



**STAFF REPORT
PLANNING AND ZONING COMMISSION
MAY 14, 2003**

SUBDIVISION PLAT

Applicant: D&D Real Estate, LLC
Golf Village Section 7 Phase C
Location: At the eastern terminus of Village Club Drive at Wildflower Drive
Zoning: PR, Planned Residence District
Request: Approval of a Subdivision Plat for 36 lots on 13.401 acres

This section of Golf Village is the continued extension of Village Club Drive and the last section of the Estates at Golf Village. Village Club Drive is extended and loops together with the intersection of Wildflower Drive which will eventually connect to Rutherford Road.

It appears as though all requirements of the development plan have been met with this plat. Although we normally do not like to see the same named street loop back into itself, changing the name would be difficult as the previously approved plat to the west is already filed with the name as it appears on this plat. Therefore, it is best to leave the names as shown in this case.

There is one item that needs to be addressed. There are signing and landscaping easements on either side of Wildflower Drive. The overall approved Golf Village sign plan does not indicate this as an approved location for subdivision signs. If that is desired, a plan will need to be submitted and approved by the Planning and Zoning Commission as a minor amendment.

Staff recommends approval with the following conditions:

1. That all easements, addresses, and lot numbers are placed on the plat as determined by the City Engineer.
2. That all other items deemed necessary by the City Engineer be addressed prior to signature.
3. That the Planning and Zoning Commission review and approve a sign plan for the easement areas indicated along Wildflower Drive.

SUBDIVISION PLAT

Applicant: Centex Homes
Golf Village Section 5 Phase A
Location: On the north side of Rutherford Road approximately 1200 feet west of Sawmill Parkway
Zoning: PR, Planned Residence District
Request: Approval of a Subdivision Plat for 46 lots on 20.508 acres

This portion of Golf Village includes about half of Section 5, which will eventually connect to Section 7 to the north. This is a basic lot and block layout with a large open space area in the front with a storm water retention pond.

It appears as though all requirements of the development plan have been met with this plat.

Staff recommends approval with the following conditions:

1. That all easements, addresses, and lot numbers are placed on the plat as determined by the City Engineer.
2. That all other items deemed necessary by the City Engineer be addressed prior to signature.

PRELIMINARY DEVELOPMENT PLAN

Applicant: M/I Schottenstein Homes
The Woods of Powell
Location: On the north and south side of Rutherford Road, north of Powell Place and east of Middlebury Estates, and south of the Wyandot Elementary School.
Existing Zoning: Liberty Township FR-1, Farm Residence District and PR, Planned Residential District
Proposed Zoning: City of Powell PR, Planned Residence District
Request: Approval for of a Preliminary Development Plan for 177 single-family lots on 134.31 acres, for a density of 1.32 d.u./acre

The subject property is now annexed into the City. There are two distinct properties involved in this development plan; however the applicant is tying both parcels together with similar lots and home styles in order to create one harmonious development. One property is on the south side of Rutherford Road and is presently adjacent to the Middlebury Estates and Powell Place subdivisions where stub streets exist for their future connection into this property. The property is wooded and a stream, Lick Run, traverses the property from west to east that takes drainage from the west side of the railroad. There is a 100-year floodplain and floodway identified on the FEMA Flood Hazard Maps. There is also an existing man-made pond on the property where the applicant is proposing open space and probably will design the area to accommodate some of their storm water control. The northern property is a mix of open fields and woods, and surrounds Wyandot Elementary on three sides. Access to this site will be via the main entrance from Rutherford Road and a secondary access at Carriage Road.

The applicant has developed The Lakes of Powell and is proposing to develop the Woods of Powell in a similar manner. There are a mix of lot sizes mixed throughout the subdivision with larger lots generally being at the periphery of the project and especially near Middlebury Estates and Powell Place. The total number of lots are as follows:

70' lots	=	46
80' lots	=	56
90' lots	=	75

By clustering the lots and the streets in this plan, the applicant is able to create a large amount of the plan as dedicated open space (47%). The proposal contains a total of 177 single family homes on 134.2 acres, creating a gross density of 1.32 du/ac. This property is in Sub-Area D of the Northwest Area Plan adopted by both Liberty Township and the City of Powell. That plan identifies a maximum density allowable in this sub-area is to be 1.5 du/ac. That means there can be a maximum number of dwelling units of 201. The Zoning Code begins at a base density of 0.7 du/ac and with the maximum amount of density bonus a maximum of 1.7 du/ac can be realized.

