



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 SEPTEMBER 23, 2015

A meeting of the Powell Planning & Zoning Commission was called to order by Acting Chairman Little on Wednesday, September 23, 2015 at 7:01 p.m. Commissioners present included Shawn Boysko, Ed Cooper, Trent Hartranft and Joe Jester. Chairman Emerick and Commissioner Richard Fusch 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

Rocky Kambo, GIS/Planner reported City Council reviewed the 2015 Comprehensive Plan for the first time at the September 15, 2015 Council meeting. The review went very well. There were a few concerns from a few residents about conceptual roads going into the Old Village Center. Notes are going to be added to the Plan to specify clearly the roads are very conceptual and high level. Overall the Plan was well received and Council will see the Plan again at the next meeting on October 6th. Pending any large scale issues, this should be the last review by City Council and the Plan should be adopted.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

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

APPROVAL OF MINUTES

MOTION: Commissioner Cooper moved to approve the minutes of September 9, 2015. Commissioner Hartranft seconded the motion. By unanimous consent the minutes were approved.

FINAL DEVELOPMENT PLAN REVIEW

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 Final Development Plan for a proposed 308 residential unit active adult community and 5 acres of Planned Commercial Development on roughly 39 acres.

Thomas Hart, Attorney, Two Miranova Place, Suite 700, Columbus, said the professional team for the development is present to answer any questions. He said the Staff Report is accurate in terms of the updates and changes which have been made.

Mr. Kambo reviewed the Staff Report (Exhibit 1).

Project Background

The Planning and Zoning Commission (P&Z) last reviewed this project using Preliminary Plan Review standards at their July 22 meeting. Since that time, the applicant had their annexation and zoning map amendment approved by City Council at the September 15th Council meeting. The applicant has now submitted their proposal back to P&Z for a Final Development Plan Review.

Proposal Overview

The Proposal Overview is the same as was presented in the June 10th Staff Report.

Changes/Additions since the Last Submission

- The Final Development Plan has not changed substantially since the last submission.
- There were some refinements to area dimensions (e.g. Subarea B went from 10.40+/- acres in the Preliminary Plan to 10.29 acres in this version). As a result, density calculations needed to be changed slightly (e.g. subarea A had a net density of 22.10 du/ac, it is now 22.09 du/ac). All minor changes are still in line with zoning code requirements.
- The impervious surface coverage has been reduced from 48.1% to 43%.
- A new landscape buffer has been provided, as per Staff's recommendations, along Bunker Lane at the northwest corner of the site. In the previous proposal you could see the garages. Staff recommended increasing the buffer to shield the view of the garages along Bunker Lane. The applicant has complied.
- Exhibits I A4.01, A4.02 and P-1 are new. These provide more detail than what was provided previously.
- There is now a walkway between the community gardens and the dog park. This is in the northeast quadrant of the site. The drawing doesn't show the walkway very well so Staff will ask the applicant to update the image to show the walkway more clearly.
- As a result of Staff's recommendation, the applicant added more pathways to the plan. The last plan did not include the purple pathways now showing on the drawings. We know this is going to be an active community and we want residents to be able to walk around their community comfortably. The new pathways add to the walkability of the development.
- The most substantial change is the reorientation of the club house. The change is substantial but still within the footprint of the existing clubhouse.
- The public right-of-way angle has also been changed. The public street used to be a sharp angle and it has been smoothed out. The entrance to the site has been changed also.
- A significant change, in terms of requirements, is the applicant no longer needs to provide downstream improvements to the sanitary system. The Delaware County Sewer district letter states the proposal has the necessary capacity without the need for improvements. It was expected that major improvements were going to be needed but it is not the case. This is good for Powell residents because we don't need to worry about development being done away from the site in order to provide for this development.

Staff Comments

At the previous P&Z meeting, members of the Commission approved the Preliminary Development Plan II with a number of conditions. These conditions and whether or not the applicant met those conditions are listed below.

1. That all Staff comments shall be incorporated into the proposal prior to the Final Development Plan review;

- As stated above, the applicant has added landscaping to the northwest corner and included additional sidewalks.
- The financial projections have not been re-examined, however we do know the applicant can finance this project. The financial examination of the project from an income tax standpoint will be a negative and we know this going into it. However, the public infrastructure improvements being completed with this project as well as future TIF revenues available to finance the development of the Seldom Seen Road park site is tremendous.

2. That all Architectural Advisor comments shall be incorporated into the proposal prior to the Final Development Plan review;

- Many of the comments have been incorporated into the architectural drawings. Staff defers to the Architectural Advisor to ensure this is the case.
- A determination is still needed about whether vinyl siding is appropriate for the development. A resolution needs to be determined at this meeting.

3. That the financial analysis shall be reviewed by the City Finance Director and all revisions shall be made accordingly;

- The financials are being reviewed by the Finance Director and the Finance Committee. Discussions are ongoing.

4. That all City Engineer comments shall be incorporated into the Final Development Plan;

- The City Engineer is satisfied with the drawings at this point but made mention other work will need to be done following the planning phase of the plan. It is worthwhile to highlight that we are reviewing this request from a planning standpoint. We take engineering into consideration as a part of this review but the detailed engineering review is done after the planning stages.

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;

- The traffic improvements being considered with this development do follow the requirements set forth by the County Engineer at this time. Future details are to be worked out via final engineering prior to construction.

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;**
 - The letter was provided and capacity is available without any downstream improvements.
7. **That Staff shall investigate the lighting pollution from LA Fitness to determine appropriateness in relation to nearby properties; and**
 - This was investigated and we found no problems. Staff had pictures sent which were reviewed.
8. **That an address shall be provided to Staff of a nearby development where the proposed vinyl siding has been applied.**
 - This was provided. Staff looked at using Google imagery.

Staff wanted to make note that although finance and transportation considerations are an important part of the planning review, the fiscal portion of this plan is outside the scope of this report and will be handled by the Finance Committee and similarly, transportation improvements are at the discretion of the Delaware County Engineer's office. Staff does take a holistic review process, looking at transportation and finance, but these areas do fall under the purview of other entities.

Ordinance Review

In accordance with the requirements of codified Ordinance 1143.11(k), in approving a Final Development Plan, the Planning and Zoning Commission shall adhere to the steps below:

Recommendation by the Planning and Zoning Commission. Within thirty (30) days after the Public Hearing on the Final Development Plan, the Planning and Zoning Commission shall recommend that the Final Development Plan be approved as presented, approved with supplementary conditions, or disapproved, and shall transmit all papers constituting the record and the recommendations to Council.

Before making its recommendation, the P & Z Commission shall find that the facts submitted with the application and presented at the public hearing establish that:

- (1) The proposed planned district development phase can be initiated within two (2) years of the date of approval and can be completed within five (5) years;**

The applicant is planning on a single-phase development to be completed within 18-24 months.

- (2) The requirements of the Comprehensive Plan relative to the site at issue have been fulfilled;**

The proposed development is in line with the City of Powell's 2015 Comprehensive Plan (CP). Specifically, the Guiding Principles advising diverse housing options are important to the community; pedestrian and bicycle connections should be enhanced and expanded throughout the community; and new commercial development should contribute to the needs of the community. Also, the land use type proposed is in line with the CP's Land Use Plan recommendation to use this site as a mixed used activity center, which recommends "a variety of business services, amenities and housing options." (CP pg. 34) The CP recommends future land uses for the City of Powell, through fiscal, transportation and land use analysis, which determine the best uses for certain sites within Powell. This particular site matches the recommended land use covered in the CP.

