



## STAFF REPORT

### PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, January 13, 2016

7:00 P.M.

#### AMENDMENT TO APPROVED DEVELOPMENT PLAN

Applicant: Vince Romanelli, Romanelli and Hughes  
Location: Verona Subdivision  
Existing Zoning: Liberty Township, Planned Residence District (PRD)  
Request: To approve an Amendment to and Approved Development Plan, changing the required 30 foot rear yard setback to a 30 foot rear yard setback for primary structures, a 5 foot setback for accessory structures, and a 12 foot setback for swimming pools.

Aerial Site Image: <https://goo.gl/maps/upeGEioeG4H2>

#### Project Background

The Verona subdivision zoning and development plan were approved in Liberty Township prior to annexing into Powell. As part of the Annexation Agreement with Liberty Township and the Developer, the City agreed to the zoning and approved Development Plan. After examining the development plan requirements, it was found that an omission was left off of the approved development plan. This omission was that there is no rear yard setback requirements for accessory uses, therefore the rear yard setback for primary structures would have to be utilized for all accessory structures, including decks, swimming pools, and recreational structures. In discussing this with the developer and builders within the Parade of Homes site, it was determined that a change in this requirement is necessary.

#### Approved Development Plan Synopsis

The approved development plan text can be found at this link:

<ftp://powellftp.us/Current%20Proposals/Archived%20Proposals/2015/P&Z/Verona%20-%20Shamrock%20Subdivision/Verona%20Approved%20Zoning.pdf>

Copies of the appropriate pages are in your packet as well as the plan layout.

As mentioned, there is no rear yard setback requirement for accessory structures. For ease of enforcement, it was Staff's recommendation to the developer to create a rear yard setback requirement for accessory structures, and that requirement follows The City of Powell requirements for a 5 foot setback for accessory structures (such as recreational structures) and a 12 foot setback for swimming pools.

#### Staff Comments

The main issue came about as builders started to inquire about in-ground swimming pools. A few builders within the Parade of Homes want to include a swimming pool with their home. In examining the plan, we realized there was an omission for accessory structures.

#### Staff Recommendation

Staff recommends approval as submitted. This creates a much better application of standards.

## PLAT REVIEW

Applicant: Sawmill Seldom Seen LLC  
Location: Southwest quadrant of Sawmill Parkway and Seldom Seen Road  
Existing Zoning: Planned Commercial District (PC)  
Request: To review and approve a Subdivision Plat for Powell Grand.

Aerial Site Image: <https://goo.gl/maps/KtFDfm3mM9S2>

## Project Background

After much debate at City Council, the Final Development Plan was approved as well as a new TIF, which provides \$1 million for Seldom Seen Park. The Final Development Plan is not much different from the plan approved by Planning and Zoning Commission. The next step is a plat for the Powell Grand subdivision as it will have public street dedication, easement dedication and lots.

## Approved Development Plan Synopsis

The approved development plan retains the tree different types of buildings and units, and continues to extend Bunker Lane to the south and out to Sawmill Parkway where a new traffic signal will be installed. The two commercial lots are shown, as well as a single lot for the pinwheel types of units and a lot for the remainder of the units. The plat also shows the vacating of an existing unimproved right-of-way from the old Seldom Seen Acres plat as well as the vacation of certain drainage easements. These easements are not necessary as the drainage pattern will be placed within storm sewers and within this development be privately maintained.

## Staff Comments

This subdivision plat as submitted is showing the basic information that is needed for Commission review and approval. As we go through the engineering plan review, there may need to be added to the plat additional utility easements. We also have a concern at the southeastern portion of the site where a new drainage easement overlaps existing access and utility easements. This just needs clarification to see if the existing easements can be overlapped.

## Staff Recommendation

Staff recommends approval of the plat for Powell Grand subject to the following conditions:

1. That all easements and lot numbers appear on the plat as need to be required by the City Engineer.
2. That any possible conflicting overlapping easements be clarified by the applicant to Staff.
3. That all other items as needed be added or removed from the plat as directed by Staff prior to signature.