



STAFF REPORT  
 PLANNING & ZONING COMMISSION  
 Powell Village Green  
 April 14, 2004  
 7:30 PM

#### ZONING & SUBDIVISION REGULATIONS TEXT AMENDMENTS

Review of proposed zoning text amendments to Sections 1109.14, 1111.054, 1111.07, 1123.01, and 1145.25 of the Planning and Zoning Code as authorized by City Council Resolution 2004-08 to meet the requirements of the NPDES Phase II federal mandate

The Engineering Department has been working to comply with the City's NPDES Phase II Permit that was previously approved by the EPA. In doing so, they are recommending the changes to sections of the Planning and Zoning Code as outlined in the packet materials in order to comply with our permit and the EPA requirements. These requirements will need to be followed when any development occurs within the City.

Staff recommends approval of these code changes.

#### ADMINISTRATIVE REVIEW

Applicant: Robert Fiorita, Fiori Homes  
 Location: Murphy's Crossing  
 Zoning: PR, Planned Residence District  
 Request: Approval to move a temporary marketing sign to an off-site location adjacent to the Murphy's Crossing condominium development project

The site is located at the southeast corner of Murphy Parkway and West Olentangy Street and is known as Murphy's Crossing. There are 53 condominium units currently under development. The applicant has an approved temporary marketing sign presently located on-site along West Olentangy Street. This proposal requests the sign be allowed off-site, on a commercial site located at the southeast corner of Murphy Parkway and West Olentangy Street, where several other temporary marketing signs have been erected for commercial and residential projects in the overall Murphy development. The applicant is also proposing to replace the existing sign faces with a new design. This new design meets all the requirements of the zoning code.

The applicant claims that at the present location, approximately 500 feet east of the Murphy Parkway and Olentangy Street intersection, the marketing sign does not adequately direct potential customers to the sales trailer along Murphy Parkway for more information on purchasing a condo unit in the development. This proposed location with the addition of an arrow to the sign will better inform customers.

Staff does not disagree with the applicant's claim. Since the proposed location is off-site and the zoning code requires signs to be placed on-site, this application needs the Commission's approval. The proposed site is part of the Murphy commercial area. Based on recent conversations with the property owner, Triangle Real Estate, Staff anticipates this site being developed in the near future. Therefore, any approval would be temporary.

Staff and the Building Department are concerned with the proposed installation details of the sign. As proposed the sign will essentially be on sled. While this allows easy movement of the sign it has presented problems in the past with the sign blowing over in a relatively high wind. The existing sign is of similar design as are a few other signs in the area. Whenever there are high winds these signs tend to fall over and at times slide along the ground. Therefore, in the interest public safety, Staff requests the sign be mounted in the ground at a standard determined by the Building Department.

Since this sign is temporary, the proposed site is vacant and is immediately adjacent to the project, and the proposed site is presently being used for the purpose of temporary marketing signs, Staff is in support of this request with the following conditions,

1. That the applicant redesign the sign to be a ground mounted sign at a standard to be determined by the Building Department.

## SKETCH PLAN

Applicant: Shayne & Debbie Pendleton, Pendleton's Automotive  
Location: 127 South Liberty Street  
Zoning: PC, Planned Commercial District, Historic District Overlay  
Request: Review of proposed 2,904 square feet single-family structure to be constructed to the rear of existing automotive repair business and various site improvements on 0.76 acre

In the fall of 2003, the Historic District Commission reviewed a concept plan of this application. Overall the plan was well received with some comments regarding the design of the proposed structure. The applicant originally proposed a new single-family structure executed in a gambrel style barn (barn with an upside down U-shaped roof). While the HDC appreciated the intent of a barn style home, they encouraged the applicant to follow a design other than a gambrel style due to the difficulty in accurately reproducing that style. The minutes of that meeting are enclosed.

The site is located on South Liberty Street just north of the Liberty Street Office Park. Between the office park and this site is a fifty feet swath of land where the bikepath connection to the Village Green Park is to be located. To the east and to the north of the site is single-family residential. The Village Green is behind the site to the west. A family owned automotive repair shop is presently operated on the site. The applicant, and owner of auto repair shop, is proposing to construct and occupy a single-family home to the rear of the commercial business. A single-family residence is a permitted use in a Planned Commercial District.

