



**STAFF REPORT
PLANNING AND ZONING COMMISSION
JANUARY 14, 2004**

FINAL PLAT

Applicant: M/I Homes
Woods of Powell South
Location: South Side of Rutherford Road between CSX Railroad and Liberty Road
Zoning: PR, Planned Residence District
Request: Approval of Woods of Powell South Final Plat for 65 lots on 44.996 acres

The subdivision plat for the Woods of Powell South includes the entire portion of the Woods of Powell Development Plan on the south side of Rutherford Road. This plat contains a total of 44.996 acres and 65 single family lots. Included within that 45 approximate acres includes 17.306 acres of open space reserves.

The subdivision plat implements many items contained within the approved development plan and is the document recorded that creates the lots, streets and other properties and easements within it. Staff has reviewed the plat for conformance with the development regulations and the approved development plan and have found that it is in general conformance except for the following:

1. The applicant needs to clarify and define the wetland easement and add the definition to the plat. In the southeast portion of the site a drainage easement that is for storm structure enters a wetland easement. Staff understands wetland easements to be required by the Army Corp of Engineers in order to protect unmitigated wetlands in perpetuity. Placing storm drainage in a wetland easement seems counterproductive.
2. Also in the southeast portion of the site, a seventy (70) feet wide scenic easement is established along the boundary with Middlebury Estates. Only fifty (50) feet is required. As shown the drainage easement will eliminate twenty (20) feet of the scenic easement and make lot 4 unusable. The drainage easement should begin where the scenic easement ends.
3. All no build zones need to be changed to scenic easements. A no build zone prevents structures from being built but they do not prevent trees from being cut down. There is no reason for any grading work in these areas so there should not be any tree removal.
4. The building setback lines on corner lots need to be revised so that the radius of the property corner is reflected in the setback. This will ensure the house is setback at least 30 feet through the curve of the property.
5. Staff would like to see a better definition of the reserve areas. As written there is no tree or natural area protection. It may be necessary to draft definitions of each reserve.

Staff recommends approval of the Subdivision Plat for Woods of Powell South subject to the following conditions:

1. That the City Engineer approve the stormwater management plan as it relates to the lot and street layout and general conformance with Powell's stormwater management requirements prior to approval of the plat by City Council.
2. That the City Engineer approve all lot numbers, addresses and easements as may be required.
3. That the City Engineer review and approve all other engineering requirements.
4. That the applicant addresses Staff comments 1 through 5 above.

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN/ZONING MAP AMENDMENT

Applicant: Graeter's Ice Cream
Location: Northwest Corner of Galloway Drive and Powell Road
Current Zoning: PC, Planned Commercial District (Liberty Township)
Proposed Zoning: PC, Planned Residence District (City of Powell)
Request: To Approve the Combined Preliminary and Final Development Plan for a 5,044 sq. ft. commercial building containing a Graeter's Ice Cream parlor and City Barbeque restaurant, and approving a Zoning Map Amendment to PC, Planned Commercial District for property being annexed into the City of Powell

The site is located at the northwest corner of Galloway Drive and Powell Road and is currently vacant and open. The applicant and First Citizen's National Bank are proposing to annex the property into the City. The annexation petition is scheduled to be filed next week. To the north of the site is a vacant commercial tract, to the south is another vacant commercial tract (Target has submitted a traffic study to ODOT and the County for this property), to the east is Scott's Garden Center, and to the west is First Citizens National Bank.

The applicant is proposing a 5,044 square feet commercial structure for a Graeter's Ice Cream (1,950 square feet) and a sit down City Barbeque restaurant (3,094 square feet). In the 2002 Comprehensive Plan survey, a sit down restaurant was the number one business listed that is not currently served by the community and an ice cream store was number six. Staff is excited about the opportunity having these businesses in the community.

