



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 12, 2016

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, October 12, 2016 at 7:00 p.m. Commissioners present included Shawn Boysko, Ed Cooper, Trent Hartranft, Joe Jester and Bill Little. Also present were Rocky Kambo, GIS/Planner; Chris Meyers, Architectural Advisor; Leilani Napier, Planning & Zoning Clerk and interested parties.

STAFF ITEMS

Mr. Kambo said the October 26th Planning & Zoning meeting will be the first public hearing for the Keep Powell Moving Downtown Streets Plan. The Keep Powell Moving initiative was the next biggest project coming out of the Comprehensive Plan; to address the traffic concerns within the City of Powell. The Keep Powell Moving Plan looks at the downtown core and the different means by which the traffic concerns can be addressed. A number of consultants, Staff members, Council members and Planning & Zoning members are working on the plan. The plan will go to City Council for two readings after coming before Planning & Zoning.

The applicant for the Village Park storage facility has requested to be moved up on the Agenda. The applicant is currently Item #7 on the Agenda. Mr. Kambo said he recommended keeping the Kinsale Golf and Fitness Club request first since there are a number of residents present for Item #5 on the Agenda. The Village Park storage facility could be moved to Item #6 on the Agenda. Chairman Emerick said this would be fine.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

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

APPROVAL OF MINUTES

MOTION: Commissioner Cooper moved to approve the minutes of September 14, 2016. Commissioner Jester seconded the motion. By unanimous consent the minutes were approved.

AMENDMENT TO A FINAL DEVELOPMENT PLAN

Applicant:	Kinsale Golf and Fitness Club
Location:	South side of Woodcutter Drive, east of Sawmill Parkway
Zoning:	(PR) Planned Residence District
Request:	To review an Amendment of an approved Final Development Plan for Golf Village, adding an all-weather golf practice facility.

Todd Faris, Faris Planning & Design, said Kinsale Golf and Fitness Club wants to add a practice facility to their existing driving range. Kinsale has been evolving since day one. In the beginning, the clubhouse was an asterisk on a board. They didn't know there would be tennis courts, a pool, a maintenance facility, etc. All of these have been an addition to the original development plan. An agreement between the Township and the City of Powell says amendments must come before the City. The proposed area is near Woodcutter Drive and Sawmill Parkway and near where Rockford Homes built their subdivision. There are ponds on the east and west sides. The ownership has learned golf balls end up in the ponds. It costs a lot of money to have divers get golf balls out of the ponds. There is a large mound in front of the pond. The mound was probably put there so golf balls wouldn't go into the pond but the mound is so steep it can't be mowed. The mound is now brush and they can't find the golf balls which land on the mound. They are proposing adding an all-weather practice facility on the southeast corner of Woodcutter Drive and Sawmill Parkway. The facility would be used year round. It would contain indoor areas for people to hit or have small classrooms. There will be maintenance areas which would allow the ball washing machine to be brought over from the main clubhouse. The proposal would also provide two or more tees. They

haven't decided yet on how many. They want to place the facility as far back as possible so people aren't hitting each other with balls. The site would be accessed mainly with carts on a cart path. The new cart path would tie into the existing cart path which goes to the clubhouse. Staff recommended adding some parking spaces for people who don't come by golf cart. They added six spaces adjacent to an existing tree lot. They want to maintain the existing trees. They want the parking to be as unobtrusive as possible. They want to add horse fencing which has welded wire mesh. The fence would go around the pond and the cart path so people driving up on carts aren't getting hit with golf balls and to help keep balls out of the pond. They would add landscaping to dress up the frontage of the facility. They would screen the cart parking. They will have a sign which lets people know what the facility is for, with the Kinsale logo on it. The facility will be loosely modeled after the clubhouse. The inspiration will be the clubhouse but the facility won't be as grand. The materials would be identical; Hardi-plank in a grey color with white trim. The side which will face the driving range will have a series of garage doors which will be opened up for people to hit out of the building into the driving range. The facility will only be heated; no air conditioning. There won't be any outdoor conditioning units. There won't be added outdoor lighting. Not much will change with the play of the driving range, they will now use both ends of the range. Several other golf courses are using this type of facility in central Ohio.

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

PROJECT BACKGROUND

The facility is being constructed to be used for golf lessons in conjunction with the current driving range. Staff did suggest parking because we are fearful of cars parking along Woodcutter Drive. Most people will be on golf carts but some people may arrive in their cars.

PROPOSAL OVERVIEW

The proposal is a part of the existing Golf Village development. The driving range was a part of the original zoning plan. Access will be off of Woodcutter Drive and connected to the golf course with golf paths. Staff has some reservation with the diagrammatic elevations which were provided. Typically elevations are much further along when Staff gets them.

STAFF COMMENTS

The City is bound to follow the Golf Village zoning plan. Staff needs to determine if this is a minor or major change. A major change has to be reviewed by City Council. A minor change comes before Planning & Zoning. Staff deemed this proposal as a minor change since the land use isn't being changed. The use is staying the same. The applicant is just enhancing the use.

ORDINANCE REVIEW

There is no major land use change. The operational characteristics are changing.

COMPREHENSIVE PLAN CONSISTENCY

Staff does see this proposal as being consistent with the Comprehensive Plan. The business is upgrading and improving their existing facilities, which does not harm the surrounding areas. We want local businesses to grow and do well but we don't want the growth to happen at the detriment of the neighbors.

STAFF RECOMMENDATION

Staff sees this proposal as a benefit to the community and the business. Staff would like to see the architectural plans refined further and brought back before P&Z. The proposed fence might actually make the site look better and could be an aesthetic benefit.

