



## City of Powell, Ohio

Planning & Zoning Commission

Donald Emerick, Chairman

Richard Fusch, Vice Chairman

Shawn Boysko

Ed Cooper

Trent Hartranft

Joe Jester

Bill Little

Chris Meyers, AIA, Architectural Advisor

### MEETING MINUTES

JULY 22, 2015

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, July 22, 2015 at 7:00 p.m. Commissioners present included Shawn Boysko, Richard Fusch, Joe Jester and Bill Little. Commissioners Ed Cooper and Trent Hartranft were absent. Also present were David Betz, Development Director; Rocky Kambo, GIS/Planner; Chris Meyers, Architectural Advisor; Leilani Napier, Planning & Zoning Clerk and interested parties.

### STAFF ITEMS

David Betz informed the Commission the next meeting of the Comprehensive Plan Steering Committee is scheduled for Tuesday, July 28 at 6:30 p.m.

### HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Emerick opened the public comment session. Hearing none, he closed the public comment session.

### APPROVAL OF MINUTES

MOTION: Commissioner Fusch moved to approve the minutes of July 8, 2015. Commissioner Little seconded the motion. By unanimous consent, the minutes were approved.

### PRELIMINARY DEVELOPMENT PLAN REVIEW II

Applicant: Thomas L. Hart for Margello Development Co. and Schottenstein Real Estate Group  
Location: Sawmill Parkway and Seldom Seen Road, Liberty Township  
Existing Zoning: Liberty Township, PC, Planned Commercial District and PI, Planned Industrial District  
Proposed Zoning: City of Powell, PC Planned Commercial District  
Request: To approve a Preliminary Development Plan for a proposed 308 residential unit active adult community, and 5 acres of Planned Commercial Development on roughly 44 acres, proposed to be annexed into the City of Powell.

Vince Margello, 1900 West Powell Road, Margello Development Co., introduced his partner Brian Schottenstein with Schottenstein Real Estate Group. Mr. Margello said they both have enjoyed working with Staff and Chris Meyers on their project. They brought a team of experts to be available to answer questions.

Brian Schottenstein, Schottenstein Real Estate Group, thanked the Commission for hearing their plan. He said Staff has had a lot of good ideas and suggestions they have incorporated in the project plans. Mr. Schottenstein introduced Jim Houck, Land Planner with OHM Advisors and Joe Sullivan with Sullivan Bruck Architects.

Jim Houck, OHM Advisors, said comments and suggestions from the June 10<sup>th</sup> P&Z meeting were incorporated in the plans being reviewed tonight. They have met with Chris Meyers to work through items and strengthen the project. The biggest changes include a tunnel to the new park; removing the detention lake/pond and changing the space into a lawn area to be used as an amenity/gathering space for residents, and strengthening the pedestrian system by tying in all walking paths. They are trying to avoid having walking paths near areas where garages are located. Modifications have been made to the clubhouse design and the pool area, adding a putting green, bocce ball area and a potential pickle ball court.

Joe Sullivan, Sullivan Bruck Architects, passed out copies of revised clubhouse and townhouse unit drawings (Exhibit A1), which were a result of meetings with Staff and Chris Meyers. Mr. Sullivan said the end elevations of the townhouse units now show centered, double windows, giving a more formalized look. The main portion of

the clubhouse is now all stone at the base with a metal roof. The rest of the clubhouse will have a shingled roof, the stone water table is extended around the building and there is both vertical and horizontal siding to create a hierarchy in the building. Mr. Sullivan said discussions took place with Chris Meyers regarding the vinyl siding being proposed for use on the buildings. A high quality, heavy vinyl siding that emulates wood has been chosen, which will include all of the appropriate detailing on all trim components such as window wraps, corner trim, no j-trim, making it look like true wood detail. The goal is to have siding that is easy to maintain and looks great for the long term. The color scheme is more intense per Mr. Meyers' request, using white trim and windows. The interior of the clubhouse was changed to include a larger work-out area and new card and game rooms.

Rocky Kambo, GIS/Planner presented the Staff Report (Exhibit 1).

#### Project Background

At the June 10, 2015 Planning and Zoning meeting, the Commission tabled this proposal in order to allow Staff the necessary time to review documents provided just before that meeting. Since then, Staff has received a full Preliminary Plan submittal, including updated financial and traffic studies.

#### Proposal Overview

This is a 308 unit development with 3 different types of housing.

#### Changes since the Last Submission

Changes since June 10 Preliminary submittal:

- Removed courtyards from front of A buildings.
- Removed smaller pond from between B and C buildings.
- Removed 8 parking spaces from final count. Parking space total numbers do not match. Number of parking spaces site wide listed at 939. Calculated total from listed spaces per subarea is 855.
- Preliminary submission now includes illustrative landscape plans for common areas, sign and gate designs, and building elevations with rough material schedule.
- Traffic impact study is now included.
- Financial analysis is now included.