This commercial area was originally zoned and subdivided as part of the Big Bear Farms development plan in 1991 and again reviewed in 1995. The Township Zoning Inspector recently informed Staff that the 1991 plan showed office uses and the 1991 plan showed retail and office uses. This discrepancy in Liberty Township is still trying to be resolved. The proposal for the zoning and development plan as it is annexed into the city would be to have the property zoned PC, Planned Commercial District for restaurant use. This proposal will continue, for the most part, the design and site requirements established as part of the Big Bear Farms development. Approval of this application will change the zoning from Liberty Township Planned Commercial District to the City of Powell Planned Commercial District, which is the appropriate zoning classification for this site.

Entry to the site is somewhat limited. Access is via an east-west access drive connecting Galloway Drive and Sawmill Parkway. Galloway Drive at Powell Road and the intersection of the access road at Sawmill Parkway are right-in/right-out. A full access entrance to the area is provided farther north on Sawmill Parkway at the intersection with Galloway Drive. Two access points are shown off the access drive.

The parking is entirely to the rear of the building and along Galloway Drive. The applicant is proposing a mound three (3) feet high and landscaping along Galloway Drive in an effort to screen the parking area. A detailed landscaping plan has been submitted. Staff is satisfied with the proposed screening treatment. With two eat-in restaurant (or similar) uses 50 parking spaces are required (one for every three seats plus employees or twenty-five spaces, whichever is larger). Fifty-nine (59) spaces are shown, including three (3) handicap spaces. With two uses that Staff anticipates receiving heavy traffic, exceeding the requirement in this case is necessary. Graeter's is also seeking approval from First Citizen's Bank to utilize their parking lot during peak evening times when the bank is closed.

Since the Sketch Plan, the applicant has revised the parking lot layout as requested by Staff and the Commission. The only revision involves a curb opening in the center landscape island of the parking area. This opening is necessary to allow storm water to run off to a catch basin on the south side of the island (see the engineering plans). Staff has no concern with this opening but suggests it be shifted to the west so that it is located between two parking spaces and can then

be used as a walkthrough. The parking area will be lighted with pole lights closely matching that installed on the bank site. Other site lighting is provided by decorative building lighting.

There is one building proposed for the site. To meet the respective concept designs of the two users, the building is proposed with two separate and distinct designs. Graeter's will utilize a stucco and brick building in a cream and beige color resembling more of the Big Bear Farms commercial projects. City BBQ will incorporate cedar siding in a board and batten finish and have different architectural elements. At the request of the Commission, the applicant has revised the exterior colors for City BBQ to reflect a more natural wood or taupe color for both the body and trim. A color sample is enclosed.

The primary front will be along Powell Road. To the rear of the building the elevation is consistent but with fewer windows as much of the interior service areas are towards the rear of the building. Service entrances are located behind false walls so as not to be visible from the parking area.

At the Sketch Plan, both Staff and Commission expressed concern over the screening treatment for rooftop mechanicals. The applicant proposed roof skirting that looked very much like a short privacy fence. Based on the comments at the Sketch Plan, the applicant is now proposing a mansard style roof very similar to what is being constructed on the Murphy retail center. This will still be a divergence as Section 1143.15 (b) (9) requires that "...all non-residential buildings in the planned commercial district shall... have pitched, gabled, or hipped roofs..." Given the required location of the mechanicals, this is an appropriate solution in this case. Therefore, Staff is not opposed to the divergence. In keeping with the Big Bear Farms commercial area design, the roof will be green. Staff would recommend the two roof areas on the south and west elevations where the mansard roof stops be made continuous around that portion of the building. Overall Staff is very pleased with the design of the building.

A privacy fence is shown along the east side of the property and adjacent to the building. This fence is being used to screen the smokers used by City BBQ. The applicant is proposing to use a board and batten treatment on the fence so that it appears as an extension of the wall. The applicant has provided a mix of boxwood and upright arborvitae plantings to the base of the fence. This will help break the monotony of the solid fence.