Chris Meyers, Architectural Advisor, said the grading plan makes it look like there is a 12' grade change between Woodcutter Drive and the base of the building. Mr. Faris said yes. The mound was put in as a backstop for balls. The plan is to build the facility on top of the mound. Mr. Meyers said the elevations show the building height as 12' to the eve of the building. Mr. Faris said the building might be 20' overall. Mr. Meyers said he is interested in learning more about the height in relation to the condos across the street. One challenge which is going to be faced is people not wanting to park at the clubhouse and take a cart over but instead parking on Woodcutter Drive or the east side of Village Club Drive and into the neighborhood. Mr. Meyers said he is concerned the six parking spaces will be filled and the over flow will park on Woodcutter Drive. Is there any plan for marking the road or have conversations taken place with the police on how to keep people from parking on the streets for convenience? Mr. Faris said no they haven't had any discussions with the Police Department. They could talk with the Engineering Department about no parking signs. Mr. Meyers said Woodcutter isn't designed for parking. He asked if there was a formula used for determining six parking spaces. Mr. Faris said no. The class sizes aren't going to be big. Mr. Meyers said he just wants to make sure there isn't a zoning guideline which needs to be followed. There is still going

to be handicap requirements which need to be met. Mr. Faris said yes, one of the spaces will be handicap accessible and the golf path needs to meet handicap requirements too. Mr. Meyers asked if the golf cart route connects to the west anywhere. His concern is along Sawmill Parkway and a golf cart driver thinking they can go on a jogging path or sidewalk on the east side of Sawmill Parkway. Mr. Faris said the cart would have to be 4-wheel drive to do that. Mr. Meyers said he is trying to clarify how a person would get to the facility without going on Sawmill Parkway. The buffer between the new building and the condos is always going to be a concern and probably why so many residents are here tonight. The north edge of the site, along the fence line needs as much planting as possible. The placement of the entry road, near the proposed parking spaces, is offset from the existing entry to the condo development. Is this to save existing trees? Mr. Faris said yes. There are very large, mature oaks and hickory trees in this area. They want to preserve them. Mr. Meyers said it is definitely a benefit to save the trees. He wonders if the drives being offset will pose a challenge. Mr. Faris said if it was a 100 car parking lot it would but not with six parking spaces. Mr. Meyers asked about hitting golf balls out of the hitting bays and the golf ball slicing west. He asked if anything is being done to the west edge of the driving range to protect balls from going to Sawmill Parkway. Should a net be placed there? Mr. Faris said there is currently a tall mound which is actually taller than the mound on the back side. Mr. Meyers suggested thinking about some landscaping which could block potential balls. We need to see more detail on building materials. We need to see how the window casings are done, how entry elements are done. The elevation drawings don't match up to the clubhouse details. It would be good to see the detail in future drawings. The scale of the entry pieces seem to be disproportionate, how they pop vertically and have a very large panel over the entry door. He suggested looking at the entry to the pool and tennis clubhouse or the entry to the pro shop as examples. Mr. Meyers asked why the building drawing shows a kink in the building. Mr. Faris said it gives the end bay an aim in towards the driving range. Mr. Meyers said the façade of the building is very long and flat. Subtle variations in the façade line would be a big benefit. The existing clubhouse is an attractive building. The pallet of materials would work well on the new facility. Mr. Meyers asked if the heating will be an electric radiant heat and or gas fired heaters. Mr. Faris said he didn't know. Mr. Meyers said if they use gas fired heating there needs to be a lot of vents. The placements of vents would need to be thought out. He suggested a radiant heat system. The back terrace of the clubhouse has a radiant panel system which would work well. More detail and enhancement on the architecture is needed.

Chairman Emerick opened this item to public comment.

The following residents spoke. Concerns are summarized.

Marvin White, 3352 Timberside Drive:

- is concerned they find golf balls in their yards
- golf balls crack windows
- he is concerned with the parking lot
- tall trees can fall on the facility
- they have condo overflow parking on the north side of Woodcutter which has to be moved within 24 hours, more parking on Woodcutter will be a problem
- he is concerned with golf balls going towards Sawmill Parkway

Gay Miller, 7654 Thicket Place:

- bought her unit because it looks out over brush, trees and nature
- she finds golf balls in her area
- she is concerned the building on top of the mound is going to be very tall
- she is worried about the value of her condo decreasing
- she is concerned with the placement of the parking spaces
- she doesn't think the fence is going to protect the people, the fence might help stop balls from going into the pond but most golf courses have to pay for divers to get balls out of ponds

Genie Gordon:

- quite a few golf balls go over the mound and end up in her area
- she is concerned with parking along Woodcutter and the safety of children getting on and off school buses
- condo overflow parking will be on the north side of Woodcutter and now people will park on the south side of Woodcutter
- school buses won't fit through
- children won't be seen
- a lot of people walk dogs down the road

Randall Robie, 3302 Timberside Drive:

- concerned about property values

- concerned golfers drink a lot and he doesn't want this element near his home

Miles Rush, 7720 Gateway Lane:

- asked the Commission members if they would want this facility to back up to their backyard
- asked if the Commission members would purchase a home if the facility was already there, he thinks the answer to both questions is no
- told the Commission their role is to protect residents from projects which aren't well thought out and are negligent to the taxpayers
- concerned about his property value and his ability to re-sell
- worries about errant golf balls and safety of children
- concerned about the fence
- concerned about loss of privacy, the traffic, security, lighting, noise, loss of trees

Dave Lester, 7682 Indian Springs Drive:

- supports the project because it brings a lot of talent to Kinsale
- there won't be high traffic
- it will be used predominantly in the winter for lessons
- it will not be a party house
- plenty of parking spaces
- the facility will be great for the club
- other private clubs have similar facilities to bring in the best staff

Binal Patel, 7704 Gateway Lane:

- bought their house due to the nature and the view
- the huge building and fence will block their view
- the noise pollution, noise starts at 5:00 a.m. every day, now the noise will be all winter too
- their children play in the back yard and she is concerned about their safety
- the golf carts and people drinking concern her
- the value of their home will go down
- there is no advantage to the residents at all
- she strongly opposes and asked the Commission to please not approve the request

Winsor Kwong, 7734 Gateway Lane:

- concerned about the wildlife in and around the pond
- the wildlife will get stuck in the mesh fence
- parking lot is so far away from the building people will not be motivated to park in spaces
- worried about the building being built on top of the mound and the height of the building

Arjuna Vaka, 7805 Gateway Lane:

- concerned about the building being an eye sore
- concerned about golf balls on their property
- concerned about the security of their children
- concerned how golfers will behave
- there is no added value to the community
- no room if cars park on the street
- no room for cleaning ice in the winter, the roads won't be cleaned

Prem Jonnala, 7887 Gateway Lane:

- concerned about the parking lot
- concerned about the traffic
- concerned about cars parking on the sides of the roads, makes it hard to get into their community
- they thought development was done when they bought their property
- concerned with property values
- strongly disagrees with plan and asked the Commission to reject the plan

Bhaskara Rudraraju, 7790 Gateway Lane:

- has same concerns as everyone else
- concerned with the building being built on top of mound
- bought house due to the view, new building will upset the view
- they find 10 to 15 golf balls in their yard every month
- concerned with more noise, they already have noise at 5:00 a.m. every morning

- concerned about more trucks and carts

Vidyanand Kandakatla, 7723 Gateway Lane:

- concerned about their children being safe during construction
- the children won't be able to ride their bikes or play

Eric Conley, 7688 Gateway Lane:

- concerned about the building being built on top of the mound
- the building will be at same height as the mound along Sawmill Road to protect golf balls from going onto the road, balls will shoot out over mound
- there are already cars parked solid on the streets through the summer, neighbors put signs out telling people not to turn around in their driveways
- the neighbors will have to deal with the hassle of cars parked on the street and the facility won't
- he doesn't think the project will be a benefit to the community, it will benefit club members and not residents

Srivital Choppara, 7846 Gateway Lane:

- has all of the same concerns already mentioned
- has been in his home for 10 years
- he invited the Commission members out to see how the building on top of the mound will obstruct their views
- concerned with the values of their homes dropping
- the project isn't good for the community

Viren Patel, 7704 Gateway Lane:

- has same concerns mentioned
- he struggles to understand the minimal aesthetic impact and the economic benefit mentioned in the summary
- his house was recently appraised for refinancing and his appraiser said his house would lose about \$50,000 in value
- concerned about noise
- he doesn't expect memberships or revenues to go up for the business so he struggles to see the benefits
- concerned with the fence
- he had a golf ball break their glass patio table
- if he put this type of fence up in his backyard the guidelines would make him tear it down
- concerned about the safety of his children
- he thinks this is a major change and not a minor change

Elyse Weiss, 3294 Winding Woods Drive:

- walks path every day and loves how pretty it is
- watches the ducks, geese, herons and goldfish on pond
- it breaks her heart this project is being proposed
- concerned with parking issues, people ignore signs, people will be blocked in their neighborhood
- houses on south side of range will now have golf balls in their yards
- concerned with the building being built on the mound

Rammohan Gande, 7737 Gateway Lane:

- has same concerns as everyone else
- concerned with his property value
- concerned about facility being taken care of during the summer months if it won't be used during summer
- concerned with being able to get in and out of his neighborhood with cars parked on street
- the fences will spoil the views and there are other ponds without the fence

Chairman Emerick closed the public comment session and opened the floor for comments and questions from the Commission.

Commissioner Cooper said there are obvious concerns from the neighbors. This is a golf course. You aren't going to get away from golf balls, lawn mowers, golf carts, etc. The golf course has been here for some time. He does understand the concern about the building being placed on top of the mound. Even if the mound is reduced by a couple feet it will still be rather high and an eyesore. He doesn't know if the facility could be placed somewhere else or not. Maybe the mound could be used to hide the building. He understands the concerns with parking. Can the area be made accessible only by golf carts? The applicant needs to listen to the neighbors.

Commissioner Jester said golf course problems are not going to change, you are going to have golf balls in your backyard. The parking and traffic on Woodcutter Drive are an issue. Maybe there shouldn't even be parking allowed on Woodcutter Drive. The Traffic Department needs to look into this. He initially wasn't concerned about the building being on the mound but the more he heard residents talk about it he is bothered by it. The building might be overwhelming. This needs to be looked at. There is too much concern.

Commissioner Cooper added he agreed this project might not be a benefit to the residents of Powell. It is an amenity for the golf course.