This development will provide an additional housing type not currently available in Powell. It will allow residents to age in place. The development has numerous walking paths through the development and provides a connection to the proposed city park to the north. Furthermore, the development will contribute funds to complete bike paths around its edges. Lastly, as stated in the Comprehensive Plan, development which can be strategic in providing benefit to the City should be obtained. This development grows the size of the City and brings with it two large commercial parcels. Although this particular development may not be a large income tax generator for the City, it is a catalyst project Staff believes will bring in complimentary developments (such as medical offices) which will in-turn benefit all Powell residents and ultimately increase the tax revenue generated for the City. This also could provide future capital improvement dollars.

- (3) The streets proposed are suitable and adequate to carry the anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned district plan area;**

As noted in previous Staff Reports, the roadway system is capable of handling the increased traffic and the internal circulation is designed accordingly. It should be noted a traffic study was conducted by the applicant and it was reviewed by the Delaware County Engineer's Office. There are improvements which will need to be done, such as signalization at the new entrance and Sawmill Parkway. Road improvements and other improvements are under the purview of the County office. However, City Staff will be involved to ensure all suggestions are in line with the City's Comprehensive Plan.

(4) Proposed non-residential developments can be justified at the location and in the amounts proposed;

The proposed development is entirely residential with two commercial outparcels. As a result, the proposed non-residential development, which are to be reviewed before development, are in an appropriate location. The intensity of each will be reviewed at a later date when a use is determined and the application is brought back before P&Z through the development plan process. Currently, we are approving the residential portion of this development. The commercial portion falls outside of this development. In approving this Final Development Plan, the Commission is approving the entire site, including the portion to be commercial. In the future, when it has been determined what commercial development will be put in this area, those commercial development projects will come before the P&Z Commission to be reviewed as separate plans. The Commission isn't approving the particular commercial use tonight but approving the request that the site can be used for future commercial development.

(5) Housing densities are warranted by amenities and conditions incorporated in the Final Development Plan and are in accordance with these planned district development requirements;

The Zoning Map Amendment was approved by City Council outlining the PC, Planned Commercial zoning and examination of this property as a transitional parcel located between similar types of commercial and residential properties. The railroad is less intense than the commercial and industrial zoning plan that had been approved in the Township long ago. Prior to the Powell Grand development request, this site was planned for a development which would have been far more intense than Powell Grand. This is another reason Staff is comfortable with the proposed densities.

(6) Lands to be dedicated to public use are of acceptable and usable size, shape and location;

There are no lands dedicated to public use except for the multi-use pathways which are interconnecting this project with the community and allowing nice connections with the existing pathway system. This is acceptable. There are going to be bike paths along the site. This site is south of a proposed park so the plan doesn't need more dedicated land. The park to the north will provide enough.

(7) The area surrounding the development can be planned and zoned in coordination with and in substantial compatibility with the proposed development;

Yes. The site does not impede the development of the proposed park to the north or the commercial properties to the west (which are actually a part of this proposed development plan). Also, the proposed development will not have any impact to the east or south, since these areas are already developed.

(8) The existing and proposed utility services are adequate for the population densities and uses proposed, and

Yes. The applicant has received letters from: Del-Co Water Company for water, the Delaware County Division of Environmental Services for sanitary, Columbia Gas of Ohio for gas and Time Warner Cable for telecommunications.

(9) Adequate provision has been made for the detention and channelization of surface drainage runoff.

At this point in time, the City Engineer is satisfied the provided plans have made provisions for the detention and channelization of surface drainage runoff. However, the City Engineer has made it explicit further engineering and refinement will need to be done following the planning process and before construction can begin.

Staff Recommendation

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

1. All on and off-site engineering is reviewed and approved by the City Engineer.
2. Similarly, off-site engineering is reviewed and approved by the Delaware County Engineer's office. Mainly transportation networks.
3. All Staff and Architectural Advisor comments are incorporated.
4. The requested divergences below are granted. Staff has no issues with the requested divergences.

Notwithstanding the proposed development text (P. 19-20), Staff analysis of this plan and code requirements are different than the developer. A summary of divergences are as follows:

1. Building lot coverage: Maximum allowed is 20%. The proposed building coverage is 22.3%.
2. Maximum number of multi-family units per any one acre, for the buildings A area, is over 12 units per acre. There is a maximum number of units per acre allowed. This project needs a divergence for the larger buildings.
3. On larger residential developments, a larger 5 acre open space for active recreation is usually required. This is a significantly different type of population. Between all of the amenities being proposed, a larger space is not necessary. There is enough space, if so desired, for one additional popular active adult amenity and a

pickle-ball court is being proposed, which should be considered by the applicant. The park coming to the north of this site also makes a difference.

4. This divergence allows for the larger building A and the townhouse units C to have more than 4 units attached. Having more units attached together provides for longer and larger buildings. This can be tempered with creating a strong sense of place and pedestrian scale. The zoning code doesn't want more than 4 units attached. This plan needs a divergence to allow the larger A and C buildings.
5. To allow gates, fences and columns in the front yard with 0' setback. This allows for the gates at the entrances. The zoning code says 4 – 5 feet. Staff has no problem with a 0' setback.
6. The plan calls for three sign locations, one on Sawmill Parkway at the new street; one at Seldom Seen Road and Bunker Lane; and one on Sawmill Drive. These will be joint monument type signs for use by the commercial lots and the Powell Grand community. The zoning code allows for 2 signs. This plan is requesting 3 signs. This divergence request could actually be removed because one of the signs is a joint sign.
7. A divergence is needed in regards to building height. This allows for the maximum height to be greater than 40 feet for buildings A. The average height of these buildings are around 45 feet.

David Betz, Development Director, advised the gross density for the entire planned commercial district is less than what the planned commercial district requires of 9 units per acre. This plan has under 9 units per acre.

Chris Meyers, Architectural Advisor, asked the developer's team if they wanted to respond to the variations in the Ordinance before he and the Commission started asking questions. It appears as if there are a number of issues in the packet of information provided which don't align with what Staff is seeing. Mr. Hart said they are comfortable with the way Staff outlined the divergences in the Staff Report. The team hasn't discussed the exact distinctions because the team didn't see such distinctions as Mr. Meyers is referring to.

Mr. Meyers referred to the Ordinance Review portions of the Staff Report on page 13, Item 1:

- #8, says the maximum allowed building coverage is 20%. The building coverage in this request is 21.8%. He asked if there is a greater footprint coverage than what is allowed. Mr. Kambo said yes but advised Mr. Meyers page 13 of the Staff Report is a section from the Preliminary Plan Review of June 10th. Mr. Meyers asked if the request has been altered to make the request compliant with the 20% coverage. Mr. Kambo said no, the coverage has actually increased. Mr. Meyers said this is one point. We need to keep track of the points.
- #10, says the maximum number of multi-family units per any one acre for the buildings A area is over 12 units per acre. Buildings A in this development exceed the single building or unit density per acre. He asked if this has been altered to make this request compliant. Mr. Betz said no, the building A still exceeds the allowed units per acre.
- #11, says this is a different type of population. Between all of the amenities being proposed, a larger space is not necessary. Do we have any authority to define the population? He knows the market the developer is after in terms of active seniors. To say the amount of green space can be reduced because of the market pursuit may be fine but does the zoning code allow for defining the population. Mr. Betz said the zoning code wants a development to have a single recreation area of 5 acres or more in a larger residential development, such as a dedicated park for the City or a private recreation area for the development. The developer has decided to break up the area into several different areas. Mr. Myers asked if the collection of all of the smaller areas is equal to the required 5 acres. He wasn't sure if the intent of the code was one big space or if it can be accommodated through multiple smaller spaces. Mr. Betz said the code doesn't say the space can be accommodated through multiple smaller spaces; that is why this is a divergence. However, the development has well over 5 acres all together. There is also going to be a 23 acre municipal park to the north. Mr. Kambo said this is a divergence because the development doesn't have one area. Mr. Meyers asked if it is OK to have multiple areas. Mr. Betz said it is Staff's recommendation to approve this divergence. Mr. Kambo said as in any zoning review, you look at the intent of the zoning code. This particular zoning code is to ensure development isn't all concrete for the entire development, to make sure there is green space and recreational areas are provided for.
- #13, says "This can be tempered with creating a strong sense of place and pedestrian scale through other means." In particular, building A, the larger grouped buildings, he would like to know how the definition of a "strong sense of place and pedestrian scale" is being addressed. These buildings are predominantly surrounded by roads and traffic for garages. Are there particular components in the design which satisfy this divergence?