Trash service is provided with two dumpsters along the east side of the property. Enclosure detail has not yet been provided but Staff recommends the dumpster enclosure be similar to the privacy fence that screens the smokers on the east side of the building. At the request of Staff, the applicant is showing extensive upright arborvitae plantings around the perimeter of the enclosure. This will block a view of the dumpsters from Galloway Drive. The applicant will need to add a gate to the dumpster enclosure as all four sides are required to be screened.

The applicant is showing a patio in the front along Powell Road. Detail for the patio has been provided. The patio is well designed and attractive. Lighting is proposed in the patio area. It is unclear as to what type of lighting is proposed. If the patio lighting is intended to be pole mounted lights, Staff would like to review the design. Extensive landscaping is shown around the patio and building. The patio is served from a walk-up window and is proposed to be linked with a bikepath along Powell Road. The applicant is providing bike racks in front.

Currently, the applicant and Staff are discussing the installation of this path and the possibility that it be part of a City project being considered to complete the link to downtown. This issue has not yet been resolved. However, a bikepath will be provided.

A landscape plan is enclosed. Staff is very pleased with the landscape treatment of the site. There are divergences shown in the landscape plan. Section 1145.31 requires one parking space be left unpaved and used as a planting bay for every eight (8) parking spaces. There are rows of 12, 11, 10, 9, and 9. The other divergence involves the parking row terminating at the traffic aisle. At these points, one parking space is also to be left unpaved and planted. In order to maximize parking these bays (six of them) were reduced to four (4) feet wide and left unplanted as they likely could not support a tree. With both divergences considered, the site ends up being

five (5) trees short for parking area plantings. However, the applicant is showing a large center landscaped island between the interior parking rows and there is an extensive landscape plan for the remainder of the site. Given the need for parking on this site, the landscaping proposed on the rest of the site, and the incorporation of the center island with plantings, Staff is not opposed to this request.

Although not discussed at the Sketch Plan, there are several large utility boxes located at the southeast corner of the site. There is little the applicant or Staff can do about them except landscape them in attempt to screen them. The applicant should work with Staff to add plantings around the perimeter of the boxes without disrupting access by the respective utility companies.

Overall, Staff is very pleased with the site plan and design that has been submitted and is excited about the opportunity to provide Powell residents with two quality Ohio businesses. Staff recommends approval of the Combined Preliminary and Final Development Plan and Zoning Map Amendment with the following conditions:

1. That the annexation of the property be approved by City Council.
2. That the CEDA Review Committee provide comments to City Council for review as required by the CEDA.
3. That the drainage spillway shown in the center landscape island be shifted to the west so that is located between two parking spaces and usable as a walkway.
4. That the mansard roof be continuous around the south and west elevation, where applicable.
5. That the dumpster enclosure be similar in style to the privacy fence on the east side of the building, include front gates, and be approved by Staff.
6. That Staff review and approve the patio lighting.
7. That the applicant work with Staff and City Council to incorporate a bikepath along Powell Road.
8. That the applicant work with Staff to add plantings around the perimeter of the utility boxes at the southeast corner of the site without disrupting access by the respective utility companies.
9. That the City Engineer review and approve of all engineering aspects of the plan, including utilities, storm water control, and access management.
10. That a comprehensive sign package be submitted to the Planning and Zoning Commission for approval.

DEVELOPMENT PLAN ARCHITECTURAL DETAIL REVIEW

Applicant: Pete DeLois Recreations Outlet
Location: 470 West Olentangy Street
Zoning: PC, Planned Commercial District
Request: Review of architectural details and conditional approval items from the approved Combined Preliminary and Final Development Plan

The Commission approved the following motion at the December meeting:

MOTION: Commissioner Counts moved to approve the Combined Preliminary and Final Development Plan with the following conditions:

1. That the applicant coordinate the location, size, and detail of the access drive with the Ohio Department of Transportation, the County Engineer and the City Engineer and that the applicant provide for their fair share of the costs of any improvements required at this intersection at West Olentangy Street (Powell Road/ SR 750) and Sawmill Road as determined by Staff through this coordinated effort.
2. That the applicant provide a minimum right-of-way of 40 feet from centerline of SR 750, or as determined to accommodate any improvements needed for the signalization of the intersection.