Commissioner Boysko thanked everyone for coming to the meeting. It is great to get the public input. A benefit to building the facility on the mound is errant golf balls will be blocked from reaching condos. The project is a great benefit to the members of Kinsale. A benefit to the people who live along the edge is the beautiful scenic views. One of the hazards is living next to a driving range, but this isn't going away. The applicant is trying to help with a decorative fence. The fence is attractive. Maybe the fence needs to be continued south to protect pedestrians. There are some positive things which can come out of this project if some of the suggestions are taken into account. Commissioner Boysko asked if this project is an amendment to a development plan already in place. The use is an acceptable use, the development is already a part of the plan. Mr. Kambo said the existing development plan allows this particular use; the driving range. The reason for the amendment is the existing plan didn't have a building included in it. Commissioner Boysko said it gets back to whether this is a minor or a major amendment. If it is minor, the request comes before P&Z. It is sounding more like this is a major amendment and there could be another meeting. Mr. Kambo said technically speaking, this is a minor change. The land use isn't being changed. He knows there are concerns in regards to the actual development but the number of concerns doesn't convert this into a major change. P&Z has every right to push this over to Council for final approval if they wish to. Just because there are a lot of comments doesn't deem it a major change. A major change would be a change in land use or a substantially large scale development. Commissioner Boysko said it seems there are justifiable reasons for another meeting. Mr. Kambo said an amendment to a Final Development Plan can have a number of meetings in P&Z. Commissioner Boysko said he thinks the plan could be positive if we can work through some of the issues and minimize the impact on the community and neighbors.

Commissioner Little said this is one of those situations where the property was originally developed in Liberty Township and became a part of Powell afterwards. Mr. Kambo said yes. Commissioner Little asked if zoning and use is dictated by what Liberty Township deemed appropriate. Mr. Kambo said yes. Commissioner Little said they are on a real narrow path of what kind of influence they can have on this request. If the request meets the intent of what Liberty Township did, P&Z is in a gentleman's agreement, work with the developer to try and make it the best we can. Mr. Kambo said yes. If it meets the intent of the Zoning Code, the use is allowable. P&Z can massage the request into a way it best meets the desires of the community. Commissioner Little said if this was developed in Powell we would have a Sketch Plan, then a Preliminary Development Plan and then a Final Development Plan. P&Z would have a lot of ability to have an influence on what ultimately happens on this piece of property. Mr. Kambo said yes, that would be our typical review process. Commissioner Little said they don't have the option of this path now. Mr. Kambo said not necessarily. Commissioner Little said he brought this up so the people understand how the issue works with the P&Z Commission. How far is it from the front tees to the condos? Mr. Kambo said it is almost 1,000 feet. Mr. Meyers said 334 yards. Commissioner Little said he might argue that the balls found at the condos might be off of the 10 tee. Why can't the building be put on the south side of the driving range?

Andy Montgomery, Director of Golf, Kinsale Golf and Fitness Club, said there wouldn't be enough hitting area if the building were placed on the south side. The normal use of the driving range wouldn't exist if the building were placed on the south side.

Commissioner Little asked if the pond next to the tee is a retention pond. Mr. Faris said the pond serves as an irrigation system. Commissioner Little asked if the new facility will be limited to members or open to the public. Mr. Montgomery said it will be open to the public. Commissioner Little said then there will be a need to drive to the facility and park. Mr. Montgomery said people will have appointments and they will instruct people to park at the clubhouse and use a cart to go over. Commissioner Little asked for hours of operation, will they be open at night. Mr. Montgomery said not to hit golf balls outside. People could use indoor simulation at night. Commissioner Little said there is already an issue of people parking and turning around on Golf Village Drive. The question is how big of a parking lot is appropriate. If the request moves forward, parking on Woodcutter Drive needs to be talked about and then enforcing parking becomes a condition. Commissioner Little asked what the height of the condos is. Mr. Faris said the condos are Epcon condos and are 35' at the maximum. Commissioner Little said if there is a 12' foot mound and you take a couple feet off, and a 20' building is put on the mound, you have a 30' tall building. The heights would be about the same. The heights will be relationally the same. Commissioner Little said he

appreciates the fact a lot of people came tonight, expressing their concerns. He thinks the recommendation will be to table the request. If the request comes back, the no parking requirements on Woodcutter Drive will need to be addressed, they will need more detail on the building, the applicant could look at setting the building down more on the mound, they will need to see more detail on landscaping, see the details on any signage, see if any type of netting is going to be erected and we need to understand the type and height of netting. This Commission needs to determine whether the proposal is already approved by the Township, take into account the feedback and try and make the proposal work for everyone.

Commissioner Hartranft thanked everyone for coming. He is glad Commissioner Little pointed out what the Commission is able to do. He thinks the facility will be a great addition to the club. The use is an accepted use of the land. There are changes which could be made and he is confident the owner, Mr. Kenny, won't put up a facility he wouldn't be proud of. We can already see how much effort was put into the existing club. The manager of the club isn't going to put something in which doesn't go with the existing theme of the course. The fears of the residents are valid. When you move into an area and you have unobstructed views it is great. Those views and scenery will continue to be there. The applicant will go to great lengths to keep the trees. The neighbors on Woodcutter will be the ones most exposed to the facility but he is confident the landscaping will hide and make it as less of an impact as possible. Is there a reason to build the facility on the mound? Mr. Faris said being on the mound stops the balls. We can look at whether it can be lowered some. Maybe there is a happy medium. Commissioner Hartranft asked about safety during construction. Construction goes on all of the time. Mr. Faris said security type fencing will be installed right away so people don't go into the construction area. There is a liability for the contractor if people can enter a construction area. The area becomes a secure area while under construction. The facility is 2,000 SF, not big. The inside finishes are very minimal. The project won't take a lot of time. Commissioner Hartranft asked for a time frame from breaking ground to finish. Mr. Faris said not much more than 3 months. Commissioner Hartranft asked how many golfers are on the range during peak hours. Mr. Montgomery said 12 – 15. A lot of the golf balls on Gateway Lane might originate from the chipping range and not the driving range. We want to keep it to a minimum. Commissioner Hartranft said this facility will have 4 bays. Mr. Montgomery said there will be 2 teaching bays and 4 hitting areas. Commissioner Hartranft said if I am a member of Kinsale, on a nice day I'm probably not even going to use this new facility, there is no need to, unless I'm taking a class. Mr. Montgomery said correct, private instruction. Commissioner Hartranft said in the winter, the number of golfers are very small. The utilization at this facility is going to be minimal and the specific use of the facility doesn't condone massive parking issues. The seasonal usage is going to be small. Commissioner Hartranft said he wonders if the fence will even be seen from the back of the houses. There is a mounded area. How high is the fence? Mr. Faris said 4'5". Commissioner Hartranft asked if the fence is actually needed. The fence is a topic of concern for a lot of residents. Maybe the fence could be taken out of the proposal or lowered. Commissioner Hartranft asked if parking is the club's issue or is it the City's. Mr. Kambo said parking enforcement would be the Police Department's responsibility.