Mr. Meyers said he wants to make sure he is clear and understands the developer has been able, through storm water management, to remove the one internal pond which was going to be a new creation. The developer is maintaining the pond in the southeast corner which is already present. Mr. Betz said no, there is no pond in the southeast corner. Sawmill Parkway drains through a ditch to a location where there is a detention area. The

storm water control measures the developer is using in the southeast corner will accommodate this development and off-site areas. Mr. Meyers asked if Delaware County is OK with the measures being taken. Mr. Betz said the City and Delaware County both will look at the sizing of all of the storm water drainage. The Delaware County Engineer will want to make sure the storm water comes off in a rate which is acceptable. The City is confident the size of the area being reserved for the storm water area meets the needs of this site and off-site. Mr. Meyers asked if the development still has the design intent to be a landscaped water feature with a gazebo. Mr. Betz said yes. Mr. Meyers asked if it will be a nice pond and not a muddy mess. Mr. Kambo said this is what the developer has indicated.

Mr. Meyers asked if there is a segment of the new Comprehensive Plan which is not implemented until this project is processed or is this project being reviewed in alignment with the new Plan. Mr. Betz said they have tried to align the review process of this development with the new Comprehensive Plan. The Plan identifies certain areas for activity centers such as what is being proposed at the Sawmill Parkway and Seldom Seen Road intersection; where there is multiple types of housing and commercial areas, with open space areas. The Plan recommends other areas of this type of development at Home Road and Hyatts Road. Mr. Meyers said the colored graphic map in the Comprehensive Plan is a little unclear as to whether this particular site is identified as a multi-family housing site. Mr. Betz said the Plan doesn't identify the site as multi-family housing or any type of housing. The Plan looks at alternate types of housing and housing options for the community. The Plan intentionally stayed away from saying what type of housing should be put in an area. The Plan looks holistically at an area and makes recommendations on how the area could be developed. This area was zoned Planned Commercial and Planned Industrial prior to being annexed into the City; which is way too intense and will never be developed as such. In all likelihood, due to the density of housing in the area, if left as it was zoned, the area would never be developed. The question then is what are we going to do with the property. We need to make some sort of transitional development of housing and commercial. Mr. Meyers said the root of his question was whether we are creating an alignment with the Comprehensive Plan and it appears as if the answer is yes.

In regards to architecture, in looking through the final submittal plan and reviewing some of the comments he has made throughout the entire process, there are still a few items he isn't seeing addressed as yet. Mr. Meyers said he still has some concerns with building A in regards to its height, scale, the position on the site and the visibility the buildings have. The Staff Report shows a picture of the mounding and landscaping being proposed but he isn't sure if it is enough to create a better impact of how the buildings will be perceived. The architecture of these buildings requires some further thought. Mr. Meyers asked if the height of building A is seeking a divergence. Mr. Betz said this is a divergence. The code specifies 2 stories or no more than 35' height. The Township specifies 40' in height. The measurement is measured from the mid-point of the eave line and the peak. There are many different peaks on these building types. We averaged out all the heights and the average height for all of the roof lines is at 40'5", which is over by 5'5". Mr. Meyers said the building alone is a very fine looking building but they seem to be very disconnected from the rest of the architecture in the development. The other residential buildings, the clubhouse and the amenities buildings all look connected architecturally. Buildings A are different building styles, shapes and living arrangements but there seems to be a big disconnect between buildings A and all of the other buildings. The connectivity of details such as window trims, gutter profiles, casings of door and porch rails have been mentioned in all other meetings. There is still a need to see this level of detail. He is sure in the end everything will look fantastic but he wants to make sure the level of consistency is the same amongst all of the different buildings. The vinyl siding issue is still looming. How are the corner profiles being created, where siding meets a window details and how do we reach the high quality we are seeking when it comes to all of the finish applications on the exterior of the buildings. He is somewhat in support of the right vinyl but having the certainty it is a high quality product is important. He doesn't know if just seeing the street view image of another property with the proposed vinyl is enough to really evaluate the material. A mock up sample would go a long way to help them understand and review the product for this development. The rest of the amenity buildings look well designed, they are laid out on the site nicely. The clubhouse rotation addresses the entry approach in a much better way. The scattering of all of the public amenity spaces throughout the complex is a great idea. We are at the time in the process where the development is a little denser than it might need to be. It is somewhat concerning if the project is pushing the limits of the density requirements or it is over. Building A is the building which causes him the most concern from an architectural standpoint. Mr. Meyers said a number of the issues can be worked through at a Staff level such as the monument signs. The signs are currently a generic brand which indicates where signage would be. As the project is developed, the specific signage can be determined later.

Mr. Myers said as a Final Development Review he thinks there are a couple items he is still missing to give a full endorsement. He hopes these items can be talked through and a better resolution obtained.

Mr. Kambo asked Mr. Meyers if it would be useful to have an aerial rendering of the site, including all of the different developments. Mr. Meyers said the details are what we need to see and have reassurance on. The view corridor down Seldom Seen Road of building A needs to be focused on; the impact the architecture has beyond the mounding and the transition to cloak the garage doors. There is a bigger alteration which could be successful on the elevations of building A. Some of the other buildings in the development have succeeded in doing this.

Commissioner Boysko asked Mr. Myers if the development of building A, the large size and scale of the building, gives him the strong sense of space or place. Mr. Myers said this is why he brought the question up. A strong sense of space is a planning phrase which sounds great but what is the detail to make a strong sense of space. He is hopeful this will be addressed. The green space between the buildings could be a nice component. He is assuming the back sides of the buildings are the same as the fronts. It is the outside or the perimeter area he questions. It is hard to create a sense of space when there are garages and driveways all around. He isn't sure how the design accomplishes a sense of space or place. Commissioner Boysko said he agrees. He is struggling to understand how the sense of space is defined when you have 2 buildings with a green space between them. How is this green space activated? How do you access the green space? Is there landscaping around the perimeter? The scale of a 3 story building relative to the slenderness of the green space. It is hard to tell from the drawings. Mr. Meyers said when you look everywhere else in the development you don't have this type of concern. It has a lot to do with the integration of the landscape and street planning to the scale and position of the buildings. In the case of buildings A, it is a building which is probably too big and too close to the next building. The landscape components are not as spacious in response to the scale of the buildings A. Commissioner Boysko agreed.

Acting Chairman Little asked what the calculation is for determining the number of units per acre allowed in a zone. Mr. Betz said it is 21. Mr. Meyers said it may be a crazy idea and way too late in the process but it seems as if buildings A should be moved inward in the site and the other buildings should be outward.

