



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 OCTOBER 14, 2015

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Emerick on Wednesday, October 14, 2015 at 7:00 p.m. Commissioners present included Shawn Boysko, Ed Cooper, Trent Hartranft, Joe Jester and Bill Little. Commissioner Fusch was absent. Also present were 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 adopted the updated Comprehensive Plan at their October 6th meeting.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

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

APPROVAL OF MINUTES

Chairman Emerick pointed out on page 9, second paragraph, in two separate places, the word Core should be Corp.

MOTION: Commissioner Little moved to approve the minutes of September 23, 2015, with the changes mentioned. Commissioner Cooper seconded the motion. Chairman Emerick abstained from voting. By unanimous consent the minutes were approved as amended.

FINAL DEVELOPMENT PLAN REVIEW II

Applicant:	Thomas L. Hart for Margello Development Co. and Schottenstein Real Estate Group
Location:	Sawmill Parkway and Seldom Seen Road, Liberty Township
Existing Zoning:	Liberty Township, (PC) Planned Commercial District and (PI) Planned Industrial District
Proposed Zoning:	City of Powell, (PC) Planned Commercial District
Request:	To approve a Final Development Plan for a proposed 308 residential unit active adult community and 5 acres of Planned Commercial Development on roughly 39 acres.

Vince Margello, 1900 West Powell Road, Margello Development Co., apologized for missing the September 23rd P&Z meeting. He heard about the concerns mentioned in the meeting. Mr. Margello said architecture has been changed and asked Mr. Kambo to play a video on Powell Grand (Exhibit B1). Mr. Margello asked why the Powell Grand community is good for Powell. One reason, a need is going to be provided which isn't currently being provided. The development has the neighboring support of The Woods at Big Bear Farms. Mr. Margello passed out a petition showing over 70 signatures from residents of The Wood at Big Bear Farms, in support of the Powell Grand development (Exhibit B2). He said as long as he has been developing in Powell, he has never had this many signatures of support from a neighboring community. The residents of The Woods at Big Bear Farms would like to see Powell Grand be developed. Public infrastructure such as a deceleration lane and a bike path system will be completed with the Powell Grand development. Mr. Margello said the Powell Grand project is consistent with the Comprehensive Plan. The development provides diverse types of housing and meets the collective will of the community. He reminded the Commission the Preliminary Development Plan for Powell Grand received unanimous approval from both the P&Z Commission and City Council. The developers have completed extensive changes, costing thousands of dollars, through the review process. Powell Grand will provide luxury, flexible housing as an option for seniors and empty nesters; housing which doesn't currently exist in Powell. Currently, home owners who have become empty nesters and have sold their \$500,000 to \$600,000 home, only have the option of moving into an apartment or buying a condo. Many people this age want to invest the money they make on selling their house. They would like to move into a rental property which has the standards

they have been living in for the past 20 – 25 years. Powell Grand will give them this option; giving residents the ability to sell their house and stay in their community. There is also a growing demand in the area for attached housing. Page 16 of the Comprehensive Plan says Powell is dominated by traditional, single family housing. Pages 34 & 35 of the Plan recommend mixed use activity centers being placed at the major arterial intersections along Sawmill Parkway. Powell Grand is designed and designated as a mixed use activity center and will be located along Sawmill Parkway. The Plan specifically mentions townhomes and multi-unit buildings and says developments should be designed to create a system of interconnected streets. Developers have arranged buildings in the development to enhance the flow. The density has been reduced from 312 to 308 units to allow for more pathways in the community. We have worked really hard with Staff to create exactly what the Plan asks for. Building heights were a big concern at the last meeting. The Plan says building heights may range from 1 to 3 story buildings. Page 34 of the Plan shows examples of 3 story buildings in Powell. Mr. Margello said he was called into a meeting, as a developer, during the Comprehensive Plan process and was asked what the housing needs were in Powell. He has completed several different projects in Powell and has never done anything to hurt the community of Powell. He isn't going to bring in a development which could de-value Powell. We see this project as hitting it out of the park. We know the need is in Powell. This development is not an apartment complex or a place where young adults want to live. Young adults want restaurants and bars. There are neither in this development. There is pickle ball, bocce ball and a community garden. People have asked why seniors need 3 story buildings. When you reach a certain age, especially if you don't have family close, you become very dependent upon other people. The people who will be interested in the 3 story units will become very good friends with the neighbors on their floor; they will develop a buddy system. These 3 story buildings are designed for a buddy system type of living, allowing the residents to feel secure and feel like they have family living on the same floor. The development also offers ranch style homes with 2 master bedrooms. There will be townhomes offering more privacy upstairs. We have created a wide variety of living options for active adults. The developers have chosen Powell because we feel Powell is a very special place to live. Mr. Margello said the residents of The Woods at Big Bear Farms are most concerned with the type of development which was approved for this site if Powell Grand isn't built; commercial and industrial. The City has no control over this site if Powell Grand isn't built here. If this land goes back to Liberty Township, commercial or industrial development will happen. You will have trucks at midnight and 1:00 in the morning. Powell Grand developers asked for a lower density development. We could put more units on this site than we have asked for. We are not density mongers. We are trying to create a resort community, something special. There are always going to be nay-sayers. Spectrum is building a 3 story development. Mr. Margello said he thought he would have gotten more respect because of what he has done for the community of Powell. They are completing major road improvements with the Powell Grand development which they didn't have to take on as a part of the project. Mr. Margello said he has been speaking with the Finance Committee and Steve Lutz over the last 2 weeks to put together a plan to help with a major contribution to get the new park off the ground. The developers want the park to be completed and take off, along with Powell Grand. Mr. Margello said he met with Tom Fink from The Woods at Big Bears Farms and was informed the condo development has converted all of their wood fences around patios to vinyl. The condo development spends over \$14,000 a year in wood repair. Mr. Margello said Mr. Fink told him wood is a maintenance headache. Mr. Margello said he could remember a day when Hardi-plank was a taboo word in Powell. Hardi-plank can be a good material. It has a lifetime guarantee but the business has gone out of business. If you go to another supplier when trying to replace Hardi-plank, you have a hard time matching the colors. Hardi-plank isn't the answer. Vinyl has come far in quality over the last 20 years. It is a maintenance free product. Age restriction was another issue brought up at the last meeting. HUD type housing is usually the only type of housing which has age restrictions. Free market resorts or projects don't have age restrictions. The developers don't want to get into age restrictions. Lifestyles have changed over the years. Mr. Margello said he has a lot of friends who have a partner who is 20 years younger than they are. He isn't going to be the judge of saying whether this is good or bad. If someone who is 60 or 65 years old wants to move into Powell Grand and then decides they want to marry a 40 year old, he isn't going to call the police and get involved in making the person move out of the community. This isn't a policing type of community. We want the community to be a place where people feel welcomed.

