



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**  
**September 15, 2015**

**CALL TO ORDER/ROLL CALL**

A regular meeting of the Powell City Council was called to order by Mayor Jim Hrivnak on Tuesday, September 15, 2015 at 7:30 p.m. City Council members present included Frank Bertone, Richard Cline, Tom Counts, Jon Bennehoof, Jim Hrivnak, and Brian Lorenz. Mike Crites was absent. Also present were David Betz, Development Director; Rocky Kambo, GIS/Planner; Chris Huber, City Engineer; John Morehead, Asst. City Engineer; Megan Canavan, Communications Director; Eugene Hollins, Law Director; Steve Lutz, City Manager, Karen J. Mitchell, City Clerk, and interested parties.

**PLEDGE OF ALLEGIANCE**

**CITIZEN PARTICIPATION**

Mayor Hrivnak opened the citizen participation session for items not on the agenda.

Chris Shear, 8262 Wildflower Drive. I wanted find out if the City has looked into a leaf truck. I know other communities have a leaf truck that picks up raked leaves. Many residents have large wooded lots and it would be easier if residents could just rake the leaves into the street and have someone pick them up. Has anyone looked into the cost of this? I wanted to bring it up to council to see if this could be considered since fall is around the corner.

Mayor: I can tell you that your idea has come up in the past. We will check with our City Service Director again and see if there is anything to change their thinking on the issue and get back to you. The last time I talked to him about this issue, he reminded me that Rumpke picks up the leaf bags as part of your trash collection. The cities with leaf trucks sometimes have issues with the leaves washing down the storm sewer and plugging them up because people will put them on the street at any time even though the leaf truck comes through once a week or a few times a month.

Mr. Shear: I know there has been some complaining by the farmers in the back of our neighborhood where residents have been just raking leaves into their open fields, so it's been a bit of an issue too.

Gary Mittendorf, 276 Park Woods Lane. I just wanted to take this opportunity to thank city council for their concerns. My wife passed away three months ago and the comments that were made, the cards received, and the visitations by all of you were appreciated very much. I know she would be thankful also. Thank you very much.

Garry Swackhamer, 76 Scioto Street: My main reason to be here tonight is about extending Depot Street to the north and connecting with the park area. We get a lot of cut through on Case and Scioto Streets. I have asked the police to monitor that and they have. But since the police sit at the end of the street with the lights on, people are aware of what's going on and don't speed and we are told there isn't a problem. We have had road kill, cars try to push bicycles and other vehicles off the road because drivers wanted to get through there at a fast pace. I believe the city is looking at this traffic thing all wrong. The easier we make it for traffic to get through the worse it will be. Most of the cut through traffic at this time is coming from the north. We have built Sawmill Parkway to handle the traffic. Our opinion is Home Road, Rutherford and Seldom Seen Roads should be the roads to take these people to the shopping district they want to be at. Not when they get to Powell and cut through Scioto and Depot Street because they don't want to wait for the light. We're stymied by the fact that they are not using Sawmill Parkway as they should. Those roads can handle the traffic, our streets can't. Our roads are very narrow. We feel we get put upon where others do not. No one would ever think about putting this through Olentangy Ridge or Bartholomew Run, but they don't have a problem with putting that down beside the original section of the village. We don't complain a lot, but we don't want

anything more or anything less than the subdivisions enjoy. We don't want the speeding or the cut through. People are still turning off of Powell Road down Depot even though there is a do not turn [sign]. Our quality of life is being destroyed. The street trees are being destroyed because they are being hacked by the utility companies. We always have a mess to clean up after a city function. Please consider us before you allow something like this to be done. Thank you.

Hearing nothing further, Mayor Hrivnak closed the public comment session.

## CONSENT AGENDA

<u>Item</u>	<u>Action Requested</u>
• <u>Departmental Reports – August 2015</u>	Receipt of Electronic Report
• <u>Ordinance 2015-43:</u> AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF WOODS OF POWELL NORTH, PHASE 2, PART 2 AS THE SAME IS NUMBERED AND DELINEATED UPON THE AMENDED PLAT THEREOF RECORDED IN OFFICIAL RECORD 977, PAGES 1822-1823, DELAWARE COUNTY, OHIO RECORDER'S OFFICE.	Adoption
• <u>Ordinance 2015-44:</u> AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF WOODS OF POWELL NORTH, PHASE 2, PART 3 AS THE SAME IS NUMBERED AND DELINEATED UPON THE AMENDED PLAT THEREOF RECORDED IN OFFICIAL RECORD 977, PAGES 1822-1823, DELAWARE COUNTY, OHIO RECORDER'S OFFICE.	Adoption
• <u>Ordinance 2015-45:</u> AN ORDINANCE APPROVING THE PLAT FOR THE MURPHY PARKWAY EXTENSION.	Adoption

MOTION: Councilman Cline moved to adopt the Consent Agenda. Councilman Counts seconded the motion. By unanimous consent of the remaining members of Council, the Consent Agenda was adopted.

## APPROVAL OF MINUTES – September 1, 2015

One correction was noted in the minutes.

MOTION: Councilman Bennehoof moved to adopt the minutes of September 1, 2015, as amended. Councilman Counts seconded the motion. By unanimous consent of the remaining members of Council, the minutes were approved, as amended.

## RESOLUTION 2015-11: A RESOLUTION ADOPTING THE COMPREHENSIVE PLAN FOR THE CITY OF POWELL AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION.

Mr. Lutz: For the past year and half, the city has been working on updating our Comprehensive Plan. I'd like to give special thanks to the Comprehensive Plan Steering Committee which is composed of a group of residents and business owners. Tonight, we are going to review what's in the new Comprehensive Plan and we will be doing this again at the second public hearing council meeting scheduled on October 6<sup>th</sup>. The city's P&Z Commission held their public hearings in August and earlier this month. P&Z has adopted this Comprehensive Plan which is before you tonight.

Mr. Betz: This the second comprehensive plan process that I've been through personally at the City of Powell. We've had a substantial amount of public input through our public workshops and our online engagement efforts. We've had a great amount of debate over many Steering Committee meetings. I want to introduce the consulting team that was put together: Justin Goodwin, MKSK and Chris Hermann. Angela Coates from Trans Associates. Bill LaFayette with Regionomics.