There are two ways that a developer can obtain density bonuses:

- Development of a Parkway as identified in the Comprehensive Plan
- Dedication of land to be used for public purposes

There are no Parkways that need to be built which are through or directly adjacent to this property. However, as identified on the Traffic Impact Report, there is a need today, prior to this development, for a left turn lane northbound on Liberty Road at Carriage Road. Staff's analysis of the Traffic Report also shows that due to the development, a northbound turn lane at Rutherford Road should also be warranted. Currently, this intersection is outside of the City's jurisdiction. Liberty Road is a County road; therefore the County Engineer will need to coordinate any improvement to this intersection. Also, the intersection of Rutherford Road and Liberty Road is in the County's jurisdiction. The developer should install a turn lane northbound on Liberty Road at Rutherford Road due to the impact of the development on that intersection. The developer has identified that a left turn lane will be installed on Liberty Road northbound at Carriage Road. It is probably likely that with this improvement a southbound left turn lane would be designed for Liberty at Carriage as well. This off site improvement, because it is already warranted prior to the development and not required due to the impact of the development, should be credited as a public improvement much like a parkway credit would be given. Please see revised traffic report.

The Preliminary Development Plan shows a tremendous amount of open space (47%) due to the clustering of the street and lot layout. A portion of this open space, Reserve A (38.8 acres), is

proposed to be dedicated to the City to be part of the park system. This property, which some people can claim to be a useless property due to its configuration, jurisdictional wetlands, and possible environmental concerns, has great potential to become a very nice passive park space that can be utilized as a nature preserve and educational wetland area by both the City and the nearby schools. Bennett and Williams have recently completed their study of the environmental reports done to date and have developed recommendations for the City to follow if we want to receive this property. Basically, the recommendation is to have the developer take the property through the Voluntary Action Program (VAP) which creates a letter from the OEPA and a Covenant Not to Sue with regard to environmental conditions of the site. A copy of this report is included in the packet.

This wooded site is three times the size and just as nice as the existing Beechwood Park site. Photos of the wooded site proposed for this park are attached. It is Staff's opinion that the clustering of the development and preservation of the treed open space, and the dedication of the large park area and construction of pathways as outlined further on in the Staff Report, is a much better plan not only for this specific property but for the entire community as a whole. Although there is demand for open field play areas, there are other places where the City is looking to place a field complex. Passive wooded open space has a lot of value to a community. Even if not immediately seen by the general public, these kind of spaces retain areas for wildlife to live, trees that help clean the air, and special places for residents to visit once in a while. The property is located within the area designated by Liberty Township as a "Civic Corridor." The preservation and enhancement of the existing wooded site for public open space that is directly contiguous to two schools, a recreation center, a future active park site behind the recreation center, and with potential connection to existing Liberty Park via the pathway system would be a tremendous civic improvement to the area.

Therefore, Staff can show that a proposed density of 1.4 du/ac can be justified by both the adopted Northwest Area Plan and through the requirements of the Zoning Code. Certainly, the amount of open space and pathway development is much more than what minimally would otherwise be required. Also, completion of a presently needed turn lane on Liberty Road at Carriage Road is a transportation improvement otherwise not required, and can be compared to a parkway development (0.7 du/ac base + 0.5 du/ac. open space beyond 20% and extensive pathway development + 0.27 for turn lane improvement). Certainly, the 0.27 du/ac credit for a turn lane improvement is going to be a subjective number. For this 134.3 acres, that is an additional 36 dwelling units. The cost estimate for the turn lane improvement is about \$200,000. The construction of a parkway costs approximately \$200 per lineal foot. Therefore, one can equate this turn lane improvement to the construction of 1,000 feet of parkway.

As a comparison, let's examine the length of Bennett Parkway through Liberty Hills. One thousand feet of parkway is almost equal to the distance along Bennett Parkway from South Liberty Street to Briar bend Boulevard (approximately 1,100 feet). The length of Bennett Parkway from South Liberty Street to Shale Ridge Court (that which was built through Liberty Hills) is approximately 2,400 feet.. Therefore $1,000/2,400 = 41\%$. A density credit of 0.5 du/ac multiplied by 41% equals a 0.20 density credit. Therefore, $0.7 \text{ du/ac base} + 0.5 \text{ du/ac pathway \& open space} + 0.2 \text{ du/ac roadway improvement} = 1.4 \text{ du/ac}$, which can be a justified density within the zoning code and conforms to the policies within the northwest Area Plan.

Open space and clustering provisions with the Northwest Area plan is tied together. If a property can achieve 40% open space then the maximum gross density of 1.5 du/ac can be achieved. The net density of the developed area in this scenario would need to be 2.5 du/ac. The proposal by the developer indicates a net density of 2.475 du/ac. Therefore, this proposal meets the net and gross densities as outlined by the northwest Area Plan and the Zoning Ordinance.