Entry to the property is via a U-shaped drive off of South Liberty Street. Parking is head-in facing Liberty Street. There is also a small head-in gravel parking area on the south side of the drive. Staff would like to point out that this southern parking area extends beyond the applicant's property onto a portion of The Village Green property where the bikepath connection will be provided from Liberty Street. To address this comment, the applicant is proposing to convert the head-in parking to parallel spaces. The applicant is not proposing any changes to the entry but is showing expanded parking with a new parking area to the rear of the existing building and in front the proposed home.

To the rear of the commercial building is a fenced (privacy) area that is used to store automotive waste materials until such time they can be hauled away. To the west of the fenced area is a lightly wooded rear yard which leads to The Village Green. A revised privacy fence layout is being shown. The fenced area for the commercial area is being reduced and a new fence is proposed to screen in a yard area for the home. Staff is not opposed to the new fence layout but the residential area should be fenced with a picket type fence rather than a privacy fence. It would be a divergence to allow a privacy fence for residential purposes. There are no other changes to the commercial use of the property.

Mounding with landscaping is being shown along the rear property line next to The Village Green. Given the heavy landscaping to be installed with park development and the historically inappropriateness of mounding, Staff would encourage the applicant to remove the mounding. With the amount of landscaping being installed in the park combined with the landscaping proposed by the applicant and the treed area of the site, mounding will do little to provide any additional screening.

The applicant is proposing three different site plans (A, B, and C). According to the cover sheet, option C is the preferred alternative for the applicant. Staff tends to agree. All three options are essentially the same. Each plan contemplates different orientations of the home. Option C is beneficial to the applicant as it turns the home so that no elevation directly faces the automotive repair and maximizes the view of the green space around the site. The applicant is requesting a divergence to the side setback requirement of 25 feet to allow for a 15 feet setback. Staff is not opposed to this request being that this is the Historic District where shorter setbacks are typically found.

Although architecturally the home is much different than the previous submittal, the structure is generally consistent with the Architectural Guidelines. As a note, please refer to the numbers of the elevations rather than the direction. The south elevation, or elevation 4, was not included in the packet. Staff has requested this elevation. While the design of all elevations is important, it is especially so on the elevations facing The Village Green. The preferred site plan (C) shows elevations 1 and 4 facing the Village Green and elevation 3 facing the bikepath leading to the Village Green.

There are some architectural issues that will need to be addressed by HDC. The overall massing and proportion are different than anything proposed in the Guidelines and existing in the District. Elevation 1 appears almost colonial while other elevations appear as a simple gable and gable-L design. The one-story portion with a roof top patio is unlike anything in the District. While it certainly can be appropriate, the HDC will need to examine this portion of the home. The trim of the home appears bulky and will likely need to be reduced two inches in width for all pieces (ten inches to eight inches, six inches to four inches, etc). As proposed, the chimney is wrapped in lap siding as is found in some subdivisions. Historically this is inaccurate. The chimney should be stucco stone (considered appropriate) or brick. Overall, the applicant is on the right track. It is simply a matter of working through the detail of the home.

The applicant is proposing the use of cement-fiber siding. The Historic District Commission is in support of the use of cement-fiber siding and would allow such use in the OPC, Old Powell Commercial, District. Being in the PC District the HDC does not

have that authority so the applicant is requesting a second divergence to allow the use of cement-fiber siding rather than the required natural wood siding. Staff is not opposed to this request.

As a Sketch Plan review the applicant is seeking comment and direction. It is important the applicant and the Commission consider the impacts of this proposal on The Village Green. This application will also be reviewed by the Historic District Commission at their next meeting. The applicant is requesting approval to submit a Combined Preliminary and Final Development Plan. Staff has no objections to this request.

#### SKETCH PLAN

Applicant: Gary Baker  
Location: 210/230 West Case Avenue  
Zoning: PC, Planned Commercial District  
Request: Review of proposed 28,056 office-warehouse development with four (4), 7,014 square feet, buildings and retaining the existing 840 square feet structure on 3.46 acres

The site is located on north side of West Case Avenue between Lincoln Street and Village Pointe Drive and to the north of the Village Pointe Office Center. Access is only available from Lincoln Street to West Case Avenue or by parking at the rear of the Village Pointe Shopping Center or walking across Case Avenue. Currently the property is occupied by Metro Comfort Systems, an HVAC business. To the east of the site is a residential home, to the west is the Del-Co water tower, and to the north is Scioto Ridge Elementary School. There is an existing residential home converted to office use on the property, which was previously approved by the Commission several years ago. The structure is believed to have been constructed in 1910. The south and extreme east portions of the site are sparsely treed while the north portion is heavily treed.