We have a brief video that was put together that gives a basic synopsis of the plan. Mr. Kambo will discuss the process we went through, and our consultant team will go through the details.

[video played]

Mr. Kambo: I will focus on the research and analysis. When we started this process, we made very clear at the onset that we were going to base this plan on fact and that involved getting extensive public

engagement, but also looking at other plans in and around the region as well as looking at trends and demographic data. This plan is very much grounded in fact and data and analysis. I thank the numerous amount of people and residents who have been a part of this process over the past 18 months. In public engagement, we had three major areas highlighted here [indicating]: Educate, Engage, and Unveil the plan.

Ms. Canavan: I handed out an overview of our communication strategy report from this year [Exhibit A]. Engagement was huge. We really wanted to communicate to the residents about the different opportunities that they had to provide input on the plan. One of our biggest goals was to communicate as much as possible over this 18 month process. Some of the things we did included digital, print, video, special events, and t-shirts and other things that got the Plan Powell logo out into the community.

On social media, we utilized our Facebook page, Twitter, LinkedIn, Instagram and we had almost 44,000 total reaches from the start in January to today. All of the posts are in your report that you have before you. We had numerous views to the website and pages that had information about the Comprehensive Plan. We did outreach to folks outside of digital as well with information in the annual report and two quarterly newsletters with information [about the Comprehensive Plan]. Those were circulated to about 4,200 households. Additionally, we worked with Olentangy Valley News on a few different articles that outlined ways that folks could get engaged in this process. Now we are working on how to take it to the community and unveil the different portions.

Mr. Kambo: The big thing here is that we branded our process so that it is recognizable. That it's not just a Comprehensive Plan. There were so many mediums that we went through for this Comprehensive Plan. It wasn't just one way in getting public engagement with our process. We didn't want to leave any stone unturned.

I gave an overview of the plan components a few council meetings ago and I will briefly state them again. We dealt with a multitude of topics, some of which are included up on the screen [indicating]. The way that we organized our Comprehensive Plan was:

- Introduction: providing a snapshot of what we look like today.
- Land Use Plan: showing where we want to see things built.
- Transportation Plan: what we have today and what do we need to improve on tomorrow?
- Fiscal Analysis: is very unusual for a Comprehensive Plan. The majority of other plans don't actually look at the fiscal feasibility of actually providing certain land uses or doing certain transportation improvements. We did. We are very fiscally responsible as a City and we injected that directly into our Comprehensive Plan.
- Implementation schedule: what are the next steps? There is a long list of menus at the back of the Comprehensive Plan that council and residents can chose as their priorities that helps direct Staff, council, and all other individuals who deal with the City on which direction we need to go to ultimately achieve that vision.

We are not only very fortunate to have a great Staff, Council, P&Z and Steering Committee members, but also to have a consultant team such as this, which is one of the best you can find.

Chris Hermann, MKSK: It has been a pleasure working here. The community is great. The Steering Committee was very engaged. I think you already know that you have a great Staff, and we really enjoyed all the input from all the people that work here and live here. It's been very productive. We think the Comprehensive Plan is a step forward, is very thorough and provides a lot of good guidance.

*[Mr. Hermann went on to discuss the Land Use Plan section of the Comprehensive Plan].*

We have an introduction Land Use Plan that talks about:

- the land uses,
- transportation, both from a vehicular point of view and from bike and peds,
- fiscal analysis, and
- implementation.

It is important pulling all these things together because decisions made in one area effect the other.

What is the Comprehensive Plan? It is a policy document – a guiding document. It is not like zoning or ordinances that are regulations. The Comprehensive Plan is a long range vision and contains information to communicate that vision to guide Staff, boards and commissions, the community, and people that are thinking about investing or annexing into the community. The purpose for updating the Comprehensive Plan is that it was last updated 20 years ago, and many things have changed since then. The population has more than doubled. The land area has doubled. The population in Delaware County and central Ohio has grown rapidly. There is continued growth north of Powell which will effect, and will continue to effect, the City. We have heard lots of community concerns about traffic and development. It also helps educate the community on national trends, how these things that are happening in the nation and in central Ohio are going to influence Powell and how Powell should think about responding to those.

Justin Goodwin, MKSK: Rocky's hit on a little bit of the planning process, so we may be able to go through this section quickly with just a few slides. This chart [indicating] outlines the process that the consulting team took when we got engaged, and I should acknowledge that the City had undertaken the planning process and engaged the Steering Committee before all of us got into the mix, so there was a good ground work for us as we began our research and analysis and public engagement process.

*[Mr. Goodwin discussed in detail the planning process and project timeline]*

- Worked with the Steering Committee to establish a series of preliminary goals and objectives to be achieve with the Plan, starting with the existing 1995 Plan as a basis.
- We did existing conditions and technical analysis and shared that information at an initial public workshop back in early February of this year.
- Then we worked through some different scenarios to think about how Powell might grow, develop and consider land use and development patterns in the future and brought those back to the public for discussion and information sharing/feedback.
- We then took that information and developed it into a preferred or recommended scenario and brought that back to the public again in meetings and online to get feedback and keep people engaged.
- The draft Comprehensive Plan that is in front of you tonight is the result of all this.

In addition to all the social media outreach Megan described, we did have a Plan Powell online discussion forum specifically dedicated to the planning process. We were pleased with the amount of feedback and interaction we had from citizens – nearly 900 interactions among citizens, over 200 individual ideas generated, and nearly 15,000 page use.

As has been previously noted, the three touch point public workshops that we had throughout the process. Some of three main topics:

- downtown Powell development,
- potential for growth and annexation within the City and outside the City,
- and other issues involving:
  - housing preferences,
  - aging population and the fiscal impact of that,
  - preserving the character and feel of a small town with the need to grow, and how to balance those two things,
- We also had a similar workshop for young residents.

