



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers
47 Hall Street

Wednesday, January 11, 2016
7:00 P.M.

1. PLAT REVIEW

Applicant:	Verona LLC
Location:	4594 Powell Road
Existing Zoning:	Planned Residence District (PR)
Request:	To review and approve a subdivision plat for Verona.

Aerial Site Image: <https://goo.gl/maps/cxR6xSitZTq>

Project Background

The Verona subdivision is an approved subdivision consisting of 166 units on approximately 114 acres. The presented plat review is the second phase of the total development, consisting of 25 single family lots and 3 open space lots. The applicant is seeking approval in order to begin construction.

Approved Development Plan Synopsis

The Development Plan that was approved within Liberty Township can be found at the following link: <ftp://powellftp.us/Current%20Proposals/Archived%20Proposals/2015/P&Z/Verona%20-%20Shamrock%20Subdivision/Verona%20Approved%20Zoning.pdf>

The annexation agreement between the Developer, Liberty Township and City of Powell allowed for the acceptance of the approved zoning by Liberty Township into Powell. The Preliminary Plat was approved by Delaware County Regional Planning Commission, however the Final Subdivision Plat has yet to be approved.

Staff Comments

Staff finds that the plat is overall consistent with the approved development plan. However, the following items need to be addressed:

1. Current zoning should be changed from SFPRD to Planned Residence District (PR)

ZONING AND AREA CALCULATION:

YARD SETBACKS: 100 FT. LOTS	CURRENT ZONING = SFPRD
FRONT YARD SETBACK = 30 FT. MIN.	AREA SECTION 2 = 15.302 AC.

2. The language below is vague. Refinement is needed to clarify public versus private fences and retaining walls.

ANY LANDSCAPE FEATURES, SUCH AS TREES, FENCES, RETAINING WALLS, ETC. IN DRAINAGE EASEMENTS SHALL BE REVIEWED BY THE CITY OF POWELL. THE CITY WILL REVIEW THE PROPOSED IMPROVEMENTS TO ASSURE THAT THE IMPROVEMENTS WILL NOT INTERFERE WITH THE STORM WATER CONTROL FACILITIES.

Ordinance Review

Section 1107.08 of the Powell Codified Ordinances requires a plat to be submitted and approved, and then recorded, prior to the sale of any lots and the dedication of streets for public use. The owner has already completed construction of streets and site improvements as allowed by the County.

Staff Recommendation

Staff recommends approval of the plat with the following conditions.

1. City Engineer approves all easements and other engineering related items.
2. Staff items are addressed in a revised plat before signing.

2. EXTENSION OF DEVELOPMENT PLAN APPROVAL

Applicant: The Day Dream Inn, LLC
Location: 80 E. Olentangy Street
Existing Zoning: Downtown Business District
Request: To review an extension request for a previously approved plan.

Project Background

The previous application was approved two years ago but not construction has begun in the last two year. The applicant is no asking for an extension of the previously approved development plan so that they may secure funding to initiate the project.

Ordinance Review

Section 1143.11(q) of the Powell Codified Ordinances requires that an extension of the time limits set in subsection (p) hereof, as a modification of the approved final development plan, may be approved by Council upon the recommendation of the Planning and Zoning Commission. Such approval shall be granted only upon a finding of a valid purpose and necessity for such extension and evidences of reasonable and diligent efforts toward accomplishment of the original development plan within the originally established time limits, and upon finding that such extension is not in conflict with the general health, welfare and safety of the public or development standards of the district. No extension of time shall be granted except on application filed with the Zoning Administrator not later than ninety days before the expiration of the time limits set in subsection (p) hereof.

Section 1143.11(p):

Expiration of Approval Period. The approval of a final development plan for a planned district development shall be for a period not to exceed five (5) years to allow for preparation and recording of the required subdivision plat and development of the project. Where a project is completed within five (5) years, the approved final development plan shall remain as the effective zoning control over the area included in the plan, in addition to the requirements of this Zoning Ordinance. If required plats are not properly recorded within nine months of final development plan approval and/or if no construction has begun on the site within two (2) years of such approval, the approved final development plan shall be void, and the land shall revert to the original district zoning regulations unless an application for a time extension is submitted and approved, which approval may be withheld for good cause.

Staff Comments

Staff sees no reason to deny the applicant more time to obtain funding for the project. Overall, an improvement to this site would be an overall benefit to the downtown district and the Powell community. However, staff would recommend an extension of one year, at which point the applicant would need to come back before P&Z for approval.

Staff Recommendation

Staff recommends approval of the extension with the following condition.

1. That the extension be no longer than one year.