



STAFF REPORT
 PLANNING AND ZONING COMMISSION
 Powell Village Green
 December 8, 2004
 7:30 pm

ADMINISTRATIVE REVIEW

Applicant: Kinsale Golf and Fitness Club
 Location: 3737 Village Club Drive
 Zoning: PR, Planned Residence District – Liberty Township Approved Plan and Zoning
 Request: Review and approval of the use of portable signs as outlined in the City of Powell Zoning Code rather than not allowed by the Liberty Township Zoning Resolution

The Kinsale Golf and Fitness Club has applied for an Administrative Review that would allow them to use portable signs as allowed by the Powell Zoning Code. The Kinsale property is zoned PR, Planned Residence District. The development plan, as approved by Liberty Township and adopted by Powell as part of the Annexation Agreement and CEDA between Liberty Township and the City of Powell, does not indicate the use of portable signs and the Liberty Township Zoning Code does allow their use. The CEDA does allow for minor amendments to the Golf Village Development Plan through the Administrative Review process.

There are two proposed divergences that the applicant is asking for with this application. Two of the proposed signs that they propose to utilize are larger than the maximum sixteen (16) square feet allowed by the zoning code. The large banner that is hung on the top of the main clubhouse building is proposed to be 245 square feet. The other sign that is too large is the sign proposed to be placed at the #10 tee box (the northwest corner of Village Club Drive and Sawmill Parkway).

The applicant understands that under the Powell zoning code, they could have the ability to utilize one portable sign at a time for a total maximum 42 days out of the calendar year.

Although staff supports the application in concept, we are not supportive of any divergence to the size of the portable sign that can be used. We feel that even though the main club house building is set back quite a distance from Sawmill Parkway, the applicant can utilize a sign that fits the maximum 16 square feet on other parts of the property that can convey the same message.

Staff recommends approval of this application with the condition that there are no divergences from the requirements of the Powell Zoning Code.

AMENDMENT TO APPROVED DEVELOPMENT PLAN

Applicant: Village Pointe Shopping Center
 Location: 300 West Olentangy Street
 Zoning: PC, Planned Commercial District
 Request: Remove existing parking lot light fixtures with 15' tall poles and replace with new light fixtures with 25'5" poles

The property owner wishes to replace the parking lot lights at the front of Village Pointe Shopping Center. They indicate that the current lighting is inefficient and does not provide for public safety within the parking lots and add to security problems for the businesses within the center. There have been some break-ins at the center over the past few years. Staff has discussed this issue with the Police Chief and he indicated that better lighting would provide for better safety at this location.

The proposed light fixtures are the same ones that have been installed at the new fire station on Sawmill Parkway. Although the proposed height is about 5 feet higher than what we typically want to see, the light spread as indicated on the site plan is being kept to what we normally will approve and indicates that the spread does not project beyond the property lines in a negative way. The only place that we have a concern is at the main drive aisle where light from two fixtures overlap considerably, creating a much brighter situation at that location. Staff recommends approval with the condition that cut-offs may need to be added to one fixture at the center in order to prevent the center area from becoming too bright, as directed by Staff.

OTHER COMMISSION BUSINESS

ZONING TEXT AMENDMENT

1. Review and approval of new zoning text section creating Section 1143.14 Downtown Zoning District which sets forth regulations for a new Downtown Zoning District.

Staff has completed the draft of the proposed Downtown Zoning District text. The comments of the Historic District Commission have been included in this draft as well. To clean up the document all strikethroughs, italics, and caps found in the previous draft were removed. The strikethroughs and caps found in this packet reflect changes made since the last review.

Numerous changes have been made since the last meeting. One key change deals with how the district is established. Rather than be a Downtown Zoning District with two land use districts (DR - Downtown Residence and DB - Downtown Business Districts) and a separate zoning map, Staff felt it was simpler and easier, from a procedural and administration standpoint, to make the Downtown District an overlay district and the Downtown Residence and Downtown Business Districts zoning districts. This is very similar to how the Historic District Overlay is established now. Essentially this allows the overlay district and new zoning districts to be incorporated on the existing Official Zoning Map versus creating a separate map eliminates the confusion of separate land use districts within a single zoning district. The requirements and approval procedures remain the same.

Another key change deals with the Zoning Map itself. Previously Staff had identified two areas to be switched from a commercial zoning to residential zoning. One area was along the Bartholomew Run subdivision east of South Liberty Street and the Wells properties on the north side of Case Avenue at the intersection with Depot, abutting the railroad. After discussions with several property owners or their representatives, Staff has decided to leave these areas with an existing commercial zoning in the proposed Downtown Business District. Several property owners have expressed concern over the perceived loss of property value created by the zoning change from commercial to residential. Staff feels there may be some merit to the property owners claims. The Downtown Business District zoning, as proposed, would allow residential uses on these properties but also allow the flexibility for other non-residential uses that are currently permitted in these areas. When these properties develop, a development plan will be required. Through the development plan process the City still retains control of uses and location. It may be determined at that time commercial uses are not appropriate in some locations while being appropriate in others.

Perhaps the most significant change is found in the Downtown Residence District. The permitted residential density was bumped from 5 dwelling units per acre to 7 dwelling units per acre. This was done based on the permitted lot size being 50 x 100 feet, which is the same as it exists now. At that lot size, the density would be just under 9 dwelling units per acre without considering the public right-of-way. With the public right-of-way included in the lot size the density would be just under 7 dwelling units per acre. Additionally, Staff considered the recent approval of the Traditions of Powell development, which was approved at 9.24 dwelling units per acre. They provided significant streetscape improvement and open space in their plan to achieve the approved density. It worked well and this is exactly as Staff is proposing it in the current zoning text. Numerous other corrections, changes, and additions are found throughout the revised draft. Most are self-explanatory.

Staff will give a detailed presentation at the meeting to review all the changes. Staff feels the draft is ready for adoption but given the bulk of the text would expect another meeting, perhaps two, for thorough review by the Planning and Zoning Commission.

2. Zoning Text Amendment as it relates to political signs, Section 1151.05(d).

Staff has revised the proposed text and wanted Commission input prior to scheduling a public hearing. If the Commission is satisfied with what has been done, we can set a public hearing for the January meeting. Enclosed in your packet is a copy of the proposed legislation.

Next Meeting: January 12, 2004 @ 7:30 pm.