Don Hunter, Schottenstein Real Estate Group, said they would like to take a step back and understand the context of where we are headed tonight. It would help them address the issues mentioned. If Mr. Meyers is saying they should further refine some of the details to Mr. Meyer's satisfaction, they would be happy to do so. Mr. Meyers said he is very confident this will happen. Mr. Hunter said he is trying to make sure they are accepting and responsive to the comments and they are responding to the comments consistent with the P&Z process. It is a qualitative and a process question. We are looking for guidance. If you feel we would be being respectful and responsive to the processes by moving forward and the balance of the project was ready for Final Development approval, we would certainly accept another condition of Final Development Plan approval that we sit down and reach a consensus with the City. If you are comfortable with the balance of the project, we are comfortable with all of the conditions. If we need to add another condition to address the specific details and refinements to building A, we are happy to have the condition added. Mr. Meyers said this is pretty common to address Staff concerns late in the process. Mr. Hunter said they want to be respectful of the process. They will accept the condition in that regard. Mr. Meyers said this takes care of one part of his comments. The other part of his comment goes beyond details such as what are the trim profiles around a window. Questions regarding site position, density, scale, height and all of the details about the buildings A which seem to be right on the edge, if not over the edge, of creating divergences. 90% of the development is fantastic. Buildings A have a variation which is not to the high quality component and don't tie in with the rest of the community. Mr. Meyers said he doesn't know if this portion of his comments and concerns can be worked out with just Staff. Mr. Hunter said Mr. Kambo pointed out there is a holistic aspect to this review and then there is a detail aspect. He would like to respond to both the holistic and the detail aspect. The holistic aspect is, and what we have tried to do in a holistic standpoint, is to create transition from the south to the north. Mr. Meyers said he sees that. Mr. Hunter said where building A comes into the transition is as we step up into a greater density over the specific building footprint. From a holistic standpoint, we are trying to create different housing options for the active adult community. When you are 55 years old, you have conversations about what types of homes and environments you want to live in. Some people who are 55 want a townhome. People in their mid-60s who might be experiencing some mobility issues, may want to be in building A with elevators. The challenge you run into when going through code requirements is you do end up competing against different aspects of the code. Sections of the code conflict with each other across the whole development. We are trying to strike the right balance. From an architectural detail standpoint, we can absolutely respond to your satisfaction. Mr. Meyers said he wants to be very clear. He is absolutely not saying eliminate buildings A as an option. He thinks it is a wise option for the market. As a building, as a unit type, as a style of living, building A is a perfect fit. The position of the buildings A, in terms of how they are in proximity to one another, don't carry the same level of site planning as in the rest of the development. The details of the architecture of the exterior of the buildings, regardless of the quantity of units or size, are disconnected from the rest of the architecture in the development. These issues are

workable. Mr. Hunter said we would welcome a condition to that specific affect and we would be happy to have the condition subject to Staff and Architectural Advisor approval.

Acting Chairman Little asked Mr. Meyers if all of his questions have been addressed. Mr. Meyers said he thinks so. Mr. Hunter said to make sure there is a clear understanding, the developers think they heard Mr. Meyers say there should be different distances between the buildings. We would welcome and respond to a condition regarding the exact geometry of the site plan and the building footprint. If we need to make changes to the buildings A, we would be happy to do so.

Acting Chairman Little opened this item to public comment.

Tom Gemperline, 290 Bear Woods Drive, The Woods at Big Bear Farms, passed out a document (Exhibit B) containing a suggested traffic control. Many residents of The Woods at Big Bear Farms are still concerned about the safe exit from their community. It sounds like they will have a deceleration lane installed but they are still not comfortable with exiting their community. Traffic control people might already be thinking about what is suggested in his document but he wants to present the idea. He is speaking for himself as an individual who has lived in The Woods at Big Bear Farms. Presently there is a synchronized light at Seldom Seen, which is further away, and at Big Bear Avenue. The lights are synchronized to some degree to help residents exit, but it is not sufficient. There will be a new road and a new light put in with the Powell Grand development, only 450' north of their community. The new light is about 1,200 to 1,300 feet from the light at Big Bear Avenue. The new light could be a hindrance to them exiting their community. You will be able to clearly see both lights when sitting at the exit area of their community. The traffic control people need to synchronize these 2 lights in such a way as to give the residents a better opportunity to exit. I am requesting you look at this very hard. Mr. Gemperline also suggested putting a sign up at the exit area of their community, telling residents to be patient, the controlled lights will provide an opportunity to exit.

Connie Coghlan, 261 Cedarbend Court, The Powell Place subdivision, said her subdivision is northeast of the Powell Grand development and the railroad tracks. Her house backs up to the train tracks. In her opinion, building A is overwhelming and too tall. Her house is halfway into The Powell Place subdivision and she can see all of the lighting from LA Fitness. The buildings A are just as high as LA Fitness, if not higher. They deal with light pollution along Sawmill Road from LA Fitness and from CVS. Now they will be dealing with lights from these big buildings A. Ms. Coghlan said she appreciates the concept of a 55 and older community. She would much rather see this type of development than something which would overwhelm the schools. She thinks the bigger buildings need to be towards the center of the development. They could be placed behind the new daycare facility being built or face the industrial park on the other side of the railroad tracks to help the buildings not look like they are looming over Seldom Seen Road. There isn't much of a buffer, especially in the winter when there are no leaves on the trees. The pictures make it look like there is a small buffer but the buildings are overwhelming and huge. There are 4 of these buildings. The size of the buildings and the density are her biggest concerns. It seems to her as if resident's comments are not being addressed. It doesn't seem as if anything has changed since the first meeting. The developer says they will work on the density and the height but she doesn't see anything changed.

E. Lynn Miller, 376 Park Woods Lane, The Woods at Big Bear Farms said he is a consulting landscape architect and he is working for no one on this project. He is here because he lives in The Woods at Big Bear Farms. He asked the Commission how many of them have walked the site of this project. He counted 3 Commissioners and said Commissioner Jester has seen part of the site. He asked Mr. Meyers if he had walked the site. Mr. Myers said yes. Mr. Miller asked if Mr. Meyers walked the site recently. Mr. Meyers said he walked it for the previous development request. Mr. Miller said the traffic study is a flawed study. It doesn't show their road connected to Sawmill Parkway and it doesn't show the amount of turns back and forth during the daytime. He asked how a traffic study can be done when all of the cars coming out aren't counted. He said if you visited the site and asked what the most exciting aspect of the site would be from a developer's point of view, it would be The Woods at Big Bear Farms condos. We have the forest and a park. This should be taken into consideration when you look at the whole plan. This plan would have been easier to understand if there would have been a plan only showing the open space on it and nothing else and then another plan showing just the streets and what is paved. This would show the impact on the land. Mr. Miller said he has measured the site and he can't tell how they can get that much open space unless you count the areas which really aren't important. He said he can't believe a town as progressive as Powell can spend time arguing about vinyl and not talk about the environmental considerations. The photograph of the site is old. The photograph shows a pond but the area is not a pond. It is a large wetlands area. If you haven't walked the site recently you need to. It is one of the most fascinating wetlands we have in Powell. It filters all of the drainage and it should not be disturbed. On the development plan, there are 3 or 4 buildings planned on the wetlands area. If you remove the pond, you will speed up the water. You won't have water filtered. Someone needs to come in and look at the area. The last time he attended a meeting he mentioned there is a wetland at

the northeast corner of the site and nothing has been said or done about it. A letter was mentioned in the report about this wetland area and it needs to be looked at and explained. Mr. Miller asked what impact this development has on the nature preserve and the area next to Adventure Park. The impact needs to be considered. He suggested Mr. Meyers and the attorney for the City get together and talk about this because there is a Supreme Court decision written by William O. Douglas about the attempt to legislate aesthetics. He said you need to read this because you are getting close to thin ice on what you can do and what you can't do.