#### Staff Comments

- Landscaping:

Site wide landscape plans only show trees, mostly deciduous. Staff believes additional plantings, in the form of shrubs, grasses and mounding, along the northwest corner are needed to screen the row of garage bays. Those bays are visible to travelers headed east along Seldom Seen. Screening will provide more aesthetic sightlines for drivers and increased privacy for residents.

- Internal sidewalks:

The developer has added more pathways in this iteration but large sections of the development are not serviced with paths along lot frontage. Specifically, the C type buildings are without front sidewalks leading to the clubhouse. This is important to note as C type buildings account for the majority of units and land area. C type buildings are also along one of the three major access roads.

- Architecture:

Staff defers to the Commission and the Architectural Advisor in regards to whether vinyl siding is approved or not. Staff would like to point out the vinyl siding proposed is not appropriate for the high quality buildings the applicants are proposing. Staff would recommend cementitious siding be used instead. Staff would like to see something done to eliminate the blank space between the 4 windows on the back walls of the C type buildings. Staff will defer this recommendation to the Architectural Advisor also.

- Traffic impact study:

After reviewing the now complete traffic study, Staff believes the study is accurate in its findings. The study predicts little traffic impact. Aside from impacts, the study also considered necessary improvements for site access and improvements made necessary by current demands. In addition, it should be noted the recommended changes to the transportation network is under review by the County Transportation Engineer's office. Staff is involved in the discussions, but the final decision will be by that office. Staff supports the suggested improvements in the applicant's proposal as they will improve transportation networks.

Mr. Betz said Staff received confirmation of the County Engineer's acceptance of the traffic impact study. A traffic signal will be installed at the new public street off of Sawmill Parkway, a deceleration lane will be put in to The Woods at Big Bear Farm, there will be changes to the median to allow for a left turn lane and a U-turn will be

allowed, the intersection will work as a right in / right out, a left in was also approved and there will be minor improvements to Seldom Seen which includes an eastbound right turn lane into the site. All of these improvements will be completed as part of the development. The City Manager and Finance Committee have met to discuss the opportunity for tax increment finance (TIF) and adding this property to the Powell commercial TIF to utilize some of the increase in revenue to help pay for some of these improvements. The improvements are not just needed due to this development but are needed to make the entire traffic management plan work correctly.

Commissioner Jester asked for clarification on how the residents of The Woods at Big Bear Farms will travel if they want to exit their community and travel south. Mr. Betz said residents could turn right out of The Woods at Big Bear Farms going north, turn right onto Sawmill Drive and utilize a new road to take them to the traffic signal, utilizing a traffic signal to turn left to go south. Or, if residents can exit right out of The Woods at Big Bear Farms and get into the far left lane, they could make a U-turn at the light to go south. Staff feels the traffic options are very well thought out. The County Engineer has reviewed and approved.

Commissioner Fusch asked what the TIF district boundary is. Mr. Betz said the Powell commercial TIF district includes all commercial properties outside of the downtown area TIF district. The Powell commercial TIF is set up to pay for improvements to the area of Sawmill Parkway, if the improvements will benefit the commercial TIF overall. Staff believes this particular site will bring a \$4 - \$5 million increase to the TIF fund over a period of approximately 20 years. A portion of the increase will be utilized for the off-site improvements being completed with this project. The rest of the increase may go to fund part of Seldom Seen Park, which is a benefit to the TIF district.

Commissioner Fusch asked if the traffic signal, the deceleration lane and the pathways along Sawmill depend on funding from the TIF and are a part of this development. Mr. Betz said they will depend on funding from the TIF because the improvements are off-site and the improvements aren't just needed due to this project. Some improvements are of a regional nature due to the traffic increasing in this area as well as the City's desire to make pathway connectivity. The traffic signal and deceleration lane will go in as part of this development and will be installed before residents move into the new development. The tunnel to the park might not be completed before residents move in. The City is working on the timing of the tunnel. The park needs to be there first so there isn't a tunnel to nowhere.

Commissioner Boysko asked how it is determined what off-site improvements are funded by the TIF. Mr. Betz said it is negotiated at the time the plan goes to City Council. Mr. Kambo said this P&Z meeting needs to focus on the proposed Preliminary Development Plan since the funding is decided at City Council.

Commissioner Jester asked whether reducing the speed limit on Sawmill Parkway has been considered. Mr. Betz said speed limit changes are determined by the County Engineer. Commissioner Jester asked how and who could request this of the County Engineer. Mr. Betz said a speed study would have to be done and anyone can request a study. Mr. Kambo said it is important to keep in mind the traffic issue already exists and improvements are going to happen as a result of this development.

- Financial analysis:

Negotiations between City Staff and the developer regarding TIF funding amount, structure, and purpose are ongoing. The \$40 million development will add significant bonding capacity to the TIF. A TIF is a tax increment finance district. The City will be able to tax at the increased value the development brings. The funds can be used to make improvements that would benefit the community as a whole.