Brian Schottenstein, Schottenstein Real Estate Group, said they have been working on Powell Grand for almost a year now. The annexation and zoning have been approved by both the P&Z Commission and City Council. The developers have listened to Staff throughout the whole process and there have been many changes. The height on the A buildings has been lowered since the last meeting. Powell Grand is a resort community. You won't find the B buildings in the state of Ohio for rent. Each single home has 2 first floor masters, a screened in porch, 2 car garages, plenty of storage for an active adult. The C buildings have attached garages, a lot of storage, large closets, an island kitchen and large square footages. The A buildings provide an elevator and internal hallways for security. A lot of people in their 50s and 60s want to live in a building next to people the same age to feel secure. There will be security cameras. The developers have received a lot of good feedback from Chris Meyers, City Staff, Planning & Zoning and neighbors. Residents from the community next to Powell Grand are supporting

this development. There are over 70 signatures showing support. There have been no issues with the referendum group. The slogan of Powell is "I'm home in Powell". He would like for 308 new residents to say "I'm in a quality home in Powell". We will provide a quality home for 308 new residents to come into Powell. Most people interested in living in Powell Grand will already live in Powell but want a different style of living as they are aging in place. This will be the nicest rental community in central Ohio.

Jim Houck, OHM Advisors, said the site plan hasn't changed materially. There was a lot of conversation at the last meeting about the placement of buildings, specifically moving the A buildings to the middle of the development. This project has been designed to be contextual to the areas around it. The pinwheel units match the buildings across the street. The larger buildings were placed along Seldom Seen because other larger buildings are located along Seldom Seen. Buildings have been placed from a contextual standpoint, based on surrounding buildings. The development transitions to the lower buildings in the middle, trying to link all of the pedestrian walkways. There was a distinct design approach. Another question asked was how the open space was calculated. The open space has been divided into programmable and passive open space. Programmable open space is where activities will take place. Passive open space is more lawn related areas and connections. The active, programmable open space is divided into 3 main areas. The club house area with the pool is approximately 1 acre. The northeast corner of the site has approximately 1.2 acres, which includes the community gardens, the dog park space, an informal sitting area and a multi-purpose lawn space. The south portion of the site covers approximately six tenths of an acre and is the central green, a maintained, high quality lawn area with park benches, a gazebo and a sitting area. The final area is approximately 4 acres and contains the pond. There will be a gazebo; paddle boats can be launched on the pond and residents will be able to fish in the pond. The programmable open spaces total 6.8 acres. The passive open space, areas which aren't necessarily required in the Code, total 4.1 acres. There is a total of 10.9 acres open, green space in the entire site when you add the programmable and the passive open spaces. This 10.9 acres is all tied together with pedestrian pathways. The other question brought up at the last meeting was light spillage from the Powell Grand site. Light fixtures to be used in the development are fully cut-off fixtures designed to create a common theme and are tied in with the architecture. Pedestrian scale lighting will be installed around parking areas and buildings. The poles are 14' tall. LA Fitness has 25 or 30' light poles. The walking paths are lit with bollards, designed for low lighting. The site has been carefully designed to provide the lighting needed for security, at a residential scale. The site has not been designed for any light spillage off site. The lighting will be much more controlled in Powell Grand than any commercial environment which could be developed. Mr. Houck said valid comments were given at the last meeting about landscaping by Chris Meyers. They took a more in-depth look at the landscaping and are now placing evergreen trees along the Seldom Seen area to provide additional buffering. Commissioner Little asked for clarification on which buildings Mr. Houck was speaking about. Mr. Houck said they are placing evergreens near the A buildings along Seldom Seen. They added ornamental shrubs around the A buildings. They also tried to separate the view between buildings with a stronger landscape treatment; a double row of ornamental trees. Landscaping now provides a sense of enclosure as you walk down the walkway and provides a screened wall between buildings.

Joe Sullivan, Sullivan Bruck Architects, said they are the architect on record for the B and C buildings. They are not the architect on record for the A buildings. Schottenstein contracted with an architect in North Carolina for the A buildings. The concept and design of the A buildings worked in other developments so the architect used the design for Powell Grand. Chris Meyers had very valid comments about the A buildings not being compatible with the other buildings in the development. Mr. Sullivan said it was probably difficult for the firm in North Carolina since they weren't here in Powell. After the comments about the A buildings being a little too large and looking foreign to the development, he took it upon himself to do an overlay with new design ideas. Mr. Sullivan said the original design of the A buildings made them feel taller than they actually are. The balconies, which extended the full length of the 3 stories with a roof over them, created a very tall feel. He said architecture has a lot to do with scale and proportion. It is important to have a balance from the human scale standpoint. The A buildings felt very tall because of the slender, vertical elements. Perception is more real than reality. If a building is perceived to be tall, it is tall. The first change he made was to eliminate the cover of the balconies on the 3rd floor. He took them down to what feels more like a 2 story element, with a balustrade on the top. The roofline was simplified and a variation of components was added. The A buildings read as a center element and have a primary gable in the center. He brought masonry up 2 floors with shake siding above to get an accent point. The A buildings now also relate more to the other buildings. He put 2 flanking gables on the sides which help give texture to the appearance. You can see through the A buildings at the entry points, an element which feels like a separate building in the sense of its scale. Rather than looking like one large building, it now looks like 3 parts, giving the A buildings a rhythm and scale which makes them much more compatible with the rest of the buildings. Mr. Meyers had requested the colors of the buildings not just be a bland, beige color. One of the color schemes is a cape cod grey siding with white trim. The trim will be white throughout the development to create a unifying element, tying everything together. They wanted a little more richness, a little heavier value, where they are