Craig Bohning, EMH&T, 5500 New Albany Road, said they did obtain their nationwide permit for filling wetlands from the Corp of Engineers. There is a tenth of an acre wetland in the site and they have permission to fill it. The site has linear, manmade ditches, which are temporary ditches. The site also has the storm water basin for Sawmill Parkway. These are not jurisdictional wetlands or streams. The Corp of Engineers recognized this wetland doesn't fall within their jurisdiction. Acting Chairman Little asked Mr. Bohning if he wanted to address the water filtration. Mr. Bohning said the storm water will be picked up by a 60" pipe and let out into the pond. The storm water detention is meeting the regulations of the City of Powell. There are also Ohio EPA water quality regulations which have to be met. When you get $\frac{3}{4}$ " rainfalls you have to hold the water in the pond for 24 hours to let everything filter out before discharging the water. There is a very small outlet coming out of the pond. On larger rains you will let out a little bit more water because you have to get the water out. The project is meeting Ohio EPA water quality requirements in this pond.

Terry Hoppmann, 8500 Northbluff Lane, said he has a business in downtown Powell at 37 South Liberty. He has been there for 15 years. He asked Mr. Kambo what the sentence was which was read from the Comprehensive Plan regarding how this property is zoned or what the recommendations on zoning were. Mr. Kambo read "the land use type proposed is in line with the Comprehensive Plan's Land Use Plan recommendation to use this site as a mixed use activity center which recommends a variety of business services, amenities and housing options". Mr. Hoppmann asked what percentage of the plan is for business use and residential. Mr. Kambo said there is about a 5 acre commercial property out front for commercial and the remainder of the site is for additional housing options. Mr. Hoppmann said approximately 85% of this property is for housing. Mr. Kambo said he doesn't know if it is that large. If the total site is 39 acres and there is 5 acres for commercial, there is about an eighth of the site for commercial. Mr. Hoppmann said 80% is housing. As a business owner and a resident, he has to ask what is in this development for Powell. When he hears someone say housing has a negative income tax impact, it tells him he is going to pay more for the City services. This development is a negative hit for the City as an income tax base. This area is not going to help pay, in the long run, for a large amount of the services. You have the TIF and if we need to rely on the TIF to pay for the park, Mr. Hoppmann said he would rather there be a bond issuance. Mr. Hoppmann said Mr. Meyers said it nicely as he could, building A is the ugliest pig in the pen. Mr. Meyers said he did not say that. Mr. Hoppmann said Mr. Meyers said it very nice but it is 50' tall, not 45' tall. The top of the building is 50' tall which is a significant variance on the zoning code. Many of the buildings are gorgeous and very well designed but the largest visual impact with the least amount of softness is put right out for everyone to deal with. He agreed building A needs to be put further into the development. His concerns are a zoning variance can become a zoning norm. We have a zoning rule that says 2 stories and 40'. Now we are going to allow 3 stories. This can become the norm. We started having zoning variances on lighted signs in certain parts of Powell. Now we have multiple lighted signs in areas which weren't supposed to be lighted. The large buildings require a variance from our zoning for density also. He asked how many buildings per acre this project will have. Mr. Betz said 12 per acre is maximum. Mr. Hoppmann asked how many building A will be. Mr. Betz said 21. Mr. Hoppmann said this is a significant variance from 12. He said he understands this type of property may be needed but he has concerns. This is the best commercial property left to potentially have commercial development which creates an income tax base and we are permanently turning it into an income tax negative. He has a real problem with the 3 story buildings. North of this development is Golf Village. Golf Village is 100% some version of natural siding, either Hardi-plank or stucco. He believes The Woods at Big Bear Farms is also all natural wood siding or Hardi-plank. He would prefer vinyl not be used in this development; especially on buildings A. For the citizens of Powell, this development is a negative income tax impact, it will add 500 – 600 more cars, and we don't want to see 3 stories so he hopes the Commission will take a hard look at the variances being asked for. Mr. Hoppmann said he doesn't think the City of Powell has any experience with large rental properties. He asked what the largest rental development was in Powell. Mr. Betz said a 44 unit development and it is age restricted. Mr. Hoppmann said a marketing plan is a marketing plan. When you develop a rental property and say it is for seniors only, 10 years from now a marketing plan can change. This development will be permanent. Once it is in, it is in. Think about this as decisions are being made on the variances.

Ruth Pinkerton, 8640 Maple Leaf Court, Rutherford Estates, said she was present at the last meeting. She wants to reiterate the comments of other residents and she has certain points she would like to mention. Her first point, which was brought up at the last meeting, is there are no current age restrictions on the apartment residents. This will bring additional school age children to our already overburdened schools. As a mother of school age children,

she agrees with this point and it needs to be addressed and brought up. Second, there will be an additional traffic light and additional cars on our already busy Sawmill Parkway. This will make our commutes longer, making it more inconvenient to travel locally around Powell. Third, it is unfair to the current residents if they have to turn right and go north to go south. This point was simply, inappropriately dismissed at the last meeting. These are current tax payers in our community. If you aren't going to listen to your residents then shame on everyone here. Acting Chairman Little asked Ms. Pinkerton to clarify her comment. Ms. Pinkerton said there was a rude comment made by one person when a resident said he would have to go northbound instead of going southbound. She isn't going to specifically say their name. She said she could give the name of who made the comment but she thinks it would be inappropriate. Finally, the four 3-story apartment buildings, called building A, should be pushed to the back or the middle of the community. These buildings should not be seen by Seldom Seen Road. It provides an unnecessary and unsightly view from Seldom Seen Road. Pushing these buildings back would also help with the additional lighting concerns and the noise control the existing residents currently receive. Ms. Pinkerton said she finds it disheartening that out of all of the residents' comments brought up at the last meeting, none of the comments were addressed or put into the plan. She said she sees the City is working with the developers and she understands what the City is doing but why hold these public meetings if the City isn't going to communicate with the residents. Ms. Pinkerton asked Mr. Kambo about the comment "pictures were sent to you from LA Fitness and the lighting was deemed appropriate". She would like to know who took the pictures and why the Planning Commission didn't go take pictures themselves. Mr. Betz said we will have to get you the information. He can't answer the question right now. Ms. Pinkerton said again, lighting is a concern to all of the residents. They have enough lighting issues from LA Fitness and CVS. She is shocked to hear it is not being addressed. It is disheartening. Ms. Pinkerton said the developer wants to say buildings A are 2 stories of living space but there are garages underneath making the buildings 3 stories and 50' high. Residents will just have to keep repeating this over and over. Mr. Kambo asked for clarification on the certain comments made by residents which weren't listened to. He asked Ms. Pinkerton to mention some of the comments which were missed. Ms. Pinkerton said she would get back to him when the City gets back to her. Mr. Kambo said the City is happy to receive all comments and their business cards are in the lobby. Ms. Pinkerton asked other residents in the audience if they felt their comments weren't addressed. Acting Chairman Little said he would like to point out the City is dealing with private property rights and the rights of people to do what they want with their property. The City is required to uphold and the Commission swears to uphold the Constitution. Therefore, based on how property is zoned, there are certain things the Commission can do to try and make it better. Currently, this property, while sitting in Liberty Township, is zoned commercial and industrial. Someone can go into the Township with an industrial proposal and a commercial proposal and the Township is obligated to honor the zoning. From the numerous discussions made about this property, he thinks The Woods at Big Bear Farms representatives don't want commercial or industrial on this property. The Commission tries really hard to listen to resident's comments but we have to stay between the lines of what the Commission can and can't do as a body in a government position. It isn't that simple. Ms. Pinkerton asked what specifically isn't that simple. Acting Chairman Little said the individual who owns the property has certain rights which come with owning the property. Ms. Pinkerton asked which property he was referring to. Acting Chairman Little said the property being reviewed. Ms. Pinkerton said she has no problem with the City putting something on the property. It is the fact the City of Powell hasn't been listening to the residents which is concerning.