In terms of income tax projections, Staff believes the provided financial study overestimates tax receipts. The provided study asserts an assumption of a median of \$100,000 income across all 308 units. That figure includes an 80% reduction from Powell's median income to account for 20% of this proposal's residents being retired. You can't tax retirement income. Staff questions if even a reduction on 80% of median income is a reasonable predictor for this development.

A quick analysis on the types of units in the development shows 120 of 308 total units provided are within the four apartment style buildings (type A buildings). Of the three unit types, type A units are most likely to house the largest percentage of non-working residents. Additionally, Staff assumes these units rent on the lower end of the developer's predicted price range of \$900 – \$1900. Staff asserts that due to cheaper units, average income across residents of those units will be less than the developer's adjusted median income. In fact, a rent of \$1000 (plus utilities) a month is affordable to an income of about \$47,000. Add on top of that, a 20% (in line with developer's stated rate to account for retirees) reduction in overall taxable income. The obvious overall result being less than predicted tax receipts being collected.

Mr. Kambo reported the City Finance Director said the estimated average of \$50,000 for retail workers is high based on other retail performance in Powell. Staff would like the applicant to look at financials again before coming back for a final review.

It is important to temper the above scenario. This development will also bring in two, at this time unplanned, commercial lots. There is great potential for these commercial sites. The City is hoping for doctor's offices or other businesses which would work for this retirement community. The annexation of this development will also round out borders, resulting in a lower than normal cost of police service to this site.

Lastly, despite lower income tax projections, this development will positively impact property tax generation vital for local schools. Further, within the Olentangy school district, apartment and condo developments generate a low number of school age children - about .33 children per unit. Additionally the City of Powell would receive a small portion of property tax.

#### Ordinance Review

Mr. Kambo pointed out the applicant is asking for divergences. Staff finds a divergence in the building lot coverage. The maximum allowed is 20%. The proposed building coverage is 21.8%. There is a divergence of 1.8% on lot coverage. The zoning code asks larger residential developments to have a 5 acre plus open space for active recreation. This development proposes 1.15 acres in the northeast side with the clubhouse. The development may not meet the 5 acres but there are numerous sites throughout the development along with a very large park. The type of residents living in the community needs to be taken into consideration also. The residents are likely to frequent the clubhouse and the numerous recreation sites. The spaces proposed are appropriate. The applicant asks for a divergence in regards to the larger type buildings up front. Code allows a maximum of 12 units per structure. The A building types have 30 units per structure. This is a significant divergence but Staff is in favor of allowing due to the type of use being proposed, because the applicant has done a very good job with their architecture and due to the A type building being on Seldom Seen Road. The maximum height of the building is still unclear. The City gauges the height of buildings by using the midpoint between the eave and the ridge. The plan doesn't provide details on what the exact height is. The height issue shouldn't hold up a final review but needs to be addressed.

Mr. Kambo also touched upon the appropriateness of the proposed land uses in regards to type, location, amount and intensity. The proposed Powell Grand project will be the highest density development within the City of Powell. It will be less of an impact due to it being an active, senior adult community. The location is on a major arterial and minor arterial, has similar and compatible surrounding land uses and provides for 2 commercial properties which adds towards the tax base. The site will be added to the Powell commercial TIF. The amenities provided onsite will offset additional needs for the community to provide those amenities.

#### Staff Recommendation

Staff believes the proposal to be both generally meeting zoning requirements and is a net benefit to Powell. Staff recommends approval of a Preliminary Development Plan with the following conditions:

1. All Staff comments are incorporated into the proposal before Final Plan review.
2. All Architectural Advisor comments are incorporated into the proposal before Final Plan review.
3. That the financial analysis be reviewed by the Finance Director and updates made accordingly.
4. The City Engineer's preliminary comments are incorporated into the Final Plan submission.
5. The roadway improvement discussions with the County Engineer's office are finalized before Final Plan review.

Chris Meyers, Architectural Advisor, had the following questions/comments regarding the site plans (presented in bold). Mr. Houck provided answers/comments (presented in italics):

- **Met with Jim Houck and Joe Sullivan and suggested bringing siding materials to the next meeting. He knew the siding would be a discussion topic.**
- **How will the bike and pedestrian paths connect to Powell's infrastructure? This is an important component of this project.** *The internal path which was designated as a bike path is being changed to a pedestrian path. The bike path is being moved to the outside perimeter of the development. The goal is to make sure there is no conflict between pedestrians and bicyclists. It also doesn't make sense to have bicyclists go through the middle of the development. Connection to Powell's infrastructure is still important. There will be a pedestrian bridge over where the storm water is collected. Pedestrians will be able to walk to the park. Pedestrian paths will be 4' wide and the bike path will be 6' wide. The 4' path will discourage bicyclists.*