Another matter to consider is the overall "civic design" of the neighborhood as it relates to this area of the City. This area can be considered a transition area where somewhat smaller lots within the city and the edge of the Township transition to larger lots within the township. The larger lots within the Township are either east of Liberty Road or along the Rutherford Road frontage, which has developed through the years with larger parcels split from original farm tracts, which typically happens in rural areas. The design problem exists when a suburban type development, a residential subdivision, is placed within what is a growing city and within what has been historically a rural township. The township south of Home Road, however, is no longer rural; it is suburban with rural influences. So, that is what we should also try to emulate in this design.

The overall layout is a classic conservation cluster development, trying to put most of the homes within the areas that development fits the most (the open areas) and preserving the wooded portions as best as possible. A true conservation development also tries to have as many home sites as possible have some adjacency to the open space. The southern parcel (Cameron) has been laid out with larger lots at the periphery to the existing subdivision and brought smaller lots to within the interior of the property, leaving around the outside of the property as a natural tree-filled buffer. The northern parcel (Wallingford) has placed smaller lots within the open field area of the property, and preserved a tree filled area to the west as a buffer and to the north as an expansion of already held public lands creating the ability to have natural passive recreation areas adjacent to very active educational and recreational areas. This wooded area is one of the nicest wooded lots that is left to exist within the community.

Architecturally, the home styles fit with houses being built in other parts of the City and Liberty Township. The applicant has shown 28 different house models. Most of these homes have successfully been offered in Lakes of Powell. The following models are the only models that staff has recommendations on conditioning approval:

<u>House Style</u>	<u>Model Name</u>	<u>Issue</u>
C	Chadwick	Approve classic only
E	Everett	Classic II only w/ porch
F	Foster	With brick front option only
G	Jefferson	With brick front option only
H	Landon II	With brick front option only
I	Longmeade	With full porch and brick only

Staff does support the use of fiber-cement cement siding. This is also assuming that the applicant also commits to the brick plinths, stoops and lead walks as in Lakes of Powell.

The site plan design has been changed considerably. The northeast area has been changed to provide a large expanse of open space along Liberty Road along with a stormwater retention pond which will greatly enhance the entrance to the site. One cul-de-sac was removed along Mendolin Way and lots there were made very deep. Generally, more curves were designed into the street design. The lots on Watson Way adjacent to Middlebury Estates were enlarged and a 40 foot scenic easement area located along the border, large openings into the open space areas are reserved where on-street parking can occur for people wanting to utilize the open space.

There are numerous issues left to be clarified or changed as part of any approval of a Preliminary Development Plan. These items should be conditions placed upon any approval and they include:

- The utility layout will have to be re-designed because in numerous places they are being shown within scenic easement areas.
- The overall size and location of the retention pond along Liberty Street should be designed to affect the least number of ornamental trees located in the southern portion of that open space area.
- Landscaping plans should be developed for all open space areas as needed.
- The pathway to be constructed in the proposed park should be built to the north property line.
- Coordinate with the school district the location of other pathways coming into the school sites.
- Install a pathway along Liberty Road as part of the roadway improvement efforts. Investigate possibility of connecting to pathway in front of Middlebury Estates.
- Install white three rail fence along Liberty Street and where appropriate on Rutherford Road.

Please review Section 1143.11 (g) on pages 153-154 of the Zoning Code regarding the approval requirements of the Preliminary Development Plan. Staff believes that the developer can meet these requirements pending finalization of the outstanding issues and we recommend approval of the Preliminary Development Plan with conditions that satisfy the issues stated in this report.

CERTIFICATE OF APPROPRIATENESS

Applicant: Yoke's Body Shop
Location: 378 West Olentangy Street
Zoning: PI, Planned Industrial District
Request: Approval of Tenant Wall Sign

The applicant recently opened a body shop at 378 West Olentangy Street, which is also known as Auto Assets and is located across from the recently completed Goddard School. The Auto Assets complex essentially has three large buildings connected with breezeways. Yoke's Body Shop is operating out of the middle building.

Since the existing free-standing sign along Olentangy Street cannot be modified to include a sign for Yoke's without a complete redesign, the applicant is proposing a 24 square feet non-illuminated wall sign to be placed on the middle building centered and above the overhead door and a small one square feet sign to be placed on the steel door next to the overhead door for directional purposes. The maximum wall sign area permitted for a single enterprise is 25 square feet. The proposed sign is consistent with the color scheme of the existing Auto Assets free-standing sign. The proposed wall sign has very limited visibility from Olentangy Street (the door sign has no visibility).