Chairman Emerick asked what the hours of operation will be for the tees hitting south versus the tees hitting to the north. Will they operate at separate times or at the same time? Mr. Montgomery said both can be open at the same time.

MOTION: Commissioner Little moved to table an Amendment to an approved Final Development Plan for the property located on the south side of Woodcutter Drive, east of Sawmill Parkway as represented by Kinsale Golf and Fitness Club, to allow the addition of an all-weather golf practice facility, until further requirements are met. Commissioner Cooper seconded the motion.

VOTE: Y 5 N 1 (Hartranft) (Fusch absent)

Chairman Emerick moved Agenda Item #9, the Zoning Code Amendment request, up to Item #6 rather than the Village Park storage facility request due to how long Item #5 took and how late it was; so Maggie Carter (age 11) could get home at a decent time.

ZONING CODE AMENDMENT

To review and consider changes to the Powell Codified Ordinances, Section 1147.11, Agricultural Uses, adding provisions for the allowance of raising chickens on residential properties.

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

The Comprehensive Plan resulted in a review of Powell's Ordinances. A Code Diagnostic Committee was established, made up of Planning & Zoning Commission members and City Council members, to review Ordinances. The Committee was presented with a request to allow chickens. The Development Department had been receiving phone calls asking if residents are allowed to have chickens in the City of Powell. The Carter family

came forward and asked to be allowed to have chickens. Staff looked at other communities which allow chickens and modeled the proposed Ordinance changes off of the City of Bexley's Ordinance. Staff added provisions regarding the number of chickens and a requirement for inspection. The Committee reviewed Staff's proposed changes and recommended review by the Planning & Zoning Commission. Once P&Z reviews, the proposed Ordinance changes will go to City Council for their review. City Council makes legislative actions to adopt Ordinance changes.

Staff proposes that chickens be allowed in the community; no more than nine (9) chickens can be kept on the premise. The Zoning Inspector must inspect the chicken coop. Language regarding violation and repercussions should be added.

Steve Carter & Maggie Carter, 262 Halverston, said Maggie has always been interested in chickens. Maggie asked if she could have chickens and Mr. Carter said he had to tell her no because they live in the city. Maggie asked why a house a few doors down the street has chickens and horses. Mr. Carter explained to Maggie the house was in Liberty Township and zoned differently. As Maggie learned more about government in school, Mr. Carter told Maggie they could talk to City Council and see if the rules could be changed. Maggie first took a petition around to all of her neighbors. Maggie got approximately fourteen (14) signatures in favor of her raising chickens. Mr. Carter said they then contacted Dave Betz, Development Director. Mr. Betz told them the City was in the process of reviewing and updating City Ordinances; timing was perfect. Mr. Carter said he and Maggie met with Mr. Betz and Mr. Kambo. Mr. Carter said they like the language which has been proposed and they would like to seek approval from the Planning & Zoning Commission.

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

Chairman Emerick opened the floor for comments and questions from the Commission.

Commissioner Hartranft thanked Mr. Carter and Maggie for coming before the P&Z Commission. He asked Mr. Kambo if you could only purchase chickens in groups of six (6). Mr. Carter said you can buy one chicken from Tractor Supply. Commissioner Hartranft said he thought something was said at the last P&Z meeting about having to buy chickens in groups of 6. Commissioner Cooper said he remembered this being said also. Chairman Emerick said it was Mr. Betz who said it at the last meeting. Mr. Kambo said this can be looked into before the proposed changes go to Council. Commissioner Hartranft said to look back at the transcript from the previous meeting. He said the proposed changes are fine. He is sure there will be a lot of feedback from the public. Commissioner Hartranft asked if there is a minimum requirement for yard size. Mr. Kambo said there is no minimum land requirement. Lots in the City of Powell aren't small. Commissioner Hartranft asked if a coop would be treated as an accessory. Mr. Kambo said yes, the coop would have to be placed within the setbacks of accessories. Commissioner Hartranft asked if a coop could be placed in the same place as a swing-set. Mr. Kambo said yes. Commissioner Hartranft asked if a coop could be placed in the back corner of a lot. Mr. Kambo said yes.

Commissioner Little asked if City Staff will check with Home Owner's Associations (HOAs) prior to giving a permit. Mr. Kambo said yes. Commissioner Little said he is fully in support of where the proposed changes are at.