placing the shake siding. They have used shake siding with vinyl and cementitious buildings on several projects. The vinyl is far superior in its shadow lines and perception of quality than cementitious. Mr. Sullivan brought up samples of the vinyl siding being proposed. He said materials evolve in their refinements. The products chosen are trying to emulate historic wood detailing. Historic wood requires a lot of maintenance, painting within 6 years. When you compare wood siding to vinyl siding, after years, vinyl looks pristine and clean and doesn't require maintenance. All trim products are some sort of composite materials. Composite materials are being used in million dollar homes these days. No window manufacturer has wood exterior materials anymore; some sort of other material is always used. It is important to have an open mind to what products are available today. You want to have an expectation in regards to quality. Mr. Sullivan said experience has shown him it is usually the architecture as opposed to the material used. The vinyl siding being proposed is a product by Alside. It is the premium, heaviest weight vinyl siding. It is .044 thickness and the color is all the way through the material, not just on the face of the siding. There are warranties on the colorfastness and the material; it doesn't fade. Mr. Sullivan cited a \$250,000 condo project with Schottenstein Real Estate Group which was done in all vinyl. The project is over 10 years old and it looks exactly the same as the day it went up. The cleanness and crispness of the materials have held. The recommendation to use vinyl materials is for the longevity and quality of the project. Commissioner Boysko asked if the vinyl siding is insulation backed material. Mr. Sullivan said it is not; it is a heavy gauge material. The manufacturer Schottenstein Real Estate Group uses, Alside, doesn't make insulation backed material. Chairman Emerick asked if the miter joint seen on the sample window trim is a typical miter joint. Mr. Sullivan said yes, it will be a typical miter joint for this product. Chairman Emerick said there obviously isn't a tight joint there. This is always an indication to him of vinyl siding. Mr. Sullivan said almost all non-wood products end up with a mitered cornering. He thinks, given the material, it is a high quality application. It is a matter of the fine point of the details. Commissioner Boysko asked if the siding is only going to be on the areas above the brick. Mr. Sullivan said yes. In the A buildings the entire base is brick and the brick is carried up 2 floors at certain points to break the scale of the building. Vinyl is used as an accent. There is shake in the gables. Commissioner Boysko asked what materials are being used for the bottom of the soffit. Mr. Sullivan said they will use vinyl on the bottom of the soffit. Commissioner Boysko asked about the trim used around the windows. Mr. Sullivan said the materials at the brick would be a vinyl product. Commissioner Boysko asked what type of windows will be used. Mr. Sullivan said they will be using vinyl Alside windows. Mr. Schottenstein asked how much height the A buildings were reduced. Mr. Sullivan said the A buildings are now averaged at 38'10". The Code is 35' so the A buildings aren't much over Code. Mr. Sullivan said the new variation of the A buildings really helped bring the scale of the buildings down. He feels the 3 story buildings are more appropriate along Seldom Seen than a 2 story building. The scale on Seldom Seen makes a 3 story building appropriate; the existing buildings already there are taller. Commissioner Little asked how tall LA Fitness is. Mr. Kambo said 39', with a flat roof. Commissioner Little asked about the original Spectrum community already approved. Mr. Kambo said Spectrum is 44' tall at the top of the roof. Mr. Margello said the highest point is 47'. Commissioner Little said Spectrum is 3 stories. Mr. Kambo said yes.

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

Project Background

At the September 23rd meeting a number of questions were raised about the size and design of the four large buildings at the north of the site. Following discussion amongst Planning and Zoning Commission members, the Commission decided to table the proposal to allow the applicant to make changes and answer the concerns. Since the last meeting, the applicant has updated the proposal in an effort to address the concerns of residents, Staff and the Commission.

Proposal Overview

See the Proposal Overview in the Preliminary Plan review from the June 10th Staff Report.

Changes/Additions since the Last Submission

The applicant provided only the changed items from their re-submission. All other pieces of the proposal remained the same. Substantive changes to the plan include:

- New exhibit E-4 showing an open space plan.
- Gas line removed from E-1.
- G-2 shows more detailed landscaping around A buildings and changed the materials used to buffer the northwest lot edge.
- New G-5 and G-8 exhibit showing the landscaping around A buildings.
- Added trees to the southern bike path turnaround on exhibit G-7.
- Exhibits I show new designs for A buildings.

Staff Comments

At the September 23rd meeting there were a number of items brought up by residents and P&Z. Staff will try to address those items below.

Traffic

The development is located in an area which has the necessary capacity to handle additional traffic. Furthermore, the traffic study provided in the proposal and agreements with the County Engineer will help to improve the area. It should be made clear this development should not be made to correct all issues which existed prior to its development. The developer is working with the County to do its part in improving the roadway system. This area already had a traffic issue. The applicant is going above and beyond by completing improvements. They aren't just completing what is needed for their project.

Residents to the south in The Woods at Big Bear Farms may have an additional opportunity to exit their development should a local connector be made going north or south out of their development. This is a discussion which will need to be carried out after or during this development, not as a requirement of approval. Clearly, these improvements will be beneficial to the residents at The Woods at Big Bear Farms but this development should not be held liable for making improvements happen before the project is approved.

Commissioner Boysko asked Mr. Kambo to describe the off-site road improvements which will be done. Mr. Kambo asked the developer's engineer to speak about the road improvements.

Chris Mann, EMH&T, 5500 New Albany Road, Columbus, said the roadway improvements include an extension of Bunker Lane, a public roadway on the west side, connecting to Sawmill Parkway. They will put in a new traffic signal. There will be a right-turn lane onto Bunker Lane, going northbound on Sawmill Parkway. They will be adding a northbound, left-turn lane to the west side of the road and a southbound left-turn lane onto Bunker Lane. Part of the left-turn lane going northbound will include the ability to do a u-turn so a vehicle going northbound could turn around and go southbound. To the south of the development they will put in a drop right lane going northbound onto Park Woods Lane, into the existing development. On Seldom Seen Road they will put in a drop right lane going eastbound onto Bunker Lane southbound. There will be bike paths along Seldom Seen Road, Bunker Lane over to Sawmill Parkway and past the Big Bear Farms development to the south of the church.

Commissioner Boysko asked if all of the off-site roadway improvements are dictated by Delaware County. Mr. Mann said all of the roadway improvements were dictated by the traffic study in coordination with the Delaware County Engineer. Commissioner Boysko asked if the roadway improvements are really a condition of the development. Mr. Mann said yes. Mr. Schottenstein said the approvals aren't because of this development. The improvements were needed regardless of their development. The improvements are needed whether Powell Grand is built or not. Mr. Mann said he believes this is the case but the traffic engineers aren't present to answer that question. Don Hunter said there is a lot of Ohio law on this issue. A development which is new needs to take care of and address the traffic issues the development creates itself. The development is not required to address existing issues. This project is addressing some existing issues which have nothing to do with the project. What you negotiate with the Delaware County Engineer and what we want to do to make the project work might be different from the law.