*[Mr. Goodwin reviews/reads the Vision Statement and Guiding Principles, p. iv of the Comprehensive Plan].*

*[Mr. Goodwin discusses the Land Use Plan, beginning on Page 23 of the Comprehensive Plan].*

- Existing Land Use Pattern today. Much of Powell is single family residential housing.
- Three Development Scenarios:
  - Scenario 1 – Infill & Redevelopment
  - Scenario 2 – Strategic Annexation Policy
  - Scenario 3 – Northward Growth Corridor

We asked the public to weigh the pros and cons of all three of these scenarios. The results were a hybrid of all three scenarios. [Future Land Use Map Exhibit 2.2, p. 29 of the Comprehensive Plan]. One thing I'd like to emphasize is we added sufficient language in the document that clearly explains what the purpose of a map like this is. This isn't a zoning map. If it is adopted as part of the Plan, it doesn't change existing zoning or existing property rights. It's a guide for the future. It would be consulted by the Planning Commission, Council and Staff, to provide a guide to decision making in the future about growth development. It doesn't change any rights on the ground as they exist today.

*[Continued discussion of the exhibits/tables of Land Use Plan section of the Comprehensive Plan].*

Each chapter of the Comprehensive Plan is summarized with a series of policy recommendations. These are repeated again in the Implementation section. These are establishing the overall guidepost for how Powell should address the various issues that are facing the community. Highlights include:

- A review of current zoning and development regulations.
- Updating the downtown Powell Revitalization Plan, which is about 10 years old now.
- Reiterating some of the recommendations that are outlined in each of those land use types.

Angela Coates, Trans Associates:

*[Ms. Coates discusses exhibits/tables contained in the Transportation Plan section of the Comprehensive Plan, beginning on p. 51].*

For a city such as Powell that relies primarily on roadways for local and regional travel, the main component of the Transportation Plan is the Thoroughfare Plan.

The Thoroughfare Plan is composed of three primary elements:

1. The classification of a road identifies its intended use in serving the travel and access needs throughout a region.
  - the hierarchy starts at the top with freeways and arterials. These are meant to prioritize traffic mobility by restricting land access.
  - the lower level classifications include collector roads, and
  - local streets, which offer more access to adjacent land uses but typically provide less mobility.

All these different classifications of roads work together to meet the needs of a region. We went through our study, which was bounded by the two rivers to the east and west, and then went from the Delaware County line north to Bean Oller Road. We identified the functional classification of every road [within those boundaries].

- At the top level are your major arterials, which include Route 23, Sawmill Parkway and State Route 750. These roads are carrying larger traffic volumes and typically serve longer distance regional trips. These are the areas where access management is most important.
- The lowest level of classification that we are showing are the minor collector road, which includes Jewett Road, Murphy Parkway, and Bennett Parkway. These roads are carrying lower traffic volumes, typically have slower travel speeds and are taking trips to and from your residential developments and connecting them out to larger arterials.

These classifications that we have identified can serve as a guide in selecting the appropriate design standards and access management policies for each of these roads as we move forward.

2. Element two is the number of lanes for each road. We sent our final Land Use Plan over to the Mid-Ohio Regional Planning Commission (MORPC) and asked them to input this data into their regional travel demand model and provide us with some 20-year travel projections. The end result is a set of average 24 hour traffic volumes on each link throughout our study area. We used this data as a guide in determining the number of lanes that you see here [indicating].



- \* The lowest volume roads have been designated as a 2/3, which means a single through lane in each direction, plus left turn lanes at driveways and intersections as necessary.
- \* Slightly higher volume roads were called out as a 4/5, which is two through lanes in each direction, plus center left turn lanes.
- \* The highest volume roads were called out as a 6/7.

There were some instances where the 20 year travel demands actually warranted larger road sizes than what we are showing here. For example, S.R. 315 technically needs to be widened to 5 lanes throughout the system in order to meet 20 year travel demands; however, this improvement is unlikely to happen due to the environmental constraints within the area. So, we have maintained it as the existing 2/3 lane road that it is today. Also, S.R. 750 technically requires a 5 lane cross section east of Liberty Road, but we have chosen to maintain it as a 2/3 lane road in order to discourage more through traffic from using this route and further congesting downtown Powell.

Improvements being proposed:

- Route 23 should be widened to 7 lanes throughout the system.
- Sawmill Parkway should be a 7 lane road south of Hyatts.
- Railroad overpass at Seldom Seen Road.

3. Roadway Elements [See Exhibit 3.8 of the Transportation Plan Section of the Comprehensive Plan]. These were all broken down by jurisdiction – city, township, county or state, as provided by the Delaware County Engineer's Office. We offer our proposed future conditions and the number of lanes that are technically needed to meet 20 year traffic demands versus the number of lanes there we are calling for in the plan.

We wanted to take a closer look at downtown Powell. We have maintained both Liberty and Olentangy Streets as 2/3 lane roads through downtown. We have proposed several new connections within the local street system to allow for the better flow and circulation of traffic and provide access to more land as the area continues to develop.

- Extension of Sharp Street over to Grace Drive.
- Northward extension of Depot Street
- West of the railroad tracks, a connection of West Case Street to help bring traffic back onto Sawmill Parkway.

A more complete roadway system will offer drivers with more options in getting to and from destinations within the downtown, especially if turns are restricted at the Four Corners intersection.

In addition to the local street system proposal, we are proposing an alley system. These alleys will serve to provide access to businesses and interconnect parking areas within the downtown. We think that connections like these will be important for the healthy growth of the downtown and will help create the feeling of a cohesive downtown environment rather than separately functioning areas and businesses.

We are also suggesting Olentangy, and possibly Liberty Street, be widened with left turn lanes at key locations, but not at the Four Corners intersection. This approach provides a balance between traffic needs and community character and it helps promote pedestrian activity and safety by keeping the crossing distance at the Four Corners intersection at a minimum.

Throughout the planning process we heard many residents voice their desire for a more complete multi-use path system. We've attempted to address those concerns in this bikeway plan contained within the Transportation Plan by filling in those gaps within the existing path system and creating connections between Powell and regional facilities and destinations.

Lastly, we compiled a list of Policy Recommendations which will serve as guide in implementing the transportation plan:

- Proactively address long-term transportation needs.
- Coordinate roadway improvements and maintenance with surrounding communities and jurisdictions.
- Implement access management programs to reduce congestion and improve safety.
- Maximize roadway connectivity.