Commissioner Little said bicyclists will probably not differentiate between the 2 types of paths; how are they going to discourage them from riding on a pedestrian path. Mr. Houck said there will be sharp turns and pedestrian paths being only 4' wide makes for an uncomfortable place to ride a bike. Commissioner Fusch asked if the

pedestrian path goes under the railroad track. Mr. Betz said it does and eventually bicyclists will learn where to ride their bikes. Mr. Houck said they can add bollards to make a bicyclist stop and get off their bike, discouraging pedestrian path use. Commissioner Jester asked who is going to repair the portion of the path under the railroad tracks. Mr. Betz said the repairs are on the City's list of repairs. Commissioner Jester said it is important to make sure the repairs happen, the path needs to be in good shape. Mr. Betz said the repairs will be done once it is determined how to repair the water coming through the concrete walls.

- **This development has an opportunity to demonstrate how a development can have controlled connectivity. The development wants to create connectivity to the community but they want to have a sense of privacy or exclusiveness and security for the residents.** *This is an active adult community and it is very important residents have access to paths and can connect to community.*
- **A good pathway system also has a significant impact on the traffic study, it will minimize traffic if residents can walk into Powell. It will be important to see this in the Final Development Plan.**
- **It will be important to see how the new tunnel to the new park will be phased into the development if the park isn't ready, without sacrificing functionality during the process.** *The plan will allow fully functional paths in the beginning, connecting paths to the tunnel once it is built. The tunnel will be built in conjunction with the park. There will be a usable path system from day 1 and the path system will be plugged into the tunnel once built.*
- **Changing the pond to a park is a good idea and creates a good pedestrian element.**
- **Consider using a designed post or stone pier rather than the vinyl coated, black chain link fence post around the dog park to keep up with the character of the rest of the community.**
- **Rotating the clubhouse was a great idea, it created privacy. Prior to rotating clubhouse, drivers coming off of Sawmill Road could look right into the pool area. The location of the clubhouse might allow for some heavy landscaping on the front of the building. This would help identify the porch area as the front door to the leasing office.**

Chris Meyers, Architectural Advisor, had the following questions/comments regarding architecture (presented in bold). Mr. Sullivan provided answers/comments (presented in italics):

- **Consider a subtle variation between the metal portion of the roof and the shingled portion of the roof so there is a more added on look to the roof.**
- **The columns around the porches seem a little thin compared to the heavy trim work of the porches and overhang details.**
- **The elevation plans show what appears to be wood panels under vinyl siding. Suggests using cementitious panel as opposed to wood.**
- **The building A plans seem to be disconnected from the other building plans; seems to be lagging behind in details; the columns, the porches, the materials used and the color pallet.** *The drawings seem to be the same design presented from the very first meeting. This building will get a lot of attention due to facing Sawmill Road and due to its size and scale. Positive changes have been made to the other building plans and it would be nice to see the same done to building A.*
- **The re-orientation of windows and adding small windows to the side elevation of building R was a great improvement. Consider a saturation of landscaping where the façade is visible.**
- **Are the heavy, horizontal lines in the truss area of the gabled area of building R due to the vinyl material?** *The shadows in the drawings make it look heavy. The area won't look heavy on the actual building.*
- **Is the trim in the gabled area a different color?** *There will be a small difference in color.*
- **The drawings look like the windows are completely set in stone. Consideration should be given to using a stone or a synthetic lentel over the windows to give it an authentic feel.**
- **Drawings show coach lights on the sides of the garages in building R. Building H has gooseneck lights. We are attempting to have a difference between the buildings. It would be nice to hear the reasoning behind using different types of light fixtures in the Final Development Plan.**
- **Building H has two 2 car garages right next to each other, making the scale of the building look really long. The length of the roof segment really draws out the building. Consideration should be given to using a feature such as a pop out roof vent to break down the scale.**
- **Consider looking at the construction of the screened in porches. Screened in porches that don't have enough frame work in the lower portion tend to fall apart.**

Mr. Meyers had the following final questions/comments (presented in bold). Responses are proved in italics:

- **Are the piers of the 3 monument signs solid or is there any illumination?** *Brian Schottenstein said the monument signs are back lit. It is a nice touch to have a glow coming out of the signs.*
- **Consider up-lighting where there is heavy landscaping, especially into tree canopies. It would accentuate evening walking for residents.**
- **Is "Powell Grand Resort Living" the final logo?** *A lot of conversations take place in P&Z meetings regarding signage and graphics. We will be excited to see the final signage plans in the Final Development Plan.*



- **The applicant has done a great job in communicating the overall feel of this development and we look forward to seeing the Final Development Plan.**
- **The vinyl siding product being considered for this project is a heavier gauge and a lot thicker. The siding is colored all the way through and is UV protected to prevent fading. There is a backer which allows the vinyl to heal after subtle impacts. There can be problems with vinyl siding when the pieces don't tie into the trim board. The product being considered is all integrated and has a nice look. Mr. Sullivan has been asked to bring mounted sample pieces to the final review and to show how the siding integrates into the casing of the windows and doors. Mr. Meyers said the vinyl siding is a good product choice.**

Chairman Emerick opened this item to public comments.