3. That the applicant provide final building architectural details, including material samples and colors, to be reviewed and approved by the Planning and Zoning Commission prior to the approval of a Final Development Plan by City Council.
4. That the applicant submit a Landscaping Plan for review and approval by the Planning and Zoning Commission prior to the approval of a Final Development Plan by City Council. The applicant is allowed to have flexibility as to the location of parking lot islands along the west property line as determined by Staff.
5. That the applicant provide a final sign plan for review and approval by the Planning and Zoning Commission.
6. That the applicant provide an easement to the east to allow for the possibility of an emergency access route for emergency vehicles as may be required by the Liberty Township Fire Department.
7. That recreational structures are allowed for display for sale as shown on the site plan, being limited to four such structures, utilizing only earth tone colors and the display area to be determined by the Planning and Zoning Commission at the final architectural review.
8. That the applicant provide a tree preservation plan, to approved by Staff, as part of the approved landscaping plan.
9. That the City Engineer review and approve of all engineering aspects of the plan, including utilities, stormwater control, and access management.
10. That the stormwater retention area shown on the plan become a wet pond with a fountain water feature.

Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Grubbs, Murphy, and Counts.

One condition of the previous Planning and Zoning Commission approval of the Combined Preliminary and Final Development Plan is that the applicant provide architectural details and other conditional items to the Planning and Zoning Commission prior to the approval of the plan by City Council. The applicant has requested that the review of these items be done at this time.

The architect has changed the plan for the main siding material as previously presented. Instead of utilizing board and batten siding, the applicant is proposing to utilize a shingle-shake design. The shingle look is actually a Hardi-plank product that is installed like the siding and the overlap and design creates the shingle look. You can see this look on a house at 4085 Village Club Drive in Golf Village. Stone wainscoting is also proposed. The siding for the other areas is proposed to be Hardi-panel that has a stucco look, and the seams are done so that the stucco appearance is complete throughout the elevation. The roof material is still standing seam metal with a dark gray appearance. Stone veneer wainscoting and pillar bases are still proposed. The color elevation drawing indicates the proposed color palette.

The applicant has also shown the design and layout of the playground area. That area contains three play structures, three basketball goals and a storage building/playhouse structure. There is also a rubber chip safety surface. The walkway was removed connecting the bikepath to the retail center through the playground display area. The white rail fencing now is proposed to totally enclose the display area, which was probably done to promote children safety.

Other site plan adjustments have made. The service delivery area has been adjusted that removes a lot of pavement to the rear of the building. The dumpster location east of the building has also been adjusted as required by the Commission.

Staff and the Applicant have met with representatives of ODOT and the County Engineer's office to coordinate the signalization of the intersection of Sawmill Road and SR750, including the access drive for this property. ODOT will be coordinating the installation of the traffic signal with input from the City and County, and the developer will provide their fair share of the improvement cost for the signal and any necessary roadway improvement.

The landscaping plan was not submitted by the time of this report. Staff will review the plan and provide comments prior to the meeting. A recommendation on this agenda item will be provided at that time.

AMENDMENT TO APPROVED DEVELOPMENT PLAN – RUTHERFORD ESTATES

Request to remove the condition that the property become part of Liberty Community Infrastructure Authority prior to signing the engineering plans.

A condition of the original approval for the Rutherford Estates development plan was to require that the property become part of the Liberty Community Infrastructure Authority prior to signing the engineering plans. All efforts to make the property part of the infrastructure authority have been completed by the developer and it is now being prepared by the attorneys to go through the approval process. This approval process could take a considerable amount of time as both the City of Columbus and City of Delaware have to approve the expansion.

Staff recommends approval of the amendment to remove this condition.