The applicant is proposing to preserve the existing 840 square feet structure and construct four office-warehouse buildings. Each office building is proposed at 7,014 square feet for a total of 28,056 square feet of new office building. Including the preservation of the existing structure, the lot coverage is proposed at 19.2%, which meets code requirements.

Entry into the site is via two new entrances from West Case Avenue. The existing Metro Comfort Systems entry will be vacated. Although West Case Avenue right-of-way extends the length of this property, approximately from the mid point of the property and to the west, Case Avenue is an unimproved gravel road. The applicant will be required to improve West Case Avenue at least to the west end of their property. The cross section will need to match that which was approved by the City Engineer for the B&D Properties development to the west. This was essentially the equivalent of a heavy duty drive aisle found on a private site with an inverted crown for drainage (drainage flows to the middle of the road rather than a curb or ditch). Unless the Commission and Staff can arrange an agreement with the applicant, approximately 250 feet of West Case Avenue extending to Village Pointe Drive will remain unimproved and will need to be completed by the City. With some type of coverage bonus or other incentive to offset the cost of the offsite improvement, it may be possible to achieve the improvement without relying on public funds. The City currently has no plans to improve West Case Avenue in the near future.

The site layout is very similar to that found at the Village Pointe Office Center. Two buildings will face Case Avenue and the rear of the existing structure and the other two will face toward the school site. Between the buildings, in the center of the site, will be a drive aisle, serving the backs of the office-warehouses. Overhead doors will be provided along this drive aisle. Parking is provided along the main drive aisle at the front of the units. Since the two rear buildings face green space, limited parking is provided between the buildings off the service drive. Using a ratio of one parking space per 300 square feet of floor area, 96 spaces are required. As proposed, 56 spaces are shown. Provided the applicant clarifies the intended uses of the office-warehouses, this could be acceptable number. The distribution of parking, especially for the northern buildings is a bigger problem. There is room to provide additional spaces in the service drive. Staff will work with the applicant to address this concern. Required landscape parking bays have not been shown and will need to be provided.

Two different building designs have been submitted. One shows a six unit building and the other a three unit building. Each is the same in overall size and closely resemble the design of the Village Pointe Office Center. The applicant is proposing vinyl siding. Vinyl siding was approved for use on the Village Pointe office buildings. Cement-fiber would be a better alternative. Staff would recommend the applicant incorporate stone wainscoting on all sides with stone fronts as was done across the street at Village Pointe (see photos in packet). For some reason the wainscoting is not shown on the three unit plan and needs to be. A sign area is shown in each gable on the three unit plan. Although this is acceptable by code, it would be best to leave the signage on the door glass or a small wall panel next to each unit. Office-warehouse users do not require much sign area and in this location the sign only serves a location purpose.

Although the applicant is providing for the preservation of trees around the perimeter of the property, there are additional steps that can be taken to preserve green space and possibly trees, depending on the amount of grading required, within the site. The applicant should work with Staff to address this issue.

It is very important for the applicant to consider storm water retention. Based on the topography, it appears any storm water retention pond will need to be located in the northeast corner of the property. This is an open area of the site. There appears to

be no storm water outlet available in the surrounding area. It is possible the applicant will be required to obtain easements from the property owners to the east in order to outlet the storm water from this site into the railroad ditch. Additionally, the storm water release rate is very low. This will require a sizable pond and/or significant underground storage to be located on site.

A dumpster location has not been provided for on this submission. The applicant needs to identify dumpster locations unless roll-out containers are to be utilized.

Due to problems with outdoor display blocking fire access at times at the Village Pointe Office Center, Staff will request a condition be placed on any approved development plan that no outdoor display or storage be allowed on this site. The problems at Village Pointe were resolved by the Board of Zoning Appeals.