E. Lynn Miller, 376 Park Woods Lane, handed out a comments and questions document (Exhibit 1A) which also contains a detailed bio. He is present as a land owner whose property backs up to the proposed project. He believes in controlled growth as long as it is an asset to the community and not a detriment. Mr. Miller said he studied the project documents and believes the 2 commercial parcels' square footage is being included in the density calculations so the developer can say the density of this project is 8.1 units per acre. If you take the 2 commercial parcels out, the density is 11 units per acre. He doesn't think it is fair to include the commercial parcels in the calculations. Mr. Miller said he is concerned about the rent structure, it seems to have changed from what was first reported. He is also concerned with the variance/divergence requesting to build 8 type C buildings. This is appalling and destroys the vision Vince set out to achieve; development won't look like a resort community. Mr. Miller said he is not opposed to the 40' height of buildings. He thinks the buildings should go up another story to free up some of the land. Mr. Miller reported a letter from the Delaware County Environmental Services states their office did not receive a report from the U.S. Army Corps of Engineers. Mr. Miller suggested that a soil analysis be done since the land has been farmed and to see if wet land soils are present. Mr. Miller is also concerned about the impact the development might have on the Beechwood Nature Preserve. He said this is a very unique and rich ecological habitat area with unique flora and fauna, where deer, the great Blue Heron and the Great Horned Owl live. The preserve also has Blood Root, Trillium and Jack-in-the-Pulpit. Very few cities have anything as unique as this area and it needs to be preserved. Mr. Miller referred to Exhibit F-1 of the project plans, saying it is not a complete grading plan. Nothing shows where water will run off. He worries about how much run-off The Woods at Big Bear Farms will get. He said the water got pretty deep during the heavy rain a couple weeks ago. A completed grading plan would show where water will go. Mr. Miller said he was absolutely shocked when he saw the traffic study doesn't even show the entrance to Park Woods Lane in the study. He would like to see a well-designed community with appreciation of the existing environmental assets and to develop a prize winning neighborhood which increases property values and does not make the site yell "ouch".

Tom Fink, 375 Bear Woods Dr., The Woods at Big Bear Farms, passed out a petition (Exhibit 1B). He is the President of the Board of Directors for The Woods at Big Bear Farms. The petition is to show the support his community has for this project. He has worked with 3 different developers in regards to the entrance to their community and he would like to say thank you. The support from this developer and the P&Z Commission has been fantastic. The residents are grateful to see the exit lane out. There are 88 units in their community, 3 are vacant, they could not reach residents in 12 units, 73 residents are represented in the petition and not one of the 73 wouldn't sign; everyone was in support of this project. The project is a quality development. Commissioner Little asked if overall, do the residents seem to be happy with the proposal. Mr. Fink said yes, he has never presented documented proof of support in the past.

Tom Gemperline, 290 Bear Woods Drive, The Woods at Big Bear Farms, said he is already on record of supporting this project but he was shocked to see the solution for the safety of his community. If he understands the proposal correctly, there is going to be a light installed approximately 500' from their entrance. An unidentified member of the audience said it would be 440'. Mr. Gemperline said this is going to have a negative effect upon the entrance, making it worse than it already is. He asked why a person would want to turn out and go north when they want to go south. He doesn't think a priority will be given on the light. It is his estimation, to go north as is suggested, might take a person 3 – 5 minutes before they are going south. He can sit at his entrance to go south and wait for traffic to clear so he can turn south and beat this 3 – 5 minutes every time. He doesn't think the light and making a U-turn is a solution. It is a terrible recommendation. Mr. Gemperline said he personally contacted the church and spoke with Pastor Atkinson about an easement to allow residents to drive into the church property and come out at the light at Big Bear Avenue to go south rather than exit at their Park Woods Lane entrance. Pastor Atkinson and the facility manager are willing to allow this to happen. There is a lane at the southwestern portion of The Woods at Big Bear Farms property with a tree line that is approximately 30 – 35' wide. This route would be close to a couple residents but he thinks he could talk with them and get their approval. The lane is controlled by the Board. Mr. Gemperline obtained an estimate of \$50.00 per foot or approximately \$35,000 to

put in a road to allow residents who want to go south to go through the church lot to Big Bear Avenue. In his judgement this option is a more favorable choice.

