a right turn lane out and left turn lane out be provided on the street intersecting with Rutherford Road.
4. That a pathway be shown along the frontage of Rutherford Road and constructed with the roadway improvements.
5. That the pathway connection to the west be connected to Trail Lake Drive.
6. That the applicant provides documentation from the Delaware County Sanitary Engineer at the time of submitting the Final Development Plan that sewer service can be provided to the site from the Golf Village sanitary sewer to the south.
7. That the no build zone/tree preservation areas are designated Scenic Easement utilizing language development by Staff.
8. That the home designs mimic the styles presented and that the developers provide more specific models at the Final Development Plan.
9. That the fire department is to review and approve the access plan for this development prior to final development plan.
10. That lots 28 and 61 are removed and the plans redesigned at the discretion of Staff and the developer.

Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Wiencek, Counts, Coville. No: De Palma.

The Final Development Plan as submitted shows 59 single family lots, as approved in the Preliminary Development Plan. A possibility has arisen where a new proposal by Centex Homes for property on the north side of Rutherford Road. This proposal may allow for a roadway connection to this site from Golf Village Section 4 to the west. If that is possible, then we should examine the possibility of reserving one of the lots on the west side of Rutherford Estates Drive for a street connection. Section 1111.03 (e) of the Subdivision Regulations allow for the City to be able to reserve sites for public use for a period of one year after building permits have been issued in order to preserve the possibility of its public use. We may want to exercise this right for a lot along the west side of Rutherford Estates Drive in case the connection to Golf Village can be made.

The Delaware County Engineer's office has reviewed the traffic study and the proposed development. They indicated that the left turn lane westbound into the site is not warranted and they will not require the turn lane. However the Fire Department likes the idea and so does Staff. The County Engineer has the final approval over what happens to this road, so Staff will coordinate whatever approval is granted with the County Engineer. The County Engineer's office

has indicated that if the City approves the plan with a required left turn lane and the developer will do it then they will approve it.

The Sanitary Engineer is requiring sanitary sewer service to occur to the east rather than the south. This will take it through the Woods of Powell proposed plan. This is an appropriate plan and should be coordinated with the plan for Woods of Powell.

Staff met with the applicant and the Liberty Township Fire Department with regard to a secondary access to the subdivision for emergency fire access. The Fire Department prefers a route where a private street is proposed within the commercial area to the south. This provides a more direct link to the subdivision from a street, and there is not a whole lot of pathway that they will have to drive on. This will, however, take out a swath of trees that are currently the only buffer between the single family subdivision and the commercial area. Staff has had discussions with CSX Railroad with regard to the triangular piece of property they own to the southeast of the subdivision. They are willing to sell the land to the city. If that occurs, a path can be developed for emergency access at the end of the road leading to the sanitary sewer pump station directly to the end of the cul-de-sac. Although a little longer, this will be a direct route and not be as burdensome on the residential development as a whole. While going through the engineering phase, Staff will work closely with Liberty Township Fire Department to get a suitable route.

The applicant has submitted some home styles that will be typical of this subdivision. Being tailored for more custom builders, exact home styles are not being submitted. Staff is comfortable with looking at the home styles as they come is to verify that they conform to the level of detail presented in these examples. Also, the applicant is requesting the use of Hardiplank cement fiber siding, as it is approved in Golf Village and they are joining the Community Authority and adopting the same standards as Golf Village. Staff believes the Commission should consider this request.

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

1. That all floodplain management requirements be met and coordinated through Staff.
2. That a left turn lane be provided west bound on Rutherford Road and be coordinated with the approval of the County Engineer.
3. That a pathway be shown along the frontage of Rutherford Road and constructed with or without the roadway improvements.
4. That at the time of the plat, a lot along the west side of Rutherford Estates Drive be reserved for a possible street connection to Golf Village, as authorized by Section 1111.03 (e).
5. That if the roadway connection in #4 above is not accomplished, then the pathway connection to the west is to be constructed and connected to Trail Lake Drive.
6. That Staff coordinate the routing of the sanitary sewer with the Delaware County Sanitary Engineer in order to provide the best service to the proposed residents and reduce the amount of impact of the proposed sewer on the community.
7. That the no build zone/tree preservation areas be designated Scenic Easement utilizing language development by Staff.
8. That the home designs be consistent with the home designs in terms of quality and appearance as determined after review by Staff.
9. That the fire department is to review and approve the emergency access plan for this development prior to final development plan. Priority is given to access the site directly from the sanitary sewer pump station drive to the south. Secondly, if that cannot be worked out, then emergency access provisions are made from the future private street in the commercial area to the south.

ADMINISTRATIVE REVIEW

APPLICANT: KINSALE AT GOLF VILLAGE GOLF AND FITNESS CLUB
LOCATION: 3737 VILLAGE CLUB DRIVE
ZONING: PR, PLANNED RESIDENCE DISTRICT
REQUEST: APPROVAL OF A TEMPORARY SALES TRAILER FOR THE
KINSALE GOLF AND FITNESS CLUB ON LOTS 3936 AND 3937
GOLF VILLAGE SECTION 7

The Kinsale Golf and Fitness Club is under construction and they wish to utilize a temporary sales trailer in order to sell memberships to the Club. The first three lots on the south side of Village Club Drive are owned by the developer and they wish to locate the sales trailer on two of the lots. The plans that were submitted show where the trailer is to be located, but does not show the extent to which it is proposed to be painted, graded and landscaped so that the appearance is better than a typical sales trailer use. The Golf and Fitness Club building is slated for completion in early 2004, and at that time the sales trailer would be removed.

To the west of this site is the location of the existing model homes for the subdivision, so this use is consistent with the sales area. No off street parking is requested or required. However, if a problem arises, Staff would like to be able to require the developer install some off-street parking on the lot to the east. This is only if a problem arises as determined by the Zoning Administrator.

The applicant plans on showing the Commission an exterior view of the proposed trailer and landscaping at the meeting. If acceptable to the Commission, Staff recommends approval subject to Staff comments above.