Commissioner Boysko asked if the City needs to regulate the enclosure of the chickens once the chickens are outside of the coop; is there a fenced area which needs to be regulated or monitored. He asked if chickens stay in their coop all of the time. Mr. Carter said no, typically chickens go in their coop in the evening. You have a small fence around the area. Commissioner Boysko asked again if the enclosure needs to be monitored or will this be handled by the HOA. Mr. Kambo pointed out Item #2 in the proposed Ordinance, "...chickens shall be kept in a secure enclosure shielded from the street to which it fronts." He said he understands where Commissioner Boysko is coming from, the coop has specific requirements and setbacks, should the enclosure area be included in the setback. Commissioner Boysko said he didn't know if the City should monitor the enclosure or not. Mr. Kambo said the enclosure would also be inspected by City Staff. Commissioner Boysko asked if the Ordinance needs to include something on chicken waste disposal. Mr. Kambo said the Ordinance doesn't specify how an owner needs to keep the area clean but #3 of the proposed Ordinance says "That a chicken coop be provided, and be kept clean and in good repair." The language is general and broad. Commissioner Boysko asked if requests will be administratively approved and won't come before P&Z. Mr. Kambo said requests would not come before P&Z, they would be handled administratively. Typically for an accessory use, a resident submits a permit request through the Building Department. The request is circulated through the departments and the Development Department will make sure the request is in line with setbacks, use, etc. The Development Department will make the determination of whether the request is acceptable or not.

Commissioner Jester commended Maggie Carter on her request to have chickens. He reminded her no roosters.

Commissioner Cooper asked if the coops are being treated as an accessory building. Mr. Kambo said yes. Commissioner Cooper said in a subdivision such as Grandshire, where accessory buildings or fences aren't allowed, a person wouldn't be allowed to have chickens if the subdivision rules stay the same. Mr. Kambo said correct. Commissioner Cooper said he had no problem with the proposed Ordinance.

Chairman Emerick said he had no additional comments.

Commissioner Hartranft asked if there is a way to name the proposed changes to the Ordinance after Maggie Carter. Chairman Emerick said this was mentioned in the previous meeting.

MOTION: Commissioner Little moved to approve changes to the Powell Codified Ordinances, Section 1147.11, Agricultural Uses, adding provisions for the allowance of raising chickens on a residential property, subject to the following conditions:

1. That said Amendment shall be approved by City Council, and
2. That said Amendment shall be named the "Maggie Carter Zoning Code Amendment".

Commissioner Cooper seconded the motion.

VOTE: Y 6 N 0 (Fusch absent)

Chairman Emerick kept Agenda Item #7, the Village Park storage facility, as Item #7, moving the Big Hearts Little Hands request to Item #8.

FINAL DEVELOPMENT PLAN REVIEW

Applicant:	Global Land Investments LLC
Location:	Village Park Drive, near Penny Lane
Zoning:	(PI) Planned Industrial District
Request:	To review a proposal to construct an 85,800 square foot, three-story storage facility on 3.02 acres.

Commissioner Shawn Boysko recused himself from the Final Development Plan review for Global Land Investments LLC.

Nikki Wildman, MS Consultants, 2221 Schrock Rd., said changes were made to the project after the Preliminary Development Plan hearing. The engineering drawing was changed to show the size of the site is 0.929 acres. The original drawing showed 1 acre. The landscape design was revised to show the mounding to match the engineering drawing. The architecture team met with Mr. Meyers and revised the front and north elevations of the building to refine the details. They included the landscape buffers in the elevations so a more realistic depiction of the project can be seen. Street images show the views of the site are obscured from the main streets; Seldom Seen and Liberty. The massing of the building is very comparable to the Vizion Athletix building, which is prominently situated on Seldom Seen Road to the north. Images 4, 5 and 6 show the existing landscape buffer between the building and Abbotsgate apartments to the south. They will be adding to the existing buffer to make a more opaque screen between their building and the apartments. Image 7 shows the north side of Abbotsgate apartments and shows this side of the apartments was designed to house cars. You can see the second story windows are designed in a way the view of the Tri-Village building will be obscured. In the future, buildings will be built to the north of our site. The views of the Tri-Village building from Seldom Seen and Clairedan Drive will be largely obscured. A height analysis was requested during the Sketch Review. The analysis shows the roof height is 31'6" and is very similar to other buildings in the surrounding vicinity. The analysis also shows the size and scale of the Tri-Village building is very similar to the Vizion Athletix building located on Seldom Seen Road. Ms. Wildman said a lot of effort has been put into the design of the building, to break up the size and scale. They used parapets of different heights to break up the vertical elements. They accented the elevations with the use of different materials and architectural details such as aluminum store front windows and sun shade devices. They have added elements of interest which are uncommon to buildings of this type. They worked closely with Mr. Meyers on the west elevation which is the front of the building, the most visible side to the public. They added the cap element over the window area Mr. Meyers suggested. It is a unique design feature for a storage building. The windows contribute a lot to breaking down the scale of the west elevation. They added a sun shade to the glass cap feature. It draws the eye to the differences between the center bay and the corner bays. The cap successfully contributes to breaking down the size and scale of the elevation. They further refined the canopy design. The new design is a thinner and more linear version than the previous design and compliments the cap design above. The south elevation now includes a rendering of the landscaping. The drawing shows the depth of the buffer which is composed of the existing trees in the foreground and a dense buffer Brexton will provide. The landscaping on the east elevation really compliments the architecture. Ms. Wildman said they worked with Mr. Meyers to strategically place the

spandrel windows in a way to break up the scale of the larger, middle bay. The spandrel windows are designed and constructed to look like typical windows. Seven different materials are being proposed to reduce the size and scale of the building. They took the comments regarding the LED sign at the last meeting to heart. They have eliminated the LED lighting from the sign proposal. Ms. Wildman said it is interesting to note there is so much landscaping designed into this project that even the main elevation they worked so hard to design is largely obscured by landscaping.