Ruth Pinkerton, 8640 Maple Leaf Court, Rutherford Estates, said LA Fitness is a complete eye sore to her subdivision. Light from LA Fitness extends over to Rutherford Estates and the thought of multi-tiered buildings on Seldom Seen Road would be another issue. The buildings need to be more hidden, away from Seldom Seen. The applicant isn't thinking of existing residents who are already tax payers. The additional light the applicant and Mr. Meyers thinks is going to be so great is not great for the residents of Rutherford Estates. She would like to bring other residents with her to the next meeting. The traffic pattern is already horrible. People illegally use the small road behind her home to get to the pond behind her backyard to fish. There are trucks travelling close to her backyard and she has small children. This development is going to bring more people to her back yard. She finds it funny so much planning is being put into bike paths so new residents aren't unhappy when residents in her community have concerns. She would like the P&Z Commission to take all of her points into consideration. Commissioner Fusch asked what road Ms. Pinkerton was referring to. Mr. Betz said there is an access road going back to the sanitary sewer pump station. The Sanitary Engineer uses the road to get to the pump station. Commissioner Little asked where the pond is. Mr. Betz said the pond is on the new, proposed park site. Commissioner Boysko asked if there will be lighting at the new park. Mr. Betz said there will be parking lot lights at the new park and the new buildings will have lights. Parks are closed at night but there are a couple lights left on for safety. Commissioner Fusch asked what the distance is to Seldom Seen Road. Mr. Kambo said 1,721'. Commissioner Boysko asked where the underground connection will be put in. Mr. Betz said between the service building and the recreation building. Commissioner Boysko asked if there is the ability to change grades there. Mr. Betz said there is a lot of room at Seldom Seen Road to provide grade changes. Mr. Kambo said shielded, down lighting would be used. Mr. Kambo also said if Ms. Pinkerton is experiencing light pollution, Staff and the Zoning Inspection Officer would deal with it. Mr. Betz said Staff would look at the lighting from LA Fitness and see if something can be done to improve the situation.

Darlene Kelly, 412 Parks Woods Lane, The Woods at Big Bear Farms, said she appreciates getting a postcard as a resident living within 250' of the project. Her unit is at the front and is going to be greatly impacted by the commercial properties. Ms. Kelly said she is glad Ms. Pinkerton came to the meeting because residents from The Woods at Big Bear Farms have been the only residents to attend these meetings in the past. Ms. Kelly said it would be in everyone's best interest if other communities would be invited to these P&Z meetings and not just those residents who live within 250'. Other residents could provide comments also. Chairman Emerick said every public meeting is advertised through multiple means. Ms. Kelly asked where they are advertised. Mr. Betz said on the City's website, in the Delaware Gazette and with postcards as required. Ms. Kelly said she is also concerned about the traffic. Once the traffic light is installed, traffic will be backed up and block the entrance to The Woods at Big Bear Farms, their only entrance. She has counted 14 – 15 cars stopped at the light at Big Bear Avenue and the same amount of cars will be stopped at a new light. 14 – 15 cars will take up more than 440'. Commissioner Boysko asked if the Delaware County Engineer will dictate where the new traffic signal will go. Mr. Betz said the Delaware County Engineer has established an access management program for along Sawmill Parkway. They review where all traffic signals and traffic control should go along Sawmill Parkway. All signals are interconnected through a computerized system so the lights work together to handle traffic based on the number of cars present.

Mr. Miller came forward again to say he has lived in The Woods at Big Bear Farms for 2 years and has never received a postcard notice for any meeting. Mr. Betz said Staff would look into this.

With no further public comments, Chairman Emerick closed the public comment session and opened the floor for comments and questions from the Commission.

Commissioner Fusch said this development is going to be a great addition to the City of Powell and he has high regards for the developers. He referred to the letter sent to EMH&T from the Division of Environmental Services for Delaware County. The letter refers to 230 units in the development instead of 308 units. The letter also states the "sewer capacity at present is not large enough to serve this site". Commissioner Fusch asked how this is going to be addressed. Craig Bohning with EMH&T said plans have always shown 308 units so the 230 in the letter must be a mistake. Mr. Bohning said meetings were held with Jack Smelker, Delaware County Regional Sewer District, who informed EMH&T upgrades must be completed to have adequate sewer capacity for the development. Mr. Bohning said the developers have agreed to complete the upgrades. They are going to run parallel lines above the existing lines, which is how other upgrades have been completed in Powell. Mr. Betz explained when the bottom lines fill up the lines on the top will take over. Delaware County will complete the upgrades needed at Jewett Road since the issues have been there for a couple years. Commissioner Fusch asked if EMH&T has to have permission from the County to complete the upgrades. Mr. Bohning said it is the County's system and the County told EMH&T the upgrades must be done. Mr. Kambo said there is a pinch in the line. Mr. Betz said there