Commissioner Hartranft asked Mr. Mann to elaborate on the u-turn. He asked how traffic going south on Sawmill Parkway will be affected. Mr. Mann said it takes careful planning with the alignment of the 2 turn lanes. There is an existing median which will be cut through. We will align the south and northbound turn lanes to face each other. There will additional striped out pavement on the lanes to provide additional room for the vehicles to make the u-turn movement. Commissioner Boysko asked how the u-turn is going to help vehicles get into the southbound traffic. Mr. Mann said it would be a part of the signaling. Commissioner Hartranft asked if vehicles making the u-turn will be merging into southbound traffic. Mr. Mann said the southbound traffic will be stopped at a red light, just like a left-hand turn signal only the vehicles will make a u-turn instead of just turning left. Commissioner Hartranft said this needs to be tied to the light. Mr. Mann said absolutely.

Schools

As stated many times before, this development is not designed for families with children. It is not impossible for families to live here but it is not geared toward them. Similar apartments generate roughly 0.15 children/unit. This figure was obtained from Olentangy School district. Therefore, this development will have minimal children and as a result will generate more money for schools through property taxes than it will use. Adding the very minimal amount of children which could come out of this development, in Staff's opinion, should have minimal impact on the schools.

Schools receive funding from property taxes. If you aren't sending children to school out of certain developments, those property taxes are being used in full without having to pay for any children. Developments such as Powell Grand, which isn't geared towards families with children, will create a net positive gain for the schools.

Lighting

At the last meeting, Staff was unable to remember their analysis about lighting from the proposed site. To be clear, Staff discussed lighting and determined lighting from Powell Grand will not be detrimental to neighboring uses. Powell Grand was compared to the LA Fitness. LA Fitness is a very different style of building; open faced with glass walls allowing light to leave the site. Alternatively, the proposed development is similar to a residential development, where lighting will be small and downward facing. Lastly, the distance of neighbors is far enough they should not be impacted any differently from their own neighbors lighting.

Mr. Kambo said he went to the site to take pictures. The closest residents are approximately 650' from the Powell Grand development.

Height

The height of the proposed buildings are not so large as to have a negative impact on community character. For example, the similarly sized LA Fitness which exists on the street does not seem out of place on Seldom Seen Road. This example is meant to prove the scale of the proposed buildings are unlikely to cause issue, not that an existing building is already there and therefore this proposal should automatically be allowed. In this way, existing structures and approvals may be used as references but are not meant to be legal precedents. This point is aimed at the comment made at the last meeting saying this development would be precedent setting. P&Z reviews each proposal on a case-by-case basis and by allowing one development does not automatically approve another.

In addition, Seldom Seen Road is not a local road and is roughly 40 feet wide with an 80 foot right of way. Larger roads can typically handle larger buildings, the scales are relatable. The A buildings are also set back beyond the 60 foot front yard setback and roughly 650 feet from residences at Powell Place. This is a very large distance which should mean little impact on neighbors. Renderings provided by the applicant show just that.

These A buildings, although larger than what we have seen in Powell, serve a purpose. The extra height allows garages to be built on the main floor. There are some apartments on this level as well. As stated earlier, this development is designed for elderly residents and this building is designed for those at the higher end of the age spectrum. As a result, garages at grade will be very useful for these individuals. Not only can they park their cars, they can park and walk straight out onto the site. No need to walk to an elevator or stairs to get to the main floor. This development aims to serve an elderly community and as a result, amenities such as at grade parking are favorable.

Design

As per the Architectural Advisor's comments, the applicant has provided updated sketches for A buildings.

Staff would like to affirm its position, vinyl siding is not appropriate. As per the 2015 Comprehensive Plan, high quality materials, such as brick, stone, wood and cementitious fiber should be encouraged (p.38). Staff would once again defer to the Architectural Advisor and P&Z for their opinions on the proposed materials.

Mr. Kambo said at the time of writing the Staff Report, Staff hadn't seen the sample materials displayed at the meeting tonight. After seeing the samples, Staff is not necessarily staunch in their opinion that nothing but wood or cementitious fiber board is appropriate. Staff will leave this decision to the Architectural Advisor and the P&Z Commission to make the determination. The Comprehensive Plan makes it very clear the community prefers high quality, high end materials in buildings. We are very uniquely the City of Powell and whatever is built will be here for a long time and influences the character of the community. We need to ensure whatever is approved is in line with the high quality we typically see in the City of Powell.

Economic Development

At the September 23rd meeting, there was a comment made about this land being some of the last commercial land available in the area. This comment is true but before this application, the land was outside of Powell in Liberty Township and was likely to stay there. It is also necessary to mention this land has only come into the City with the potential approval of this project. This does not mean the City is required to approve the proposal. Instead, what this means is in order for the City of Powell to gain control of this land and plan it in a way which is beneficial to the residents, we need to work with what we are given, even though it is not entirely commercial.

The applicant made mention of the Comprehensive Plan. Yes, this is our last remaining commercial corridor and we would like as much commercial development as possible. We are still getting 5 acres of commercial development on Sawmill Parkway with this project. Like any Comprehensive Plan or guidance document, we have this ideal vision and we need to work with what we have been given, massage it in a way which gets us as close to the vision as possible. Staff feels this proposal does just that.

Regarding tax generation, it should be noted not all development types will be a net positive for the City taxes. This is especially true of single family residential homes. Yet, in order to have a well-rounded community, uses which may not bring in revenues are still an important piece of the overall fabric of a community. This is why, when reviewing development proposals, financial considerations are a component of the review process, not the primary concern. Through the Comprehensive Plan process we learned some uses give us more tax revenue than others. Overwhelmingly, we see single family residential developments are negative tax generators for the amount of surfaces they take. This isn't to say we aren't going to build anymore single family residences. We have a balancing act which needs to be done.

2015 Comprehensive Plan

As mentioned in the previous Staff Report, this proposal is in line with the 2015 Comprehensive Plan. Specifically, the proposal is consistent with the recommended land use for the site, it provides additional housing options for our residents and it is a strategic acquisition by the City. The development is strategic in three ways. First, the proposal helps to round out the housing stock available in Powell so it allows our residents to age in place. Second, by gaining access to this site, the City gains 5 acres of commercial land. Lastly, with control of this land, the City will ensure whatever is developed on this site helps the City and its residents. This site is a 40 acre site in the middle of the City. It is very advantageous for Powell to ensure we are the ones reviewing this development to make sure we can determine what is built on this land.

Ordinance Review

Staff does not have any changes to the Ordinance review which was presented at the September 23rd meeting. Please see pages 6 to 8 of this Staff Report.