Melanie Wollenberg, Brexton LLC, 815 Grandview Ave., thanked the Commission for moving their request up on the Agenda. Ms. Wollenberg said their project meets the Planned Industrial Code requirements. The variances include moving the building to the north, next to a Planned Industrial area. This does not reduce the landscaping to the south. It does keep the building to building distance to 105' on the south side. The City also has an easement which they needed to avoid. The use will be very light for a Planned Industrial area. There won't be a lot of noise, traffic or heavy utilities; all of the issues which can go with a Planned Industrial area. Food processing, light manufacturing, a supply yard, an auto service facility all could be put on this lot. This project is a much more gentle use of the property. The site isn't visible from Liberty Road or from the surrounding streets. It is hardly visible from Village Park due to the landscaping. The building fits within the height and scale of the area. Their building is within a foot in height of the apartments to the south. The height of their building is actually 3-1/2 feet under what is allowed per Code. Their building is the same height or a couple feet shorter than the Vizion Athletix building. Ms. Wollenberg said they appreciate all of the Commission's, Staff's and Mr. Meyers' comments throughout the process. It has helped them make the building look like an office building and to ensure the proper buffering. A market study demonstrates there is a need in the area for this type of use in Powell.

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

ORDINANCE REVIEW

There are nine (9) items to be reviewed for a Final Development Plan. The project will be a single phase development, completed within 12 – 14 months. The project is consistent with the types of uses allowed in a Planned Industrial District. Staff does have concerns with some of the land use policy recommendations in regards to sensitive landfill development and with the aesthetic community character. The applicant has done a better job with later drawings. Staff feels existing streets are adequate to handle any increased traffic flow. Staff does have some reservations with the height of the building. 35' is the maximum height allowed in Planned Industrial Districts. The building is at 35' in the main component part of the building and the parapets go 1' higher. Staff is fine with the 1' increase of the parapets. In terms of the site footprint, Staff is happy. The reservation lies in the actual massing of the building itself. Using the applicant's height analysis, you can see the difference in massing of the buildings. The church isn't one big block. Even after all of the work the applicant has done, and Staff thanks the applicant for working so hard on the massing of the building, Powell just doesn't have big box buildings. Staff has said this from the beginning. The last request on the Agenda today is the splitting of a parcel to the east. The applicant is going to purchase the parcel and combine the parcel with theirs in order to meet the minimum detention requirements.

STAFF COMMENTS

Overall, Staff is supportive of this type of use and the design of the site. As mentioned before, Staff does have reservations with the scale of the building on the site, especially since all of the buildings surrounding the site are much smaller. The improved design and landscaping is appreciated and Staff does see the benefit of having this service available to Powell residents. Storage facilities such as this are the current trend and if one is going to be built in Powell, this is the least conspicuous site to place one.

STAFF RECOMMENDATION

Staff does recommend approval of the Final Development Plan with the following conditions:

- The applicant meets all City Engineer requirements.
- All Architectural Advisor's comments are met.
- The applicant try to reduce the mass of the building.
- The variances be approved to move the building northward.

Chris Meyers, Architectural Advisor, said the south fire lane is a requirement from the Fire Chief, not a design effort. Mr. Meyers said the additional buffering which is going in near the fire lane needs to be done in such a way that the fire lane can be used to its best potential. Conversations have always been along the lines of how do you take a big box building, which is as efficiently planned internally as possible, and give the building some degree of refinement so the building doesn't look like a big box storage building. The effort put into adjusting the building has made the building look like an office building. If you took the word "storage" off the front of this building and put the building in front of 20 people, Mr. Meyers said he doubts the people would say the building is a storage

facility. Mr. Meyers said he doesn't know if saying the building is too big and boxy really applies, on this site. If the building were placed on the corner of Liberty and Seldom Seen, it would be totally different. Looking at the building in its context, surrounded by established landscaping and building which cloak the visibility, the building will be in the right spot. Mr. Meyers said there are two conditions which need to be adjusted, pertaining to the west elevation. First, there are two box like light fixtures which should be removed. Allow the glow of the entry canopy lights to be enough lighting. Second, the applicant needs to work with the Fire Department and the applicant's engineering team to place fire connections in a logical location. The fire connections appear oddly placed in the drawings. The monument sign seems like a typical monument sign; brick base, illuminated box up above, maximizing the logo and graphics on the panel. The black or dark bronze panel in the background seems like an odd color choice. Maybe the sign could be more elegant; a cut metal sign comparable to the sun shades which have been added to the building. Mr. Meyers recommended approving the request. The applicant has made good steps to satisfy massing and scale concerns. The applicant has really studied the building and determined what the building will look like from every vantage point.

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

Chairman Emerick opened the floor for comments and questions from the Commission.

Commissioner Cooper said the plans have come a long way. He wasn't a fan of the 3-story building but the applicant has done a wonderful job addressing the massing and the screening of the building. He really likes the building. Commissioner Cooper recommended paying attention to Mr. Meyers' comments.

Commissioner Jester said the applicant has come a long way. Initially he felt the building was too big, too massive. Over the past couple months the applicant has done a fine job with the building. He agrees with Mr. Meyers' comments about placing a storage facility in Powell. This site is probably the best spot. He agrees with needing to do something with the sign.

Commissioner Little said he appreciates all of the discussions and changes. The building is fine and appropriate for the location. Commissioner Little welcomed the business to the community.

Commissioner Hartranft said he echoed all of the comments which have been made. He thanked the applicant for the hard work. It is exciting how much the plan has improved. It is a testament to the process. The business is going to be a good addition to the community.

Chairman Emerick thanked the applicant for all of the hard work.