could also be a slope issue. Commissioner Fusch asked if large trees are going to be added to the buffer area to the south, near The Woods at Big Bear Farms. Mr. Houck said they are leaving the existing tree line and adding fill trees along the side. Commissioner Fusch agreed with Staff, saying a cementitious siding should be used instead of vinyl siding. He is not a big fan of vinyl siding. Mr. Meyers said the siding of 2015 is much better than siding of 1975. He said the vinyl siding being proposed needs to be given consideration. He recommended seeing a real sample of the material being proposed. Commissioner Fusch said he doesn't believe changing paths from 8' to 4' is going to stop bicyclists from riding on pedestrian paths. He said a more definite plan needs to be decided upon to keep bicyclists off the pedestrian paths. Mr. Houck said they will work with Staff to come up with a plan. Commissioner Fusch agreed with Staff comments that the financial analysis is unrealistic and the hypothesis are faulty. Don Hunter with Schottenstein Real Estate Group said the financial analysis wasn't done for a retirement community; it was done for an active adult community. People who are 56 years old still hope to have an income, a W-2 instead of a 1099. The assumptions in the financial analysis are very conservative. The financial analysis assumes there will be 246 wage earners out of the 308 units planned, with an average income of \$125,000 per year. Typically the highest earning years are in the 55+ years of age category. The financial analysis assumes all 246 wage earners will work outside the City of Powell, the most conservative assumption possible. The financial analysis also assumes an average salary of \$65,000 for employees working in the potential office buildings on the commercial sites. This is a very low assumption, especially if medical offices with higher paid professionals are built on commercial sites. Mr. Hunter said they want to work with Staff and the City's financial team to make sure everyone is comfortable and understands the financial analysis.

Commissioner Little pointed out not all of the bullet points listed in the financial analysis use the word "senior". He asked if this is an oversight or if the calculations actually change. Mr. Schottenstein said the word "senior" should be shown in each bullet point. Commissioner Little said this should be corrected. It supports the point of residents having W-2s rather than 1099s. Commissioner Little asked if new revenue going to Liberty Township will cover fire and ambulance services. Mr. Betz confirmed that it would. Commissioner Little agreed with comments on the average salary of residents being over-stated. Commissioner Little asked what the required number of parking spaces is for this development. Mr. Betz said 3 spaces per unit or a total of 924 parking spaces is required. Mr. Schottenstein said they are proposing 947 parking spaces which is over the required amount. They want extra parking around the clubhouse due to the type of community. They think residents will drive to the clubhouse. Commissioner Little asked for a more detailed landscaping plan at the Final Development Plan. He recommended a sectionalized type of landscape plan. Regarding the requested divergences, Commissioner Little said he is comfortable with the building area coverage, the density, having more than one common area and the 3 proposed entry signs. Commissioner Little said based on calculations, this proposal represents approximately 14,000 less cars per day than current zoning would allow, which reinforces the statement senior housing creates less traffic. Commissioner Little asked how trash pick-up will be handled in the development. Mr. Schottenstein said there is a building which houses a mail center and where trash will be processed. The building is very attractive and better than dumpsters being placed all over the development. A valet service will pick up resident's trash and take trash to the building to be compacted. A waste management company will then pick up trash from the building once a week. Commissioner Little said he is receptive to seeing the current vinyl technology and asked for an address of a current building with the siding so the Commissioners could go look at if they wanted to. Commissioner Little asked for a detailed sketch showing the proposed traffic patterns at the Final Development Plan review. He suggested considering a service road for residents at The Woods at Big Bear Farms to use since the amount of traffic will make it difficult to make a U-turn as is being proposed. Mr. Betz said Staff will work with Mr. Margello to explore the possibility of a service road. He pointed out the traffic signal will only be for the left-turn to complete a U-turn. There won't be any traffic entering Sawmill Parkway from the new assisted living facility to create more traffic. Commissioner Little agreed with Mr. Meyers' comments pertaining to the larger buildings and asked to see changes in the Final Development Plan that help the larger buildings fit into the architecture scheme better. He also asked for a detailed signage plan in the Final Development Plan. Mr. Betz said a lighting plan is also needed. Commissioner Little agreed with Mr. Miller's concerns about the Beechwood Nature Preserve being protected. He asked if the proposed development and pond layout will damage the eco-system of the preserve. Mr. Hunter said the pond meets all storm water detention requirements but they will work with the City Engineer to make sure all concerns regarding the preserve are addressed.

Commissioner Boysko said he agrees with the comments made by City Staff and the Commissioners. He counts 6 divergences being requested. Mr. Miller has good points regarding how the density calculations were completed, including the commercial parcels in calculations. Mr. Betz explained, per code, they look at the gross density of overall site for the development plan. This development plan doesn't just include residential; it includes 2 commercial properties also. The City doesn't know how the 2 commercial sites will be used yet but the 2 commercial properties are included in the plan. Looking at the overall gross density of this development, there are 7.9 units per acre. Code allows up to 9 units per acre for multi-family development projects. Mr. Kambo advised the Commission the figure of 11 units per acre shown in the binder is a mistake. Staff didn't review the