Section 1151.04(r)(1) of the Planning and Zoning Code addresses aggregate sign area of all exterior signs for a building. The aggregate sign area is determined by multiplying the lineal street frontage of a building by three. In this case, there is 64 feet of building street frontage. Therefore, the total area of all exterior signs allowed is 192 square feet. Currently, there are approximately 38 square feet of sign area. The addition of these signs will increase the aggregate sign area to 63 square feet; well within the requirements of the Sign Code.

Staff has no concerns with this proposal and recommends approval of the Certificate of Appropriateness for a sign at 378 West Olentangy Street.

SKETCH PLAN

Applicant: TREC Development
Location: 441 West Olentangy Street
Zoning: PC, Planned Commercial District
Request: Review of Proposed 10,512 Square Feet Retail Center on 1.454 acres

The site is located at the southwest corner of Murphy Parkway and West Olentangy Street and is part of the Murphy commercial area. To the north is Germain Auto Body Shop and Village Pointe Shopping Center, to the south is Murphy Park, to the east and west is vacant commercially zoned land and the proposed HER Realtors, respectively. Access to the site is from the rear via two points on the access drive that backs the western portion of the Murphy commercial area. The applicant is proposing a 10,512 square feet retail center on the 1.45 acre tract.

This proposal nearly centers the building on the lot. Customer parking is provided in the front (Olentangy Street) and west side (HER Realtors) and employee parking is provided at the rear off the rear service drive. The applicant proposes to only utilize the western most entry point on the access drive. However, all delivery/service vehicles are required to back the length of the building to exit. Staff recommends the second or eastern access point be utilized. Although this point is close to the intersection of the access drive with Murphy Parkway, it can be made a one-way out as traffic volumes will not be high enough to result in long ques for exiting.

The applicant is proposing a divergence to the required front setback along both Olentangy Street and Murphy Parkway from 60 feet to 40 feet. This has been granted in the past but only to keep the parking to the side and behind of the building. Staff will address this issue later in this Report. All other setbacks have been met.

The applicant is proposing 67 parking spaces. For retail space the parking requirement is 1 per 400 square feet of building area plus five for employees. This results in minimum parking requirement of 32 spaces. The applicant has stated a restaurant will occupy up to 3,500 square feet of the project. Those details have not been worked out, but a restaurant does have higher parking requirement. The recent Kenney Company retail center approval had 34 spaces for 8,000 square feet or 1 space per 235 square feet. Applied to this proposal, the result is a

required parking of 45 spaces. Staff will work with the applicant to better define the uses and parking needs.

Planting bays have been shown in the parking lot; however they do not meet the requirement of one after every eight parking spaces. Staff recommends the bays along the west property line and along Olentangy Street be made double bays. Also, Staff recommends one planting bay be shown both in the parking aisle along the front of the building and along the south property line.

A landscape plan has been submitted to show how the applicant intends to manage the view of parking in front of the building.

Architecturally, the building ties together the elements of the Goddard School and Kenney Company. Staff will rely on the comments of the Architectural Advisor but would recommend to the Commission the interior lighting be high enough above the window header to prevent the "Drug Mart" effect.

Regarding the setback divergence and parking in front of the building, the Commission and Staff have gone to great lengths to preserve the trees to the rear of the commercial area and prevent parking areas from being placed in front of buildings. Although a tree survey has not been submitted (not required for a Sketch Plan), it appears there may only be one tree of significance, which is along the west property line. This proposal does not keep the parking to the sides of the building as it is a prototypical suburban retail center with customer parking to the front of the stores and employee parking and service entrances to the rear. Olentangy Street is left bounded with parking and Murphy Parkway is bounded with parking as well as the side elevation of a building. There are alternatives to this design that would better achieve the objectives sought by the Commission and Staff for this area. The applicant should work with Staff and the Commission to address these objectives.

The Commission should work with the applicant to either reach a compromise or determine that a retail strip center use may not be the best alternative unless the objective of no parking in front of the building is met. If you will recall, the property owner and original developer, Triangle Real Estate, presented a concept of a campus style commercial setting with a mix of office and retail in the development plan for Murphy Parkway, which is in your packet. At their request, we have deviated from that plan but have maintained the green space and building façade at the front of the property. Staff is concerned that this proposal may be too far of a deviation from the original concept.

Finally, the applicant will need to get a new name for this project as there is already a Powell Center in the city of Powell.

The applicant is requesting permission to submit a Combined Preliminary and Final Development Plan.