Staff Recommendation

Staff would recommend approval as long as the Architectural Advisor and P&Z are satisfied with the presentation and discussion at this meeting. Should all reservations regarding the architecture of A buildings be quelled, Staff would recommend the same approval from the previous Staff Report.

The divergences are:

1. The maximum building lot coverage allowed is 20%. The proposed building lot coverage is 22.3%. Staff doesn't see this as so significant as to cause issue.
2. The maximum number of multi-family units per acre allowed are 12 units per acre. The proposed A buildings are substantially more than 12 units per acre.
3. We talked about the 5 acre open space at the last meeting; whether this needs to be one large space or whether it can be spread out. The open space plan presented tonight far exceeds the amount of open space. The type of user for this type of development is not going to need a large amount of open space. There is also the potential for a 9.7 acre park to the north of the site.
4. The Zoning Code doesn't want more than 4 units in one building. Buildings A and C have more than 4 units in one building.
5. There needs to be an allowance for a different amount of set-back for the fences and columns.
6. Code allows for 2 signs. This project is asking for 3 due to it being a large development.
7. Code allows for a building height of 35', the mid-point being between the eave and the ridge. The A buildings will be 38'10". When Staff looks at Zoning Code, we don't look at Code in black and white. We look at the intent of the Code. In terms of height, the intent of the Code is to ensure we don't have monolithic, huge, gigantic buildings. In this particular case, buildings 38'10" on Seldom Seen Road, Staff doesn't see this as much of an issue.

Chris Meyers, Architectural Advisor, said there was concern previously about how green space is being utilized and whether it was a component of storm water management. He looked at the Civil Engineering and the landscape architecture, he is now satisfied the developer is utilizing the land conditions as best they can to accommodate storm water management and doing it in such a way that it enhances some of the landscape features. He had asked for a diagram showing where all the green space is. Mr. Houck has shown this. The position of the community garden and the dog park in the northeast corner of the site caught his eye. Community gardens and dog parks are fantastic features for this development. The northeast corner of the site is going to get some first impression visibility by cars traveling west on Seldom Seen Road. As you come over the

hill you will see a nice park like setting which transitions to the A buildings. Mr. Meyers said he is the architect for the new park and the municipal building which will be across the street from Powell Grand. The new City municipal buildings will be to the northeast. There is a transitional park space and shelter in the center. There will be a sculptural, heavy timbered frame salt canopy. There will be an indoor soccer facility. The height of these buildings is set at 42'. The buildings are positioned in 2 different orientations. He is very interested in seeing the connectivity between Powell Grand and the future park. Mr. Meyers said he noticed new landscaping saturation around the monument signs. This shows a high regard to dressing up the entry points into the community. The effort towards site work, landscaping, detail and low level lighting is representative of an upscale community. The developer isn't just trying to meet Code required minimums. Mr. Meyers said he and Mr. Sullivan spoke a couple times since the last P&Z meeting. The biggest component they discussed was the scalability of a large building like the A buildings, with hyphenated breaks. Taking a large building façade and having 2 opposing entry points, working in a series of presented gables, rather than a monolithic, hipped roof, is the way to get the scale of a large building to feel much more palatable in a residential character. The entire south edge of Seldom Seen Road has big buildings. All of the buildings will be comparative in scale. The detail of the A buildings has changed in the new rendering. These buildings are good, representative architectural examples of the historical guidelines we use; the placement of windows, the vertical proportion, the 2 over 1 separations of the glazing, the column systems aren't 3 story anymore and there are gable details. The continuity of the architecture has gotten to the point where it is now a cohesive development. You can see there is an integration between the styling of the buildings. Mr. Meyers pointed out the spec sheet on the light fixtures. He said he would like to see the City's standards for light fixtures say all light fixtures should be Full Cut-Off (FCO) required and be dark sky compliant. These are industry standards for light pollution issues. The fixtures proposed are very high quality and have a good appearance architecturally. The lighted bollards are a great way to elevate levels of security in a walkable community without saturating the whole area with a lot of light. It would be fantastic if these types of bollards would continue into the park. The architecture of the A buildings has improved significantly. Mr. Meyers commended Mr. Sullivan for his willingness to take another architect's work and produce something everyone is pleased with. Mr. Meyers said vinyl siding is still a big issue. Vinyl siding started out as a cheap solution, something which was flimsy, something which fades, something with bad connections. Over the past 45 years, vinyl has improved significantly. The product the developer is demonstrating is from Alside. It is their premium, top of the line product. To simply say, as a community, we approve vinyl, is not the right answer. To have a particular caveat saying what is acceptable, high quality materials, is something we should discuss and have as an option. This particular product is truly the best on the market. Alside has come up with an integrated transition segment piece which binds pieces together to eliminate the curl between 2 pieces. This minimizes buckling on long runs of the product. Alside has a lifetime, transferrable warranty. This warranty carries a lot of weight. Vinyl gets its biggest critique in the connections and the details. Mr. Meyers said he looked closely at the samples being demonstrated. In low quality vinyl, you see a J corner trim which the siding tucks behind. These Alside samples have a receiving butt reveal which allows the siding to die into an edged material rather than a big gap or hole behind the product. You won't have bugs or moisture getting in. You don't have the view of a bad cut vinyl. It is a very tightly detailed, integrated corner. If a vinyl product is going to be used, it needs to be a high quality vinyl product. This is the highest quality vinyl product. We need to recognize there have been advancements in technology and in ways to emulate high quality architecture in something which isn't necessarily the "go to" materials the City has looked at in the past. In this particular project, for this presented material, Mr. Meyers said he is in favor of the material. His one recommendation for the architectural detail of the A buildings is to consider using the Alside header product around the windows rather than the mitered casing. It will give a butt joint connection between the side casing and the header. It is a detail which is a little more in line with the guidelines we look for. It is one subtle alteration which takes a very good looking product and building and makes it just a little better. Mr. Meyers said this design team has had an enormous amount of architectural conversations and put a lot of care and thought into this project. He commended the development team for paying attention to everything which has been talked about in these meetings.

Chairman Emerick opened this item to public comment.