figures in the binder provided because some figures are incorrect. Mr. Betz said there is no density divergence requested. Mr. Betz explained there are portions of this plan that vary from the code and there are some portions that go beyond what the code asks for. Staff kept this in mind when reviewing the plan. An example of this can be found in the lot coverage portion of the plan. The maximum lot coverage allowed is 20%. This plan has 21.8%; a 1.8 % divergence. However, a minimum of 20% open area is required. This plan has 30% open area and exceeds what is required. Commissioner Boysko questioned whether the planned open areas will be enough for 600 residents. Thomas Hart said a lot of thought has been put into planning different types of housing for different phases in active adults' lives and a lot of thought was put into creating different types of open areas; open areas that are also geared towards the phases of the active adults' lives. Commissioner Boysko asked Mr. Betz what divergences are being asked for. Mr. Betz said a 5' height divergence in building A, a 1.8% divergence in lot coverage and a 2 unit per building divergence in buildings A and C. Commissioner Boysko said he didn't see plans for building A in the paperwork. Mr. Betz said they are still being worked on. Commissioner Boysko asked if building A has an elevator in it. Mr. Schottenstein said they do. The buildings are 3 stories with attached garages. Commissioner Boysko said he agreed with Mr. Miller in that he doesn't think the rent structure is going to limit the type of residents. If a younger family with children likes the rent structure and wants to be in the Olentangy school system, they will rent in this development.

Commissioner Jester asked if the development was going to have a white fence along Seldom Seen Road since the area has a lot of white fences. Mr. Margello said they can look into having a white fence but they hadn't planned on putting up more fencing which would require painting. Commissioner Jester asked if there will be a good sized buffer, maybe 5' high, between buildings and the railroad tracks. Mr. Houck said depending on location, mounds will have trees on top and will range from 3' to 6' high. Commissioner Jester said he is very concerned about how many items are left on the table to clear up before the Final Development Plan; Staff and the developer have a lot to take care of. Mr. Schottenstein said there have been a lot of good ideas, comments and questions. They will work closely with Staff to make sure all items are cleared up for the Final Development Plan. Mr. Betz informed the Commission a Preliminary Development Plan process is supposed to give the Commission an idea of whether the developer is on track or not, whether the plan is consistent with the intent of zoning ordinances and whether recommendations for change/additions can be completed for a Final Development Plan. Preliminary Development Plans are approved in principle. Staff feels this developer has provided most or more details than what is usually submitted. Commissioner Little added this is a large development compared to others brought before the Commission and it's a good idea for large development plans to be separated into multiple reviews; multiple Preliminary Development Plans.

Chairman Emerick said he agrees with most comments presented. He specifically agreed with Commissioners Fusch and Little regarding the vinyl siding. He is unconvinced on the vinyl siding. Mr. Margello said he has been around construction long enough to know how siding is installed is the key factor. Chairman Emerick asked how the vinyl siding being proposed is different from what was used at The Lakes of Powell. Mr. Betz said the product used at The Lakes of Powell is no longer made. Mr. Margello said they will bring a sample of the proposed vinyl siding to the Final Development Plan review meeting. Mr. Sullivan said most people like wood over vinyl siding but due to maintenance, rotting and the need for painting, wood siding just isn't feasible. They are trying to find a product that looks nice, is maintenance free and will last a long time. He said it is their responsibility to prove to the Commission at the Final Development Plan the vinyl being proposed is a good choice.

MOTION: Commissioner Little moved to approve the Preliminary Development Plan Review II brought forth by Thomas L. Hart for Margello Development Co. and Schottenstein Real Estate Group, located at Sawmill Parkway and Seldom Seen Road, subject to the following conditions:

1. That all Staff comments shall be incorporated into the proposal prior to the Final Development Plan review;
2. That all Architectural Advisor comments shall be incorporated into the proposal prior to the Final Development Plan review;
3. That the financial analysis shall be reviewed by the City Finance Director and all revisions shall be made accordingly;
4. That all City Engineer comments shall be incorporated into the Final Development Plan;
5. That all roadway improvement discussions with the County Engineer's office shall be finalized prior to the Final Development Plan review, including the consideration of other options mentioned during the Preliminary Development Plan II review;
6. That a confirmation letter from Delaware County shall be received, confirming certain sewer capacity counter measures are appropriate and those measures are agreed to at the Final Development Plan review;
7. That Staff shall investigate the lighting pollution from LA Fitness to determine appropriateness in relationship to nearby properties; and
8. That an address shall be provided to Staff of a nearby development where the proposed vinyl siding has been applied.

Commissioner Fusch seconded the motion.

VOTE: Y 5 N 0

#### OTHER COMMISSION BUSINESS

There was no further Commission business.

#### ADJOURNMENT

MOTION: Chairman Emerick moved at 9:53 p.m. to adjourn the meeting. Commissioner Fusch seconded. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: August 26, 2015

Donald A Emerick 9-9-15  
Donald Emerick  
Chairman Date

Leilani Napier 9/9/15  
Leilani Napier  
Planning & Zoning Clerk Date