- Promote multi-modal transportation options throughout the community.
- Implement a signage program to direct drivers to alternate routes around downtown Powell.
- Balance traffic capacity needs with community character impacts.
- Create a holistic design plan for the Four Corners intersection and associated downtown roadway improvements by considering urban design features in addition to traffic needs.
- Use the Thoroughfare Plan as a guide in the development approvals process.

Bill LaFayette, Regionomics: I was asked to do two separate, but related things. First, to evaluate Powell's fiscal sustainability currently. And second, to evaluate the impact on the city budget of each of the development alternatives that Justin went over.

*[Mr. LaFayette discussed in detail the Fiscal Analysis contained in the Comprehensive Plan, beginning at p. 82].*

1. Current Sustainability. My approach was to analyze all major revenue and expenditure categories on a per household basis to allow for population growth. I analyzed capital expenditures separately.
  - I projected no increase in per household income taxes. There has been none over the last six years. The only increase in income tax that you've gotten is because of population increase.
  - I projected a 5% annual increase in property value.
  - I projected that expenditures, net of their associated revenues, increased 2.3% annually which is the long term inflation rate projected by the Congressional Budget Office.
  - I averaged capital expenditures over the past six years and projected those forward into the future increasing again at 2.3% annually.

The result of all of this is a growing gap between expenditures and the revenues supporting them, and Powell is about to face a structural imbalance. By 2023, that gap widens to about 1.8 million dollars, and that doesn't reflect the likelihood that capital expenditures may have to increase significantly in the future. I want to make it clear, that as far as I can tell, this is not at all a problem with the way the City has been managed.

- Wages have stagnated for years.
- Local government fund revenues have fallen 50% over the past several years and estate taxes have been repealed.
  - Franklin County and Columbus has a similar problem. Powell is not alone.

There are only two ways to solve the problems: to reduce expenditures or increase revenues, or both. There is no obvious way to reduce your expenditures without downgrading services. One way to increase revenues is to increase taxes and that may very well be necessary. But, more commercial development would also help. Most residential developments cost more than they bring in, but most commercial developments bring in more than they cost. If commercial developments provide goods, services and employment that residents need, this would improve their quality of life and it would increase property values.

2. Development Scenarios. I used essentially the same model as above to analyze the development scenarios.

**Scenario 1 – Infill & Redevelopment:** Residential component reduces the general fund by about \$245,000 per year, but the commercial component increases it by \$536,000. The net impact is a positive \$291,271 per year.

**Scenario 2a – Strategic Annexation:** Overall positive net impact of \$420,513 per year. Senior housing on its own is very expensive because of the demand for city service but generate little in revenue because you can't tax retirement income. This development alone is more than a quarter million dollars negative per year. The other residential components are a negative \$114,000. However, the commercial development is a positive \$787,000. Some of the commercial development might be very well be providing the medical services and other services that the senior community need. Those businesses would not happen without the senior housing, so a proper impact would have to consider both.

**Scenario 2b** – Annexation of Existing Residential Developments: is not a good deal at all. Almost all the residential developments proposed for annexation here are negative. Overall is a negative \$758,077 per year.

**Scenario 3** – Annexation North of Home Road: The residential developments, we are talking about conservation residential, are actually slightly positive. That is simply because they are dense and so they don't take a whole lot of infrastructure. Commercial, because we are proposing a lot of it up here, that gives you almost \$1 million per year in and of itself. But the arterials cost almost \$100,000 per year to maintain. So the net benefit of Scenario 3 is \$867,000 a year.

If we put them all together, we get \$820,000 per year if you don't do the residential annexations, that's \$1.5 million per year to the good.

My policy recommendation are:

- Implement policies to address the structural imbalance.
- Watch trends in revenues and expenses very closely, especially in income taxes.
- Establish a dedicated fund for capital improvements. You don't have one now. It would be very, very helpful to have one – a rainy day fund – especially for capital. That is what Columbus has done for years. I believe there is a statute that specifies what goes in the fund each year.
- My most important recommendation is to undertake a market study to see what commercial development is really needed and how much of it is needed. This Plan had no way of doing that. But before you begin with the implementation of the Plan, this needs to be one of your first steps.
- Think about development and annexation holistically by:
  - Considering the impact of residential developments on commercial demands.
  - Does a residential development give access to commercial areas if you annex it?
  - It is very important to think about the scale impacts of the plan and proceed with the plan very thoughtfully. This plan, if it's fully implemented, will change the fiscal structure of the City significantly.
    - Revenues and expenditures will be 40% higher than they are now.
    - New staff will be needed, and places to put new staff.

Mr. Goodwin: The last element of the Plan is an Implementation Section. This really summarizes all of those policy recommendations that we've touched on this evening. [Implementation, p. 101 of the Comprehensive Plan]. This is taking each of the policy recommendations at the end of each chapter, and summarizing those together. We recommend three key priorities for implementation:

- (1) Initiate a strategic urban design plan for downtown Powell.
- (2) Create a sustainable revenue structure.
- (3) Establish a multi-jurisdictional working group.

There was an error on the Legend relating to the bike path which will be corrected before the final council meeting.

Mayor Hrivnak opened this item to public comment.

Tim Voss, 90 E. Case Street. I am here with a large contingent of neighborhood people. In reviewing the [proposed] plan and listening to what was said, there was obviously a tremendous amount of thought that has gone into it. We do not have anything negative to say about most of the [proposed] plan. If you compare this to the 1995 plan that the town has lived by for a long time, the integrity of the village is strongly enough represented. We are not opposed to new development, but we are opposed to tremendous new traffic and multi-family living in that neck of the woods. I think the [proposed] plan has backed off on its commitment to not allow that neighborhood to be thoroughfare. The streets in our neighborhood are very narrow. I believe they are smaller than as represented by 2L as contained in the [proposed] plan (which is pavement width of 22-24 feet). I would tell you that the streets in our neighborhood are 16 feet. This will show you the impact of that [holds up large photo]. Two cars can't even go down the street without hitting their mirrors if they don't go off the side of the road. So I don't think we are properly represented in that scenario. I think there should be another road size category.