Mr. Hunter said he wanted to share a couple thoughts in terms of comments which have been articulated. Economic development and what this project will do for Powell has to be taken holistically. MORPC and the Urban Land Institute did a 2050 study of central Ohio. One of the key recommendations of the study, from both an economic development and a land planning standpoint, was communities have more attached housing. They are finding out there needs to be housing for empty nesters and active adults. This development does that. One of the benefits provided is people who are 55 and over will have a place to move to and stay within their community. Active adult housing allows single family housing stock to recycle. First time home buyers can now have opportunities to move into housing. This needs to be looked at from an economic development standpoint.

Hearing no other comments, Acting Chairman Little closed the public comment session. Acting Chairman Little opened the floor for comments and questions from the Commission.

Acting Chairman Little said there are issues which need to be resolved with buildings A. There are a couple of avenues which can be pursued. The issues with buildings A can be made a part of a motion or the plan can be tabled.

Commissioner Cooper said he has to agree with Mr. Meyers' comments regarding the architecture of building A. He said he hates to use the word behemoth but the fact is, it is a big building. He doesn't know if repositioning the buildings A is even an option. The City doesn't have any developments which have 3 stories and are 50' tall. Commissioner Cooper said the rest of the plan is great. Buildings A are just big and he doesn't know what can be done about it.

Commissioner Jester said he likes the plan. He came to the meeting tonight fully behind the plan. He agrees building A is too big and work needs to be done in regards to buildings A. He has been concerned all along with the density. He doesn't know what can be done about the density. Commissioner Jester said he is not ready to vote on this request tonight. He thinks the request should be tabled. Mr. Meyers and the developers need to get back together and work on all of the concerns. Building A keeps popping up too much for him. The Comprehensive Plan really points out the income tax issues. He asked how soon the commercial development would start. Mr. Hart said the commercial development is market driven. Once the residential development is done the demand will be created. A conservative estimate might be the commercial development would be under construction within 18 – 24 months. This is a conservative estimate. Commercial development could occur earlier. Commissioner Jester said people worked very hard on the Comprehensive Plan and it stands out residential development is a drain on the revenue of the City. Mr. Hart said they have a slightly different perspective than Staff on the income tax issues. The income tax projections are wildly low. Most active adults don't retire. A person's highest income years are when they are in their 50s; their highest earning potential. There is a danger of getting hung up on what are the right projections within the income tax. Commissioner Jester said he is not hung up on the income tax. Staff has done an excellent job looking at the TIF and the income which will be brought in. He wants to make sure the commercial side of the development happens. It is an important part of the project. Mr. Hart said this project is a mixed use project. There is a relationship between the development of the residential and the development of the commercial. Mr. Hart said we believe the development of the residential will directly impact and drive the development of the commercial portion. In other words, there is a chicken and an egg here. The chicken is the residential, the 308 units, and this will drive the commercial development. Commissioner Jester said he understands and doesn't want to go any further with it. Mr. Hart said as the Commission evaluates and determines what their pleasure is and what action the Commission wants to take, the Commission needs to keep in mind the developers have gone through a long detailed process in terms of working with professionals on the design. There are many, many considerations in terms of the footprint. There are some very significant site engineering challenges. They are balancing so many different considerations in terms of stepping up from the south, the railroad tracks. As wonderful as this site is, it is severely challenged from a development standpoint. If you chose to table the request, we will honor and respect the decision. We will work with whatever guidelines the Commission directs. We are here to respond to and address the Commission's concerns. But we think we can respond to the concerns about building A with landscaping, with treatment, with design features and all of the comments Mr. Meyers made. Mr. Hart said he wanted to be clear. They are not suggesting their response to Mr. Meyers' comments is to start flipping buildings around. We will do what is directed and work in good faith with the City but we are not looking to bring buildings A down into the center of the site. We would work with Mr. Meyers and Staff to address the finer details of architecture, the fascia and the materials. We would bring in our team and landscape architects to take the dialog and refine things. This is the developer's desire. Commissioner Jester said he likes the plan but there have been concerns brought up tonight which need to be worked out. The request needs to be tabled and the concerns worked out. There is time and it will get worked out. Mr. Hart said he appreciates the feedback.

Commissioner Boysko said a lot of great points and concerns were brought up today by Mr. Meyers and the residents. He has had some concerns from the very beginning of the project. He pulled out some of his notes from previous meetings. The plan has developed but the density hasn't changed. There are still the same number of units proposed as in the first meeting. The density is still an overriding concern everybody has. Mr. Meyers made a point about the aesthetics of the building. We do need to see the materials to have a better understanding of what the vinyl materials are. He was hoping there would be a mock up or sample tonight so we could touch and feel, to see if vinyl is something the Commission even wants to consider. Commissioner Boysko said with the number of variances being requested, he is concerned whether the benefits outweigh all of the variances being questioned. It was mentioned that variances could soon start setting a precedent. Everyone could start wanting to use vinyl materials unless we can better define the materials and how to use. These are some of the gaps and pieces which are missing in this development. Commissioner Boysko said he gets the feeling the Commission is rushed. The first Sketch Plan was in late April 2015 and we are in September. This is a big development with a lot of points being made. This property is one of the last big pieces of property the City has to develop and he doesn't want to feel pressured to rush through the process. He is concerned about issues being handled administratively without the Commission's involvement. Commissioner Boysko said he is concerned about the massing of buildings A and he isn't sure if the developer demonstrated the benefits outweigh the variances. He doesn't see a strong sense of space with buildings A in the plans. The details aren't defined enough for him to understand or feel a sense of place. It will be important to see building material mock ups at the next step. Commissioner Boysko asked if anyone had gone to the addresses provided to see the materials. Mr. Betz said they received an e-mail with the address of a location and they sent the address to the Commission. Acting Chairman Little said he went and visited the facility. Commissioner Boysko said he would like to see mock ups. Commissioner Boysko said he was concerned in the beginning about the lack of age restriction, and he still is. The market drives this development but who is to say what will happen 10 years from

now. He would feel more comfortable seeing the age restriction in writing, as a part of the deed, rather than just saying it is part of a marketing plan; showing this development as a protected development. If the type of residents should change, there will be a big impact on everything; traffic, schools. There needs to be some kind of language presented regarding age restriction. Commissioner Boysko asked what the actual calculation is which calculates the open space needed. Mr. Kambo said the amount calculated was done by the applicant. We can have the applicant specify what areas they are counting as open space. Commissioner Boysko said the code requirement states 5 acres. We believe the plan has more than 5 acres dispersed across the site. He has no problem with the dispersion of the open space. He challenges the calculation of the 5 acres. He would like to see more of a larger active space. Maybe the buildings A can create a larger active space to help activate the space. Commissioner Boysko said he went through and completed his own density calculations. He got a density of 9.36 units per acre. He asked if the plan's calculations include the sub-parcel E. Mr. Betz said yes. The gross density does include sub-parcel E. Commissioner Boysko asked why. Mr. Betz said it is the overall plan. It is what the code says, to include commercial in the gross density. Commissioner Boysko asked if this isn't a little misleading. Mr. Betz said gross density has been done this way since the code was rewritten in 1991; to reflect the gross density as the overall way of calculating. Commissioner Boysko said it seems to be misleading. He asked what other higher density developments in the area have; other condo complexes to the north. Mr. Betz said they are all about 5 to 5-1/2 units per acre. The condos in the northwest quadrant of Sawmill Parkway and Seldom Seen are 6.2 units per acre. Commissioner Boysko pointed out again this is a big difference from surrounding developments. He said he has the same concerns he has had from the beginning. All of the comments today reinforce his concerns.