Overall, this is good use of this site. Staff is supportive of the plan with the comments presented. The applicant is requesting approval to submit a Combined Preliminary and Final Development Plan. Given the uncertainty with the storm water retention and release, Staff would not be in support of this request so that a Preliminary Development Plan addressing this concern can be reviewed.

#### AMENDMENT TO APPROVED FINAL DEVELOPMENT PLAN

Applicant: Norman Yager, Yager Landscaping  
Location: 70 Grace Drive  
Zoning: PC, Planned Commercial District  
Request: Approval of Amendment to Approved Final Development Plan allowing a 2,160 square feet addition to an existing 3,072 square feet office-warehouse structure and various site improvements on 0.83 acre

The site is located on the east side of Grace Drive just south of the Post Office. To the north, south, and west are office-warehouse uses and the west is the Olentangy Ridge subdivision. The existing business is a landscape company. The applicant is proposing an addition to the warehouse portion of the building to house landscaping equipment, vehicles and tools.

There is one entry to the site off Grace Drive. Parking is provided on either side of the drive aisle into the site. At the end of the drive aisle and behind the existing building is a fenced gravel area where equipment and materials are stored. This proposal will extend the existing warehouse into the gravel area.

The addition will be a steel structure matching the existing warehouse in design and material. Although the existing building is metal, it is a divergence to use metal siding based on the current code. Staff is not opposed to this request given the design and nature of the building use. The height of the addition will be several feet lower in height but match the roof pitch of the existing structure. Three new overhead doors will face the parking area. The paved area of the parking will need to be extended at least to the end of the addition, preferably to the gate of the outdoor storage area, as all parking and drive aisles are required to be either asphalt or concrete by Section 1149.05(e).

Presently, the outdoor storage area extends to the rear property line abutting Olentangy Ridge. Since the original approval of this development plan, the zoning code has been amended to require a 40 feet setback of any non-residential use from a residential district, such as Olentangy Ridge. This can be reduced to 20 feet at the discretion of the Zoning Administrator with appropriate dense landscaping and/or fencing. As part of this amendment, the applicant will be required to bring the setback into compliance with the current code. This will remove some area available for storage but Staff feels with better organization the space will not be missed. There is an existing privacy fence an mounding separating the homes of Olentangy Ridge from this property. The fence is in very poor condition largely due to the piles of mulch, wood chips, and other materials and equipment the applicant has stacked against the fence. Staff recommends the applicant be required to replace or repair the fence, in kind, as part of any approval.

The outdoor storage area is littered with miscellaneous junk equipment, parts, kids' toys, and a rusted shed. Anything that is no longer of use must be removed or moved inside. Anything that is of use can be stored neatly in the outdoor area. Additionally, the applicant is storing a large mulch pile in the parking lot. This is not acceptable as it is outside the assigned storage area and takes away from the required parking spaces. The applicant needs to find space inside the storage area and maintain all materials there.

Although the storage area is entirely enclosed within a fence, it is unclear from the site plan where the existing fence is and where any new fence will be placed. The applicant needs to address this on the site plan. Additionally, a portion of the existing fence is chain link or a chain link with a wood privacy fence mounted to it. Any chain link fence that is removed should be replaced with a wood privacy fence six feet in height. Any chain link that is to remain should have a wood privacy fence mounted to it, such as the retractable gate at the entry to the storage area.

Overall Staff is in support of this Amendment to an Approved Final Development Plan. This improvement will help in removing equipment from the outdoor area to an enclosed storage, provide a better buffer to the Olentangy Ridge residents, and be an overall improvement to the site. Staff recommends approval of the Amendment with the following conditions,

1. That the paved surface be extended at least to the end of the proposed addition, preferably to the entry into the outdoor storage area defined on the site plan.
2. That a landscape and buffer area a minimum of twenty feet in width be provided along the rear property line and a landscape plan be submitted and approved by Staff.
3. That the privacy fence along the rear property line be repaired or totally replaced in kind.
4. That the applicant remove all junk and unused materials and equipment, including the shed, from the outdoor storage area. A dumpster area shall be identified and utilized for yard waste created by the business.
5. That all materials and equipment, other than trucks and vehicles, be stored either in an enclosed storage or in the outdoor storage area during non-business hours.
6. That revised site plan showing existing and proposed fence alignments be submitted and approved by Staff.
7. That no chain link fence be visible from the public right-of-way.