Some sections of the current plan are out of date, but there are sections that dealt with the historic plan in the past that I believe are still the same set of facts and I don't think that anything has changed in that neighborhood. And with that I'd just like to go through a list of a few statements from the 1995 plan that were repeated over and over as fundamental principles of the community:

- The special characteristics of neighborhoods should be defined and protected.
- The city needs a roadway system that serves the needs of residents of Powell, but does not encourage flow of through traffic through residential areas of the village.
- Powell can expand north and south along the valley wall and can accommodate more single family development without compromising the village's characteristic and sense of place.
- Seek new town center housing development at historic old lot densities.
- Focus on village scale land use development.
- Narrow streets of pedestrian scale with tight, right angle corners, would have to give way to high volume, high speed automobile streets. The later compromises the health and safety of village residents and the rural village community character.
- The village should continue to encourage a land use policy which promotes low density housing development. The reason for this lies chiefly in the mitigation of future traffic volumes. The street network must provide internal links for residents and simultaneously discourage the use of these roads for through traffic.

The elephants in the room are the recent proposals to build condos with multi-family housing hooked to that neighborhood and the expansion of Depot Street which is going to bring tremendous traffic to that neighborhood. I've heard many presentations today about reducing the congestion downtown. How does it make any sense to build a community that puts 200 more cars in this neighborhood?

With that I have a proposal that I would like to read. It is an additional policy recommendation that I believe should be part of this plan. It takes the words from the last one [current plan] and puts a very important paragraph in here [proposed plan] that's not existing right now.

[Mr. Voss reads Exhibit 1].

Scott Miller, 6075 Liberty Road. I want to thank Council for making a no left turn on Olentangy Street on the Depot Street. I know it's been a while, but it's been a while since I've been in front of this Council and I wanted to say I do appreciate that.

I have five lots on Case Street and my major concern is the same as Tim and Gary have indicated. There's a recent proposal that has been tabled here and I learned of that just a few weeks ago and with that learned of the Comprehensive Plan which I should have known, but didn't.

My concern is the through streets that are being proposed. As you can see on page 71, the thoroughfare plan - and I'm concerned about East Case Street and Scioto Street - a tremendous amount of effort has been directed toward trying to promote the downtown. There are several mentions about making sure people can access the businesses down there. I see very little implementation of anything to benefit Case and Scioto Street from this Comprehensive Plan. It appears to me, it is talking about extending Depot Street up to Adventure Park Drive. To put a left hand turn off of Adventure Park Drive and go south on Depot Street right there where your major bike lane is going back to the pool, was surprising. Why would we want to do that? That will also put more traffic back on Case Street and Scioto Street. I think plenty of traffic is getting to downtown businesses.

I'm also concerned that when we read the Comprehensive Plan, the traffic study is saying a 70% increase of traffic on Liberty Road over the next 20 years. If you build the roads, they will come. Then there are new through roads which it seems the purpose is to get traffic to the downtown businesses. What are you doing to Case and Scioto Streets? What are you going to do to maintain the integrity of those several small residential streets if you start dumping all this traffic on to those two streets by bringing in more through traffic? I got to think that we all would like it to be business directed, but we know that this is not going to be the case. That is one of the reasons that you've got that no left hand turn onto Depot now. I am asking you to relook at the reason that we actually have to have the through streets with Depot going all the way to Adventure Park Drive and also there is another one off of East Case Street that you

can see coming all the way from Olentangy up to another road that's going to be going east to west. It seems to me that Case, Scioto and Depot are too small to continue to be impacted that way. On page 73 of the Comprehensive Plan, it states, "As the city seeks to relieve traffic congestion at the Four Corners, the impact on community character, pedestrian safety mobility, and the success of the downtown commerce should be carefully considered. As such the City should undertake a more detailed and comprehensive design plan to determine the most appropriate configuration of traffic lanes, the adjacent streetscape, as well preferred access points for new streets and alleys." My point is, if you're putting that into this Comprehensive Plan, acknowledging that you already need to have a more extensive study for the downtown area's street alignment and where curb cuts and where the new streets are going to be, then why are we at this point putting this in the plan now when we're also saying we need to have more study to figure out how we need to do this? Can we delete those additional through streets that you're showing that are effecting Case Street, and have that additional study that this plan is recommending?

Gary Mittendorf, 276 Park Woods Lane. As you know, I'm a fairly new resident here now. I've been here five years now. I lived in Texas for 30 years. In Texas, I was on the P&Z board in Hewett, Plano, and then the comprehensive planning committee for Hewett, Waco, and Plano, Texas. The reason I am telling you all this because this is the best plan I have ever seen. I've seen quite a few and have reviewed quite a few of them, and the Staff here has done a wonderful job. The consultants were excellent. I just can't believe how well it came out. It's very readable and is easy to understand, and well organized. It's been a pleasure to serve on this committee. Thank you.

Liz Kellough, 90 East Case Street. I wanted to go on record also to say that my road is very important to us like everybody else's is to them. I have been here over 30 years. The extension of Depot concerns me very much. There currently is plenty of traffic from drivers trying to get away from the light. To continue Depot Street to Adventure Park is frightening and what could possibly happen. That we are directing traffic that way is scary. I want to say that you all have done an amazing job on the Comprehensive Plan – I can't imagine the work that goes into it and I very much appreciate that, but we are here just trying to represent our little neighborhood and our concern for safety.

Don Emmerick, Chairman of the P&Z Commission, 306 Weatherburn Ct. I had the opportunity to participate in the 1995 plan when that was being developed. And it was that which led me to get involved in the P&Z Commission nineteen years ago. I would have to agree with what Gary Mittendorf said in that this is a plan that the City can be very proud of. The components that make up of the plan, the extensive thoughtfulness that went into the plan, and the input from not only our consultants, Staff, our Steering Committee, which was a broad spectrum of community residents and businesses, but the fact that we took a look at the fiscal impact and a plan for implementation. These are things that we have not seen in too many comprehensive plans that we've looked at over the years from other communities as well as our own. It is a plan that I am excited about. I think all of the P&Z Commission members are excited about. It gives us a guideline to follow as we look at different developments, what type of developments we'll look for, and it gives us a way of to go about accomplishing that. It is a plan we can be extremely proud of and I think it is a plan that other communities will take a look at and begin to adopt some of the things we've done in this plan. Thank you.

Hearing nothing further, Mayor Hrivnak closed the public comments portion.