Commissioner Hartranft thanked the developers for the time put into the project and the residents for voicing their opinions. It does concern him that any resident feels the Commission doesn't take into account their concerns. The Commission does. He pointed out Acting Chairman Little alluded to why the Commission wants to take in the concerns and look at ways of fixing the concerns. The Commission is limited on what can be done, bound by the restrictions, guidelines, regulations the Commission needs to follow. We try to the best of our ability to take all concerns and make them applicable to each and every plan reviewed. It isn't feasible at times, based on the guidelines, regulations and rules the Commission is bound by. The Commission is glad to have resident participation. He knows there is interest because this is a huge development and a large piece of property to be developed in Powell. As it has been mentioned numerous times, it is one of the last big parcels in the area. He has some concerns and questions. His top concern is the negative income tax issue. He asked if the reason the income tax figure is negative is because the retirees are counted and they don't have income. Mr. Betz said there will be a mix of people. There will be retired people. There will be employees because it is a commercial venture. Mr. Betz asked the developer how many employees they expect to have. Mr. Hart said there will be 7 employees on the property. Mr. Betz said anytime you have a residential development there is a negative income. A single family sub-division in Powell with housing values under \$400,000, taking into account what type of income it takes to make a payment on those houses, is going to be a negative. A negative also to the Olentangy school district. Nobody will complain if you have 160 single family lot sub-division on this property, but it will be a negative to the schools and it will be a negative to the income tax of the City due to 3% income tax; especially if the houses are in the \$250,000 to \$300,000 price range. Commissioner Hartranft said this is the context he wanted to see this in. Mr. Betz said there are a lot of things which go into determining whether a development will be negative or positive. The City does its best to do projections of how servicing a development will cost the City. We have a certain amount of public roads; most roads are private; then police and fire become a part of the equations. Overall, a commercial development is going to be positive. If the development is a small, retail shop strip center with no anchor which create a big amount of employment, it would be a negative tax generator to the City. If you take Giant Eagle out of the shopping center, all of the small shops would be a negative tax generator. Property taxes are another issue; they would be positive. Mr. Betz said he was trying to put into perspective what is positive and what is negative. What is positive with this development is it will generate \$40 - \$50 million towards the capital improvement fund; the TIF fund. These funds could be utilized to build the park and other infrastructure improvements which affect the area in and around Sawmill Parkway. Sawmill Parkway, in the future, is going to need 6 lanes. It isn't being planned right now but 15 years down the road Sawmill Parkway is going to need 6 lanes. How will this be paid for? The City needs some sort of capital improvement fund to complete these improvements. The City doesn't have a capital improvement fund, except for the TIF district. Commissioner Hartranft said it is in the Comprehensive Plan. Mr. Betz agreed and said traffic studies show this. We need to look at a bigger picture than just income tax. Commissioner Hartranft said no one wants to go into a negative situation but it happens. He said he does have a concern about the 3 story buildings. He brought it up in the Preliminary Development Plan review and nothing has been changed. A 50' building is fairly big. He asked how big LA Fitness is. Mr. Betz said LA Fitness is 40' high from the ground to the top of its flat roof. The 50' height on buildings A is to the peak of the tallest part of the rooflines. The average roof height of buildings A is 40'5"; just above the LA Fitness building. Commissioner Hartranft said vinyl siding concerns him. He has seen the higher end vinyl and it looks nice but it still feels like vinyl and still is vinyl. The Commission has gone

to great lengths to review plans in the City which have natural materials as part of the siding. We have reviewed Hardi-plank siding, cement board, stucco, brick and stone. We go to great lengths to look at how natural siding and materials affect how a development looks and what it will look like in 10, 15, 20 years down the road. This is a concern to him. The residents have brought up the issue of light pollution. Light pollution may sound mundane but it is a huge issue when you are sitting out on your patio at night or you are sleeping at night and you constantly have a glare coming in the window. To add to the light pollution would be a disservice to the area close by and the residents. There are a lot of techniques and innovations to take care of the problem. He isn't concerned we won't be able to take care of the problem and lessen the light pollution to the best ability possible. The willingness of the developer to look at all of these techniques and innovations is something he is interested in hearing and it hasn't been talked about to this point. Commissioner Hartranft said traffic is also something encountered with every plan and a concern for the whole City of Powell. He doesn't see traffic from this development overburdening the system. Some of the steps being taken will accommodate the flow of traffic from this community. The issue he does have involves the area south of the development. If it could be put into the plan to time the signals to provide an easier way for the residents to take a left out of their community we need to look into it. Traffic is going to be generated no matter what is done with this property. We need to find a way to help the best we can. Commissioner Hartranft said he didn't see the tunnel in any of the plans and asked if the tunnel is still a part of the plan. Mr. Betz said yes. It may not be built right away. It may be built when the park is completed. The tunnel is being examined as to whether it will be a part of the TIF fund. Commissioner Hartranft asked if the tunnel is going to be similar to the tunnel on Rutherford. Mr. Betz said it will be similar but nicer. Commissioner Hartranft said he would welcome extended feedback from the developer and for concerns from the Commission and residents to be addressed.

Joe Sullivan, Sullivan Bruck Architects, said he respects the comments heard and it sounds like they will be back to the drawing board to deal with responding to these issues. He said they welcome the opportunity. He would like to clarify the height of buildings A. By definition, the height of the building is to the mean point of the pitched roof. Having a pitched roof, as a sense of residential character is desirable. You don't want to be penalized for having a steeper roof, which provides a richer character. The elevation is a little deceptive. The roof recedes from you. You see the façade. A 30' building with a roof which pitches away from you doesn't look the same as a 40' building that is 40' tall right at the edge. This type of building would appear much taller than buildings A with a roof which recedes. Mr. Sullivan said in his opinion, having a taller building fronting a street which is a major street, carrying a decent amount of traffic is much more preferable than having residential sub-divisions which back their houses onto the street and don't address the street in some way. The architecture, detail and whether buildings A create a sense of place can be argued about but having buildings of a taller scale are appropriate on Seldom Seen Road in this context. He said he doesn't think it would set a precedent for other areas of Powell. They will work on the issues brought up but he doesn't know that all of the characteristics presented are accurate for what is being presented. Commissioner Jester asked if the developers are willing to go back and take a good hard look at buildings A and try to work through some of Mr. Meyers' and the Commission's concerns. Mr. Sullivan said he didn't want to speak for his client but it appears to him the message is clear. He said they are willing to work through the process. He doesn't know what the answers are right now. They aren't the architects for buildings A. Commissioner Jester said the resident's deep concerns need to be listened to. Mr. Sullivan said they understand that. Commissioner Jester said you need to take some time and work on the issues. The Commission needs to understand how the issues are going to be worked out. The Commission is trying to work with the developers. Mr. Hunter said they appreciate that and if you are asking the question whether the developers are willing to accept a table tonight to go back and look at the issues, we are. We can come back and share in a more succinct way some of the information like Mr. Sullivan is talking about. Mr. Hunter said he thinks they are being penalized from a perspective standpoint and they can work through this.