David Gatton, 8760 Linksway Drive, said he is the President of the Stonebridge Condo Association. They are located on the northwest corner of Seldom Seen Road and Sawmill, developed in 2002. There are 45 buildings and a clubhouse, with 180 owned units. Their community is very similar to the size of Powell Grand. The residents are very concerned with the fact that Powell Grand will be all apartments with renters. We understand, from the 12 years we have been living in our community, there is a great deal of maintenance and upkeep to keep the property looking as good as it did when it was new. We have a Board of Directors consisting of 6 people and several spend 20 – 30 hours every week trying to maintain the integrity of the property. We find our problems generally come from renters rather than from owners. Renters don't respect the property as much as an owner, they are here today and gone next week and they take very little pride in their surroundings. When we have to notify someone of a violation, 9 times out of 10 it involves a rental unit. We are a senior community, almost exclusively one level

units. We have a few 2 story units. Mr. Gatton asked if there will be some type of property management firm looking after the Powell Grand premises. Our concern isn't when the development is new but when it is 10 or 15 years old. Our board spends a great amount of time planning for future maintenance and replacement needs. We hope the same thing will happen with this development. If this development has as many trees in it as shown in the diagrams, someone will be spending a lot of time replacing trees as needed. They would have less concerns if the units in this development were going to be owned rather than all rental.

Tom Fink, 375 Bear Woods Drive, said he is the President of The Woods at Big Bear Farms HOA. He thanked the Commission for looking at their petition and understanding the significance and danger of not having a deceleration lane. He thanked the developers for agreeing to finance the deceleration lane. Mr. Fink said the resident's concern is they don't want to lose the peace and tranquility they have. Their community is peaceful, a little oasis. They don't want commercial and industrial developed on the other side of their community. They want Powell Grand as a neighbor and are counting on everyone to keep moving forward with the project.

Terry Hoppmann, 8500 North Bluff Lane, Golf Village, said the single, largest investment a family makes is the home they purchase. When residents invest in their home, they do it with an understanding of what the zoning laws are and what future developments will be around the investment we made. The residents of Golf Village were required to use natural materials. Most of the developments in the area used natural materials, for a reason. It creates an aesthetic. He isn't asking to kill the Powell Grand development. He is asking that the current zoning laws be used as they are. The greatest divergence is the 3 story buildings. There is a zoning law which says 12 households per acre. The A buildings are about 22 per acre. He also has a concern about the vinyl. We have invested in our community. We aren't opposed to growth. We do see the demographic changes. We are asking you to protect our investments by not allowing variances for other developments coming in now. Keep the natural materials in place. Mr. Hoppmann said if this development has to have 3 story buildings, consider putting in a raised embankment to hide the view of full parking lots. Mr. Hoppmann suggested placing the tunnel near existing bike paths. In the end, Mr. Hoppmann said he is asking for consideration on what all home owners and business owners have trusted the City to execute on zoning laws. The developer is asking for not 1 variance, but 7 variances. Let the development move forward, as long as it is within the zoning rules. He asked if we should even be doing residential TIFs. He said he knows it isn't P&Zs job, it is City Council's job. Hilliard is already having serious arguments about whether TIFs for residential developments are a correct thing to do. Read their September meeting minutes. The people who live in Golf Village are paying for the development of their property. We are still paying the tax.

Darlene Kelly, 412 Park Woods Lane, The Woods at Big Bear Farms, said her concern is whether there is enough space to put a bike path and a deceleration lane in front of their community. The bike path will cause more people to go across their only entrance and exit. It will delay vehicles moving in and out. She is also concerned traffic will be increased exponentially. Powell Grand will have over 300 units and many of the units are 2 bedroom units. Chances are there will be 400 plus new residents. Elderly residents will have family visiting. Constructing a northbound service road out of their community isn't possible because this is protected woodlands. It can't be destroyed.

Commissioner Boysko asked if it is worth clarifying whether the bike path and deceleration lane will occur. Mr. Mann said both are being constructed. Mr. Meyers asked what the typical dimension is between the roadside edge of the bike path and the curb side edge of the deceleration lane. Mr. Mann said he doesn't recall the dimension but it would be a minimum of 5', probably more towards the 6' to 8' range.

Joe Trevisanno, 405 Keisel Court, said he has a concern with allowing exceptions. We all know what happens when an exception is allowed. It quickly becomes the rule. He heard Mr. Kambo say we look at each request individually but he also heard earlier in a presentation "hey, pull up the other one we allowed, it is 40' so we should allow this one". His other concern is the traffic on Seldom Seen Road. It is a large concern if we are adding 400 more cars.

Tom Gemperline, 290 Bear Woods Drive, The Woods at Big Bear Farms, said he submitted a suggestion to have the traffic engineers help them exit their community. He doesn't think anyone will use the u-turn. He thinks the traffic signals are already coordinated. The traffic engineers could give us a little window of time at each cycle of the light and they will be able to get out. Commissioner Hartranft asked Mr. Gemperline if he was meaning for a left turn out of the community. Mr. Gemperline said yes, a left turn out to go south.

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

Commissioner Hartranft thanked everyone for coming. Public input is appreciated. He asked if the bricks were full sized bricks and not just a fascia. Bricks are full sized bricks. He asked if the shingles were 3 dimensional. He

has an issue with making exceptions. He can go with the height and he can reconcile with the type of building but he is still concerned with the materials being proposed. He knows the vinyl isn't the same as what was around when he or his parents grew up. It is still vinyl. You don't see vinyl anywhere else in Powell; not even in the retail areas or newest sub-divisions. As a Commission, he doesn't think they would approve a new sub-division asking to have all vinyl siding. It is a big issue. He understands the cost and the maintenance. He said he needs to continue to think about it. He thinks this type of development is much needed and he loves the plan for active senior living. He appreciates the updates on the A buildings. His concerns from the last meeting have been lessened.