Mayor Hrivnak: From Council's standpoint, I would like to express our thanks to the Steering Committee, to our consultants and to our Staff. It's uncouned the number of hours that went into this plan. I'm almost afraid to talk about that because I came in many a nights when there was many people here for several hours working on this plan together. I do think it is a very nice plan. We will be talking about it again at our next meeting and you are all welcome back.

Councilman Bennehoof: Councilman Crites was unable to be here because he was called away on business. He wanted to thank the community as well for their input and he did express his deep thanks and appreciation for Staff and all the consulting work and everybody that contributed to it.

It is a plan. It is not cast in stone. It will be a strategic direction and not everything in it will see the light of day. For example, if you looked at Murphy Parkway, it's taken over 19 years to get that to some fruition

and we're going to get that completed. I think that's a good thing. Murphy Parkway is going to alleviate some of the traffic of the Four Corners.

We spent an hour and a half this evening in the Operations Committee talking about the Four Corners and traffic problem issues and I think there's a lot that, if you keep an eye on our webpage or other social media about the things we are trying to digest and produce that will help with the traffic. There's an awful lot of moving parts. We are a very fiscally responsible City, so we operate on a tight budget. I think everybody probably appreciates that if you want less of something taxed. We don't do a whole lot of that here. We might have to do something like that in the future we heard tonight. Or, if we do the right thing and get good commercial development in the right places, we might be able to skate away without egregious tax increases. It's a plan. There are some adjustments that need to be made to it, and I want everyone to really consume and understand it. I think there's been a lot of good work that went into it. My praise is for Staff, consultants and the community that was involved.

Mr. Lutz: Mr. Mayor, from a Robert's Rules of Order, I'd recommend that a motion be made to table Resolution 2015-11 to the October 6<sup>th</sup> council meeting.

Councilman Cline moved to table Resolution 2015-11 to the second publicly noticed council session of October 6, 2015. Councilman Bennehoof seconded the motion. By unanimous consent of the remaining members, Resolution 2015-11 was taken to a second hearing.

**RESOLUTION 2015-12: A RESOLUTION SUBMITTING RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL REGARDING CITY TAX INCREMENT FINANCE DISTRICTS AND DECLARING AN EMERGENCY.**

Mr. Lutz: Pursuant to state statutes, we held our annual Tax Incentive Review Council Meetings in August. That body is responsible for reviewing our downtown Powell Incentive TIF district and our Sawmill Parkway Commercial TIF district. In doing so, they recommended that both those TIFs continue for both districts for at least another year. This resolution would adopt their recommendation.

Mayor Hrivnak opened this item to public comment. Hearing none, he closed the public comment session.

Councilman Bennehoof: Do we anticipate pushing this down the road each year or do we have an outlook that...?

Mr. Lutz: Both of these TIF districts were created around 2005, and they are 30 year TIF districts. Generally speaking, they will continue for their full 30 year life existence.

Mr. Hollins: And regardless, we have to review them each year.

MOTION: Councilman Cline moved to adopt Resolution 2015-12. Councilman Lorenz seconded the motion. By unanimous consent of the remaining members, Resolution 2015-12 was adopted.

**SECOND READING: ORDINANCE 2015-38: AN ORDINANCE ACCEPTING THE ANNEXATION OF A 43.88 ACRE TRACT, MORE OR LESS, TO THE CITY OF POWELL. – Tabled from September 1, 2015 meeting.**

Mr. Lutz: We will be reviewing this proposed annexation and proposed zoning map amendment for a proposed 308 unit active adult community located on the southeast corner of Sawmill Parkway and Seldom Seen Road.

Tom Hart for the developer: We don't really have a statement on the annexation itself. We will answer questions of course, but would save our discussion for the next item.

Mayor Hrivnak opened this item to public comment. Hearing none, he closed the public comment session.

MOTION: Councilman Cline moved to adopt Ordinance 2015-38. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

**SECOND READING: ORDINANCE 2015-39: AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR 43.88 ACRES AT THE SOUTHEAST CORNER OF SELDOM SEEN ROAD AND SAWMILL PARKWAY.**

Mr. Lutz: Developer Director Dave Betz will review the proposed plan for this active adult community. The developers are also here tonight to provide additional information.

Mr. Betz: The proposal is located on the south side of Seldom Seen Road, east of Sawmill Parkway – the property just annexed into the City. The proposal includes a residential component with three different types of buildings, and a commercial component with about 5 acres of commercial property. Surrounding this development proposal to the south is the Woods of Big Bear Farms condominiums and Beechwood Park [indicating]. To the east is the railroad and Wolfe Commerce Park. To the northeast is the Powell Place subdivision. To the north is Golf Village commercial area, and our proposed Seldom Seen Road Park, which you adopted a master plan for which has some recreational and service buildings to the frontage and the park behind it. And to the west is the fitness facility and CVS commercial area as well as property still within Liberty Township, which is being developed as a daycare and some other commercial. On the west side, there are condominiums off of Seldom Seen Road west of Parkway and a future site for an assisted living facility being reviewed in Liberty Township.

The proposal includes existing streets that access off of Seldom Seen Road and Sawmill Parkway to LA Fitness, CVS and a future commercial site that's owned by the fitness facility. They would be extending the public road out to Sawmill Parkway at this location, including a traffic signal at the new public street and Sawmill Parkway, some other roadway improvements along Sawmill Parkway as well as Seldom Seen Road.

The development of the 308 units are within three different types of buildings. The A buildings are three story, one and two bedroom units with garage parking underneath. B buildings are to the south and are your typical quadriplex condominium pinwheel, much like the ones down at The Woods at Big Bear Farms. C buildings are townhouse buildings that are 8 units per building. There is also a clubhouse that is provided for use by the dwellers within this community. The amenities are being designed for the active adults with a putting green and other amenities that are associated with older adults rather than younger adults. Also in the northeast corner is a garden area and dog walk. The southeast corner includes a large retention pond area. This area is being designed to handle the storm water that is coming from all of the area, not just the residential, but the commercial, as well as offset coming through the site from Sawmill Parkway that currently goes into a small retention area here [indicating] above Beechwood Park. That is the head waters for Bartholomew Run stream that runs through the City. All will be made to make sure that storm water control is met with this plan. The plan also includes a lot of sidewalks throughout the site, extension of the bike trail that comes from Beechwood Park into the site. They are looking at other bike paths along the street that's being built on down past The Woods Big Bear Farms to Big Bear Avenue so that we can make connections to the bike pathway along Sawmill Parkway. We are looking at a proposed tunnel under Seldom Seen Road. The right of way is being reserved so that the future Seldom Seen Road overpass, if it is ever done, is reserved for that. There is an existing plan that was called Seldom Seen Acres that included all of the properties west and east of Sawmill Parkway. There's an existing plat there that will have to be revised at a later date.