Acting Chairman Little said he would like to try to address some of the concerns raised from his perspective. He thinks it is important to understand there has been a lot of effort outside of these meetings with the developer, Staff and the Architectural Advisor to try and bring forth a positive development. Obviously there are issues which need to be addressed. Acting Chairman Little said if you have not read the new Comprehensive Plan, it is on the City's website. He encouraged everyone to read the Plan. The Plan is data driven. It isn't perception driven. If you look at the demographics for central Ohio and where central Ohio is heading in the next few years, it is in the City's best interest as a community to be mindful of this direction and try to remain a community which stands out versus our competitors. The City of Powell is competing. The valuations of the properties in Powell are competing with other communities and where those communities are heading. There is a lot of data in the Plan which shows the demographics are changing. People in their 50s, living in the large, single family homes, don't want to keep maintaining the yard. They want to age in the community they are living in because all their friends are in the community. Acting Chairman Little used himself as an example. He said he goes somewhere and he always runs into his friends. He has been in Powell for 28 years. He doesn't want to have to leave the community. The data in the Plan shows where housing demands are headed. It behooves us as a community to look at this

data as we consider projects. In the Plan there is a lot of discussion about how, while attending P&Z meetings, you look at one particular piece of property being reviewed. It is important to understand the overall puzzle, for the overall strategic development of the community. There is a lot of information in the Plan about income. Currently, with the single family, cul de sac mind set, in regards to revenues and expenditures, the City is projected to go into a deficit situation. As a community we have 2 choices. We can raise our revenue. The primary revenue the City has now is income tax. We can raise our income tax. Or we can reduce our services. We need to be mindful of this. As Mr. Betz mentioned, any single family development, by nature, doesn't pay for itself. As part of the overall comprehensive strategy for the community, and it is the chicken and egg argument, the development of the residential piece and a mixed use environment with commercial properties in the area allows for needs to present themselves for commercial development, which is where we get our revenue, as opposed to raising income tax. As far as services go, it is his understanding Powell Grand, from a fire and rescue standpoint, will be served by the Township and he thinks these expenses come out of property taxes. The Plan shows where our revenues come from and then how those monies are spent. In addition, there are a lot of capital improvements which a development such as Powell Grand allow us to make. One is the bridge to the park, which allows all of our bike paths to connect and allows for people from the south side of the community to go to the park. There are other road improvements which come with not only Powell Grand but throughout the rest of the community. Acting Chairman Little said Mr. Betz identified Powell Grand will generate between \$40 and \$50 million worth of capital improvement revenue which the community can choose to use where we would like to use it. Mr. Betz said it will generate \$40 to \$50 million in property taxes, part of which is TIF. Acting Chairman Little said we already have a lot of capital improvement deficits in this community. If you look at the central Ohio projections, there are going to be a lot of single family homes going into the northern tier of our Township and the Townships which surround us. We should be concerned about this. Acting Chairman Little said there is concern about the Beechwood Park. This is a great park. He has been there several times. The concerns were expressed to the Civil Engineer and Staff. We made sure the water management for this particular piece of property complies with EPA and City of Powell requirements. We made it clear, listening to residents and our own concerns, that protecting this park is important. Acting Chairman Little addressed Mr. Gemperline, saying he was going to suggest the Commission include a provision in the eventual approval of Powell Grand, requesting the developer be open to entertain a request from The Woods at Big Bear Farms condo association, to develop off of the entrance before you get to Sawmill Parkway, a one lane, north bound connector which would get residents to the new street, to the traffic light, allowing residents to make a left turn with the traffic light. The condo association could try and fund a connector road or the condo association could work with the City to have City Council to make this a priority, hopefully using TIF revenue. This is an example of how projects are related. Acting Chairman Little said there are some issues which need to be addressed with the County Engineer, relative to Sawmill Parkway and traffic issues. He personally thinks the landscaping is appropriate. The proposed lighting needs to be reviewed and an attempt needs to be made to not have light infusion or light pollution. The Olentangy schools will tell you this development will not produce many students for the school system. This property is currently zoned commercial and industrial. 2 to 3 times the amount of traffic would be generated if the Commission approves development based on the existing type of zoning versus what is being proposed in Powell Grand. There is a lot of traffic engineering data which supports this. He also believes the residents of The Woods at Big Bear Farms would prefer this development to be residential as opposed to commercial or industrial. He has heard this type of feedback from those residents. We are looking at a \$55 to \$65 million development in Powell Grand. It isn't a cheaply built development. We are close to something we can all agree is beneficial to the community. The improvements which will come with Powell Grand might make it worth approving the 1% more land coverage than what the current Ordinance allows. We approve going from 20 to 21.5 and we get improvements such as the tunnel and improvements to other parts of the area. This is all a part of the big puzzle the Commission tries to look at. In regards to the vinyl siding, he was a part of the Commission when we decided as a community we didn't want vinyl siding. He was initially apprehensive to vinyl siding. He went down to the facility where the proposed vinyl siding was used. He still has mixed emotions but he is willing to fall back on the overall opinion of the entire Commission. It is important to look at the Comprehensive Plan, pay attention to the changing demographics in central Ohio, pay attention to the direction taken by the communities we are competing with and we want people to buy our houses; you need to look at Dublin, Worthington, Westerville and Hilliard, amongst others, those communities are already moving forward with the changing demographics. If we want to be competitive as a community, it is important to strengthen our inner community. The Comprehensive Plan tells us we need to diversify our housing choices in Powell in order to remain competitive and maintain or improve our property values. It is great so many residents came and raised their concerns. He wishes the room was full every meeting. Residents need to read the Comprehensive Plan.

Ms. Cogan asked to speak to the Commission again. She said she appreciates the Commission being appreciative of the resident's concerns. The Commission pointed out a lot of the same concerns she has. She mentioned earlier that it seems as if this request hasn't changed any after previous meetings. Mr. Sullivan said Seldom Seen Drive is a perfect place for 3 story buildings. She said the buildings A are 50' buildings, to the top of

the buildings. They are tall and huge buildings; multiple huge buildings. No matter what type of materials are used, the fanciest stone could be used, they are still going to be huge buildings. They are going to be overwhelming. Seldom Seen Drive is not the place for these buildings. She suggested moving these buildings to the center and Mr. Hart came up and said "we will go back to the drawing board but don't expect us to move the buildings to the center". Obviously, the developers say they will go back to the drawing board but it is disheartening to hear "yes, we will make some changes but we won't make the changes you would like". Ms. Coglán said she hasn't heard the developers offer to make the buildings A 2 story buildings. She doesn't think they would do that. The tall buildings look like a huge apartment complex. They tower over Seldom Seen. It appears to her the developer has already refused to make any changes.

Acting Chairman Little said we have heard the developer say they will work with the City on some of the concerns raised tonight. He suggested that process be given a chance.

Ms. Coglán said when someone mentioned the 55 and over age limit restriction, it was like crickets in here. She has heard this brought up at other meetings and nobody has ever addressed the issue. The issue kind of disappears. She said it can be enforced. If this type of development is so needed for the 55 and over, there shouldn't be any hesitation in putting the age requirement in the deed restrictions. She also wanted to reiterate the density and the height variances. It will set a precedent for future developments. There are a lot of variances being asked for in this project and if you allow a 50' building this time it will happen again and again.

MOTION: Commissioner Jester moved to table the Final Development Plan II.

Commissioner Boysko seconded the motion.

VOTE: Y 5 N 0

OTHER COMMISSION BUSINESS

Mr. Betz said the next meeting will be October 14, 2015. Mr. Betz also informed the Commission that City Council adopted the sign ordinance, with the restriction of no portable or temporary signs. Staff has been out talking to a lot of the businesses and it seems as if things are working. There are a few stragglers but we will get to them. City Council has a final reading of the Comprehensive Plan on October 6th.

ADJOURNMENT

MOTION: Acting Chairman Little moved at 9:23 p.m. to adjourn the meeting. Commissioner Hartranft seconded. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: October 14, 2015



Bill Little
Acting Chairman

12-8-15

Date



Leilani Napier
Planning & Zoning Clerk

12/9/15

Date