Commissioner Little thanked the applicant for listening to the concerns. There was talk about whether the A buildings are appropriate on Seldom Seen Road as opposed to being in the middle of the development. We heard today we are transitioning like buildings from The Woods at Big Bear Farms and then transitioning to larger buildings on Seldom Seen Road which are consistent with other buildings in that area. We also know additional structures are going to be built in the new park across the street which will be consistent with this scale. He did ask what Spectrum was approved for, which is another Sawmill Parkway development. We have heard Sawmill Parkway should be 7 lanes based on the construction going in north of Powell. It is relevant to look at the size of buildings in respect to the streets they are going to be on. This is an example of making sure developments are in line with the new Comprehensive Plan. The questions raised about density are focused on the A buildings. By Code, he believes the Commission can allow a greater density in the A buildings area. Then the total parcel density comes into question. We are playing a "where's the density on the lot kind of shell game". The development is still under from an overall standpoint. We need to keep these types of things in mind when we look at density. The real question is the A buildings. We have talked about deceleration lanes and a tunnel under Seldom Seen which allows pedestrians to get to the new park and allows people in the developments to the north to have access to downtown in a less threatening way. There was discussion regarding the traffic study not including The Woods at Big Bear Farms traffic leaving the development. It could be that the amount of traffic exiting The Woods at Big Bear Farms is so inconsequential compared to the overall volumes being dealt with on Sawmill Parkway. Mr. Hunter said the traffic leaving The Woods at Big Bear Farms was included in the traffic study. Commissioner Little said discussions took place about the tax impact. We know Olentangy Schools consider this type of development to be very positive. The schools are getting the property tax dollars as opposed to the single family homes where the expense of the children exceeds the tax dollars generated. The property taxes also pay for fire and rescue. The debate comes from the untaxed 1099 income. The Comprehensive Plan says this type of development will run into some financial issues but holistically the expectation is there will probably be doctors' offices coming into the commercial portion which will generate income. Another concern discussed was light intrusion. We have reviewed in detail at this meeting the lighting being proposed is better than what is at LA Fitness and CVS. The light intrusion from the businesses already in the area is more than what this development will generate. The new park and municipal buildings will also have lighting and this will be addressed. Industrial or commercial development would generate a whole lot more light intrusion. Commissioner Little said he will pull his suggestion to have a service road put in for residents at The Woods at Big Bear Farms to exit their community since the land is protected woodlands. He will include light timing in the conditions instead to create gaps to allow for a south bound turn. In general this development is a well thought out development. There will be a lot of community improvements we can't lose sight of. We allow variances in trade for road improvements, tunnels under Seldom Seen Road, contributions to the development of the new park. The City has annexed this property. It can go back to the Township. The development is a \$55 to \$60 million development. He encourages the City to move quickly to have the tunnel installed if we move forward with Powell Grand, to improve overall walkability for residents. Commissioner Little said he has mixed emotions about the vinyl siding. He will defer to the total decision of the Commission on vinyl siding. He is literally on the fence. If we pay attention to the changing demographics in Ohio and the direction taken by our competitors such as Dublin, Worthington, Westerville and Hilliard, we need to diversify our housing choices in Powell and remain competitive and maintain/improve our property values. He is able to support this development, with the vinyl siding issue still lingering.

Commissioner Cooper said he is happier with the size of the A buildings than he was previously. The Comprehensive Plan does allow for 3 story buildings. He still has a problem with the vinyl siding. Vinyl hasn't been used in Powell. The product demonstrated is obviously better than most vinyl but he just doesn't like the vinyl.

Commissioner Jester said he likes the project. It is a great project. The developers have done great work. He said there is a hurdle everyone needs to get over and he doesn't know how we do that. The law of the City says no vinyl. He asked if there was a City Ordinance against vinyl. Chairman Emerick said it was in the Zoning Code. Mr. Margello said the buildings aren't all vinyl. There is stone also. Commissioner Jester said he doesn't want this to go to City Council and there be trouble because the project doesn't meet the standards. He said he has terrible reservations on the vinyl because there appears to be problems with having vinyl. People don't like it.

Chairman Emerick said it might be helpful if he gives the history on why vinyl siding was banned in the Zoning Code. Several years ago, the Powell Place development used some very cheap vinyl siding. It was not vinyl. It was like cardboard. The installation and the onsite storage went against every rule in the book from the manufacturer. It created major problems for the home owners. The home owners came to the City and asked for help. The P&Z Commission looked at vinyl. At the time vinyl was having major problems with cracks and the "oil can affect", where the heat caused buckling, looking like an oil can from a distance. Vinyl was banned at that time. Vinyl was allowed at the Lakes of Powell 15 years ago, with great trepidation. He doesn't think there has been major problems at the Lakes of Powell. MI Homes was the builder and every house has vinyl siding. His personal viewpoint is, he isn't a big fan of vinyl. He understands the reason for it. We have to make sure the proper installation instructions are followed, proper preparation for installation happens and the correct backing is used. Chairman Emerick asked Mr. Meyers if he agreed. Mr. Meyers said the installation instructions need to be followed for any product. Commissioner Little said we also didn't allow cement fiber. Chairman Emerick said we did not. Commissioner Little said we have since allowed cement fiber. There were the same concerns; how it is stored, how it is hung, how it is attached. Chairman Emerick said he was one of the major people fighting cement fiber at the time. There were 2 houses in Falcon Ridge made with Hardi-plank without the City knowing about it. Commissioner Jester said he is more concerned with what the law says today. If this project moves forward, we need to put on record we are dealing with a very high quality vinyl and mention how thoroughly vinyl has been reviewed. We need to list this in the motion. Chairman Emerick said he would consider vinyl being acceptable for this project due to the research Mr. Meyers has done. Commissioner Boysko pointed out discussions have been mostly focused around the A buildings, which are 2/3s brick so there is a limited amount of vinyl. He said the other buildings are mostly vinyl siding. He asked if the developer would be open to introducing more brick and stone into the other buildings to minimize the amount of vinyl siding. Mr. Schottenstein said there is actually more brick and stone on the other buildings than the A buildings. Mr. Houck said it depends on the building. The pinwheel buildings have a significant amount of masonry. There isn't as much masonry on the townhomes due to the style of the buildings. They introduced other materials to change colors and to emulate historic wood construction with board and batten. The masonry is purposeful as to where it is located. There will be a requirement in their specs for a certified vinyl installer. Mr. Kambo asked if everyone would like to see the actual zoning Ordinance covering vinyl. He showed Ordinance 1147.12 (Exhibit 1A), Preservation and Enhancement of Community Residential Character. Mr. Kambo said the P&Z Commission can waive the zoning Ordinance. Chairman Emerick wanted to re-emphasize tremendous advances have been made in vinyl product which does warrant the Commission's review now.

Commissioner Boysko said he appreciated the presentation and feels it was needed at the last meeting. The developer went a long way to defend their position and their design. Mr. Houck went a long way in eliminating his concerns about a sense of place. The developer is creating an alternative type of housing for active adults. The amenities proposed are great but he doesn't think the amenities are unique to seniors. He thinks the amenities will appeal to anybody, even people outside of the age range targeted. Issues tied to this development, such as density, traffic and schools, are predicated on having active seniors as residents. Staff obtained a figure of .15 children per unit from the school system for an active adult development. Other studies for senior living would suggest zero (0) children per unit. If the active adult caveat is removed and the development becomes a community for anyone, as an apartment complex, the density ratio could go to 10.5, which could have a huge impact on the traffic and schools. He understands the developer's marketing is geared towards active adults. Commissioner Boysko said he isn't sure he agrees with this. He is concerned about the impact it could have on the schools. He has 2 children attending schools which are already overcrowded. The development is still a well thought out and articulate development. Considering everything being proposed and considering the alternate, a commercial or industrial developed site, he is of the opinion the benefits outweigh the concerns of the variances and he is in favor of this type of development.