We are now looking at a zoning map amendment to bring this property to Plan Commercial District. Plan Commercial District does allow for mixed use type development, including commercial and residential all put together into one coordinated plan. The entire preliminary development plan was previously provided to you and was reviewed and approved by the P&Z commission which is now going to a final development plan review at their next meeting.

Mayor Hrivnak: Thank you for reminding us this ordinance is approving a zoning map amendment. Since the property is annexed into the City now, it came in as Planned Commercial and Planned Industrial from the township and now this ordinance seeks to have that zoning changed to Planned Commercial District. Although the development is in the preliminary phase, headed into the final phase, the final development plan isn't in front of us today, it's just the zoning map amendment.

Vince Margello, Margello Development Company: We are proud to be here tonight. This has been a long process and Staff has worked great with us. It's been quite enjoyable. I believe this development will be great for the City. Instead of giving a presentation, we brought our experts along tonight to answer any questions you may have.

Brian Schottenstein, Schottenstein Real Estate Group: Like Vince said, we know that Powell is one of the top suburbs in Ohio and I think it has to do with the great leadership you guys have. I believe Councilmember Cline said 'A city that doesn't change doesn't survive'. I think this City is changing really well. I have to commend you guys for that. We are really excited about this development. It has evolved really well in the past year.

We've focused on quality and details. We are already starting to get a lot of calls at our corporate office from people that are interested in living here, many of whom already live in Powell. That is our goal – to keep people in Powell. We think that this development gives empty nesters or active adults that opportunity.

Councilman Bennehoof: Vince, I think it is a wonderful looking development. I have a couple of concerns that I think I have expressed before. They are all apartments still, right? There's no mixed condos or any of that? [Mr. Margello: yeah]. Have you rethought the straight apartments approach yet?

Vince Margello: I think 'apartments' come with a bad name with them. I don't consider this an apartment project. I consider it is a resort-type community. It's a rental community that allows a person who has that \$300-\$800K home in Powell to do something rather than to make into an apartment, to stay in this community if they sell their home. This is an alternative. If you sold your house right now, what is your option? An Epcon condominium that's \$300-\$400K or you can move down the street to an \$800 apartment where they are changing the oil in the parking lot on Sunday. This is not that type of community. This is a resort community that gives an alternative to people who want to stay in the community and want that upscale living that they've experienced for the years that they have been here. I can imagine myself moving in here. I can imagine a lot of my friends from Powell moving into this kind of resort community. I think that this is going to be so well received.

Councilman Bennehoof: I agree that it is a very nice looking community and my reservations are not centered around you or your veracity. But what happens when Vince gets hit by a truck or decides to become a permanent snowbird, or whatever, and your heirs say 'I just don't want to mess with this. We got to sell it off?' And then it is an apartment complex. We have an overabundance, not in Powell, but in the community of apartments.

Mr. Margello: Brian's company has a lot of experience with communities in this way. This is a \$50-60 million community going in. You do not let a community like that go on the downhill slide like apartments. This is a community that we are planning on keeping and using this as a model community for other areas. They're doing something similar in West Palm.

Mr. Schottenstein: Yes, we are doing something similar in Palm Beach Gardens where it's an independent living facility. It's actually much denser than this. Like Vince was talking about, I don't know in the area, like Liberty, there isn't any three story buildings with attached garages and an elevator in each one of the buildings. There isn't any of those ranch style homes where every single unit has two first floor masters for rent. This is a very unique project in its character. All of those units have two car garages in the B building, screened in porches, four sided architecture. All of the C buildings each have a garage, large square footage, close to 2,000 sf. We don't look at this as a typical apartment community like you would see in other areas of town.

Mr. Margello: I live up here. My family lives here. We are not going anywhere. I wouldn't do anything to harm this community and that's why I brought this in here with the Schottenstein Real Estate Group because I think this is something that would enhance the City of Powell and bring something new that would be well received as a resort community in Powell.

Mayor Hrivnak opened this item to public comment. Hearing none, he closed the public comment session.

Gary Mittendorf, 276 Parkman Lane: I live in Big Bear Farms which is just south of this project. We are all in favor of Vince's project. We have talked about it several times and there is not one individual in The Woods at Big Bear Farms that doesn't want this project going in north of us. Thank you.

Mr. Margello: We had 70-80 signatures on a petition stating that they were in favor of the project.

Councilman Bennehoof: I noticed that there are not representatives of the Charter Amendment groups.

Mr. Margello: I had a meeting with them earlier on this project before we started the whole process and I had them both in my office. I explained to Mr. Happensack and Mr. Ebersole that this was not something that was looked at as an apartment project. This was a resort community and offered an alternative. One of the questions that was asked of me by one of them, I won't mentioned them by name. But I said to them. What if I decided to sell my house and wanted to stay in Powell and I didn't want to buy again and wanted to rent. What are my alternatives? The answer was from them that I should move to another area and then come back here and visit. And I said, why would I come back and visit all the people that

I've grown up with? There isn't a place that you can go in Powell that you don't know somebody in that store because you've been here so long. So why would I want to move somewhere else and come back and visit? I want to stay in Powell. I like it here.

Mr. Schottenstein: They were actually here the last time we were up for another development and they, on the record, said that they would support our development.

Hearing no further comment, Mayor Hrivnak closed the public comment session.

Councilman Cline: We are here on a zoning map amendment. The final development plan will be in front of us in due course. My son's generation works with Mr. Schottenstein and his generation, and I have the greatest respect for their work. I'm less concerned that the seniors are going to be abandoning this project and no one will care because I know Mr. Schottenstein cares. I know his organization cares and so, for whatever that's worth, I think we need to focus on two things tonight. One is the zoning map amendment and the second is let them complete the zoning and planning process.

Councilman Lorenz: The devil is in the details in the development plan will shake all that out. I think this is a good transition for land. We've had several attempts at projects here and I think Vince that you and your team hit this one out of the park so far, so I look forward to moving forward on the project.

Mayor Hrivnak: I noticed that we are changing the zoning from Planned Commercial and Planned Industrial to a lesser zoning of Planned Commercial [Mr. Betz: Yes] in the City. Now that we've seen the Comprehensive Plan, can you guys tell me that this is in the direction of the Comprehensive Plan points us?

Mr. Betz: Yes it is. It has a mixed of commercial and some alternative mixed residential. *[Indicating Comprehensive Plan, p. 29].*

MOTION: Councilman Counts moved to adopt Ordinance 2015-39. Councilman Lorenz seconded the motion.

VOTE:     Y 6       N 0

**SECOND READING: ORDINANCE 2015-41: AN ORDINANCE ACCEPTING THE ANNEXATION OF 113.59 ACRES, MORE OR LESS, FROM LIBERTY TOWNSHIP TO THE CITY OF POWELL.**

Mr. Lutz: This annexation is of the old Shamrock Golf Course. Romanelli & Hughes is developing this into a 166 single family residential subdivision.

Mayor Hrivnak opened this item to public comment. Hearing none, he closed the public comment session.

MOTION: Councilman Bennehoof moved to adopt Ordinance 2015-41. Councilman Cline seconded the motion.

VOTE:     Y 6       N 0

**FIRST READING: ORDINANCE 2015-42: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2015.**

Mr. Lutz: Last year when we began the Comprehensive Plan update process, we had anticipated that the expenses would be about \$215,000. That's what we had appropriated. When it's all said and done, we've gone over that budget by about 3.5%. Our expenses are going to be \$225,500, and therefore we are requesting an additional \$7,500 appropriation.

MOTION: Councilman Cline moved to suspend the rules in regard to Ordinance 2015-42. Councilman Bennehoof seconded the motion.

VOTE:     Y 6       N 0

MOTION: Councilman Cline moved to adopt Ordinance 2015-42. Councilman Bennehoof seconded the motion.



VOTE:      Y 6      N 0

## COMMITTEE REPORTS

**Development Committee:** Next Meeting: Tuesday, October 6, 2015, 6:00 p.m. We will continue our downtown traffic discussion that we have been sharing with Operations Committee.

**Finance Committee:** Next Meeting: Tuesday, October 13, 2015, 7:00 p.m. to prepare for the budget.

**Operations Committee:** Next Meeting: Tuesday, October 20, 2015, 6:00 p.m.

**ONE Community:** Next Meeting: Monday, October 12, 2015, 7:00 p.m. We had a good meeting yesterday. I was able to attend in person because of the fall of the calendar. We talked about a variety of things. It's important to note that there is a request for assistance for GIS for bike paths. Liberty doesn't have GIS. The bike fund is up to \$17K, but it's plateaued or stalled out there. They are looking at potential other fund raising efforts. They are proposing a bike ride for this group, as well the One Community group, and I'll stop there because of the brevity request.

**Planning & Zoning Commission:** Next Meeting: Wednesday, September 23, 2015, 7:00 p.m. We will be discussing the Powell Grand final development plan.

**Comprehensive Plan Steering Committee:** Next Meeting: Tuesday, October 27, 2015, 7:00 p.m. Hopefully that will be a wrap up of the Comprehensive Plan adoption.

**Powell Community Improvement Corporation:** Next Meeting: TBA

## CITY MANAGER'S REPORT

1. Dave is going to give a very brief report regarding our temporary sign enforcement. As you are aware, later this week our new regulations take effect and Dave and his staff will be beginning to work with the businesses to remove illegal signs.

Mr. Betz: We sent out letters to everyone that utilizes them [signs]. We also sent out over 300-400 emails to our complete business list that the Police Department keeps notifying them of the change. I have had multiple inquiries about it. We will be going out on Thursday and visiting places that still have signs up and explaining the ordinance and continue that communication with the business community. Then, probably starting Friday, or over weekend or Monday, start removing signs that are in violation.

2. We are quickly approaching Halloween and just a reminder here in the City of Powell, we celebrate Halloween on Halloween. This year it is on Saturday. That is an off week for the Buckeyes so there's no conflict between football and trick or treating.
3. Bob Hallapy, the individual who's looking to develop in the old village has submitted a request to Council to ask that his item be removed from table and placed on your October 6<sup>th</sup> Council meeting.

MOTION: Councilman Bennehoof moved to remove Ordinance 2015-04 from the table and put it on the agenda for the October 6, 2015 City Council meeting with prior public notification. Councilman Lorenz seconded the motion.

VOTE:      Y 6      N 0

## OTHER COUNCIL MATTERS

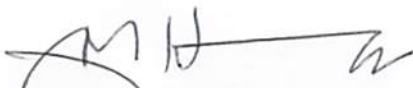
Councilman Bennehoof: I would like to acknowledge and thank Rocky for some work that he did with GIS this afternoon. With respect to density and the immediate area around Powell Grand and Dave and Evan's participation in transmitting the emails regarding the signs. I also want to pass on that I've had a number of positive comments about the signs. I think it's better already, but the comments I've had is that it's overwhelmingly better. I think that is going to be well received by the public.

Mayor Hrivnak: As a work of reminder, there is a fifth Tuesday this month, so we will see you back here in three weeks. Development Committee is at 6:00 p.m. that night for the continued discussions on traffic. If there is nothing else to come before this board, I would entertain a motion to adjourn.

## ADJOURNMENT

MOTION: Councilman Cline moved at 10:00 p.m. to adjourn the meeting. Councilman Bennehoof seconded the motion. By unanimous consent of the remaining members, meeting was adjourned.

MINUTES APPROVED: October 6, 2015

  
Jim Hrivnak  
Mayor

10-20-15  
Date

  
Karen J. Mitchell  
City Clerk

10-21-2015  
Date



**City Council**

Jim Hrivnak, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Mike Crites

Richard Cline

Brian Lorenz