Chairman Emerick said he really doesn't see this development, even if it became an open rental complex, adding many children to the school district. He thinks it is a false issue to say this development will be a tremendous drain on the school systems. His biggest issue with the development is the vinyl siding. As he has already stated, he is willing to give vinyl siding consideration. He still views vinyl as a cheap alternative to other products. He knows wood is a maintenance headache but he likes it. The vinyl needs to be a top quality product and if it is, he is willing to consider vinyl.

Chairman Emerick took a poll of who on the Commission was against vinyl siding. Commissioner Cooper indicated he was. Commissioner Hartranft said he has become a little more comfortable with vinyl. Commissioner Jester said he would like to hear the conditions of the motion first. Commissioner Little read the proposed conditions.

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

1. That all on and off site engineering shall be reviewed and approved by the City Engineer;
2. That all off site engineering shall be reviewed and approved by the Delaware County Engineer's office;
3. That all Staff and Architectural Advisor comments shall be incorporated into the Final Development Plan;
4. That all of the following divergences shall be hereby granted:
 - a. Building lot coverage shall be 22.3% versus the maximum allowable 20%, in consideration for other community improvements;
 - b. The number of units per acre in buildings A shall exceed the 12 unit per acres allowable, in consideration for other community improvements;
 - c. Multiple onsite amenities and multiple open green spaces shall be allowed as the alternative required single 5 acre open space. The developer shall construct one additional pickle ball court than is currently proposed or substitute another amenity subject to Staff approval;
 - d. The A buildings and C units shall be allowed to have more than 4 attached units as is appropriate for this development;
 - e. Gates, fences and columns in the front yard shall be allowed a zero (0) foot set-back to allow for gates at the entrances;
 - f. Three sign locations shall be allowed as depicted on the plans, one at Sawmill Parkway and the new street, one at Seldom Seen Road and Bunker Lane, and one on Sawmill Drive. These will be joint use monument signs for the commercial lots as well as the Powell Grand community;
 - g. The maximum height for buildings A area shall be approximately 39' which exceeds the 35' allowed maximum, in consideration for other community improvements; and
 - h. Vinyl siding shall be allowed. The developer shall gain final Staff approval for the manufacturer, the manufacturer's product series, the manufacturer's handling and installation instructions, the colors and the finish. The City Inspector shall be expected to ensure and enforce proper handling and installation methods are followed by a certified installer.
5. That Staff shall work with the County Engineer to coordinate traffic signal timing for the new traffic light to allow traffic gapping to improve south bound turns out of The Woods at Big Bear Farms; and
6. That the developer shall work with Staff and the Architectural Advisor on the final architectural details and overall relationship of buildings A area with the remainder of the development, requiring final approval from Staff.

Commissioner Cooper seconded the motion.

VOTE: Y 5 N 1 (Cooper)

ADMINISTRATIVE REVIEW

Applicant: Scott's Garden Center
Location: 3660 Powell Road
Zoning: (PC) Planned Commercial District
Request: To review the proposed location of a temporary ground level industrial sales unit.

The applicant representing the Administrative Review was not present. Commissioner Jester was not present.

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

Project Background

The applicant submitted an Administrative Review application to P&Z for review of a ground level industrial sales unit. The business is adding the sales unit to enhance their bulk sales and services.

Proposal Overview

To place an 8' by 20' unit at the north end of the site. The structure is a pre-fabricated modular office space unit. The exterior is steel.

Staff Comments

This site is very large and is often times covered by large pallet piles of mulch in bags and piles of bulk mulch. The site is getting more organized with this application. Staff has no issues with the proposed temporary unit. The location of the building does not negatively impact traffic routes or visibility on the site.

Ordinance Review

The Planning and Zoning Commission has the authority to grant the use of temporary facilities. This property is zoned PC, Planned Commercial District, however it does not have a formal development plan. An outdoor garden center is always changing. Each year the types of sales materials, plants, etc. get changed and the way the site is organized changes. This is necessary as the market bears the desirability of one type of stock over another. Staff believes this type of use is very good to have at this location and by adding a structure such as this for the use it is being proposed is a good idea. The proposed unit is generally consistent with the 2015 Comprehensive Plan and zoning regulations.

Staff Recommendation

Staff recommends approval of the proposed unit with the following condition:

1. That a specific time limit is agreed upon by the applicant and P&Z for re-examination of the use of this particular temporary unit.

Mr. Kambo said the Commission could pick the time limit since the applicant is not present.

Chairman Emerick said, for clarification, this request is an Administrative Review and a time period needs to be determined. Commissioner Boysko suggested a year.

Commissioner Hartranft asked if there will be electricity run to the temporary structure. There will be.

Commissioner Little said the structure will be placed in the bulk area where mulch is stored, near the car wash. His opinion is the temporary structure be allowed through December 31, 2016, so the business can go through the holiday season.

Chris Meyers, Architectural Advisor, said the applicant could have installed the temporary structure and no one would have even known it was there so it is a nice courtesy the applicant brought forth the request.

MOTION: Commissioner Little moved to approve the Administrative Review for a proposed temporary structure at Scott's Garden Center, located at 3660 Powell Road, subject to the following conditions:

1. That the applicant shall use landscaping to help the temporary structure blend in;
2. That the approval shall be considered as temporary until December 31, 2016; and
3. That the applicant shall return to the P&Z Commission prior to December 31, 2016, if they desire to extend the temporary approval or propose a permanent solution.

Commissioner Boysko seconded the motion.

VOTE: Y 5 N 0

OTHER COMMISSION BUSINESS

Mr. Kambo advised the Commission the City has been having discussions with Verizon regarding installation of a cellular tower. Verizon is suggesting a masked cell tower, looking like a water tower. The water tower would have the City of Powell logo on it. The location is Arbor Ridge Park. The request may come before P&Z in the near future. The next P&Z meeting may be October 28th or November 11th.

ADJOURNMENT

MOTION: Chairman Emerick moved at 10:17 p.m. to adjourn the meeting. Commissioner Boysko seconded. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: November 11, 2015

Donald W. Emerick

Donald Emerick
Chairman

11/18/2015

Date

Leilani Napier

Leilani Napier
Planning & Zoning Clerk

12/9/15
Date