MOTION: Commissioner Little moved to approve the Final Development Plan for the property located at Village Park Drive, near Penny Lane as represented by Global Land Investments, LLC, to construct an approximately 88,320 square foot, 3-story storage facility on 3.02 acres, subject to the following conditions:

1. That the applicant shall meet all City Engineer requirements, and
2. That all Architectural Advisor suggestions shall be met, being:
 - A. Remove the light on the west elevation.
 - B. Work with the Fire Department and City Staff for the appropriate location of the fire connection.
 - C. Work with the Architectural Advisor and City Staff to finalize the monument sign design, which shall be subject to final approval of City Staff.

Commissioner Hartranft seconded the motion.

VOTE: Y 5 N 0 (Boysko recused, Fusch absent)

PRELIMINARY DEVELOPMENT PLAN REVIEW

Applicant: Big Hearts Little Hands Childcare, Brenda Warnock
Location: 14 Grace Drive
Zoning: (PC) Planned Commercial District
Request: To review a proposal to construct a 3,672 square foot addition to an existing daycare.

Brenda Warnock, Big Hearts Little Hands Learning Center, said they have new drawings which show the changes since the last meeting.

Sean Bogenrife, Bogenrife Architecture LLC, said comments were made at the last meeting about breaking up the front elevation and the roof. They met with Mr. Meyers and made updates to the plans. They have added shed dormers, a porch on the front which they think is a good addition to provide cover from weather when parents bring their children in, they adjusted the scale of the cupola, they varied the board and batten spacing to help

with the scale and they put heavier trim on the corners of the addition. Mr. Bogenrife said they talked with Mr. Meyers about the front sidewalk, trying to make the sidewalk come out further. Doing this will leave room by the front door for landscaping. Ms. Warnock wants to plant hostas and day lilies along the front.

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

The proposal remains the same. Changes have been made to the orientation of the front pathway and 2 trees have been added to the front. The elevations have been refined and are shown in color now.

ORDINANCE REVIEW

The proposal meets all use and dimensional requirements of the Zoning Code; is an expansion of an existing use which fits in nicely within the area so the addition is an appropriate use; the business has been very good for the community, the business is in a good location and near downtown; renovating an existing building near the downtown core benefits the community as the Comprehensive Plan recommends; Staff doesn't see an impact on traffic and circulation; yard spaces are appropriate; the project will be completed in a single phase, probably within 6 months; there are no improvements which need to be made by the City; there is no cost to the community; the improvements will have a positive effect on the surrounding businesses.

STAFF COMMENTS

Daycare/childcare facilities are in great demand and the addition will provide a great benefit to residents. Staff is happy with the proposed changes.

COMPREHENSIVE PLAN CONSISTENCY

The proposal is consistent with the Comprehensive Plan, upgrading an existing commercial site and growing business.

STAFF RECOMMENDATION

Staff recommends approval of the Preliminary Development Plan under the condition that all Architectural Advisor comments are met.

Mr. Bogenrife said they met with Mr. Runyon and changes have been made based on Mr. Runyon's feedback. There were questions at the last meeting about the mechanical units, the condenser units. There are 3 existing units and they will add 2 new units. They are spreading the units out across the back of the building so the noise isn't so concentrated. A fence has been proposed for the back which will be the same height and style as the fence on the adjacent property. Mr. Runyon requested this. We have tried to address comments which were made at the last meeting.

Chris Meyers, Architectural Advisor, said he did meet with the applicant and just about everything which was mentioned at the last meeting has been incorporated into the plan shown tonight. On the north elevation where the brick is being maintained, the new Hardi siding, wrap, trim and stone base bookends the corners. The east and west elevations have egress doors for emergency exits and will not be active entry doors. Mr. Meyers asked if the glass on the doors will be clear or frosted. Mr. Bogenrife said he prefers the glass to be clear to let light in. There isn't an issue of people being able to see inside. Comments were made in the last meeting about keeping the addition looking residential. The doors on the side are more residential style doors. Mr. Meyers said he thought a light frosting might help in regards to security. Ms. Warnock said they have put curtains on the inside of clear glass in the past. Mr. Meyers said the consistency of all of the windows and doors is important. Mr. Meyers said he is glad drawings show downspout locations. Shed dormers sometimes create an odd condition of one downspout off to the side. Mr. Meyers suggested a drip edge as opposed to a downspout. All of the elevations except the west elevation show a white corner trim. Mr. Meyers said the entry gable panel might be a good spot to place the business's logo; maybe just the hands and hearts in the logo. It is a great logo and it would add interest to the gable panel. The scale of the clear story up above has been adjusted and looks more in line with the scale and proportion. The doors on the sides of the building will need emergency exit signs if they are egress doors. Mr. Meyers recommended a concealed soffit light above the doors instead of a light fixture at each door. Subtle down lighting could be used as accent points around the building. This is a residential detail and will create a nice ambient glow on the façade of the building.

Chairman Emerick opened this item to public comment.

Bruce Runyon, 37 Trail Edge Circle, said they are the neighbors to the north of the daycare facility. He expressed his appreciation to Ms. Warnock for being willing to work with them and for extending the privacy fence across the

back of the property. He is very happy about it. They support Ms. Warnock's project. The changes are a big improvement from where the request was at the last meeting.

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

Commissioner Hartranft thanked everyone for coming back and sitting through a long meeting. The attention to detail is noted. He thinks it is great Ms. Warnock is investing in and growing her business here in Powell. The changes make the facility pop and look better.

Commissioner Little said he is happy the business is expanding in Powell. He appreciates Mr. Meyers' comments and thinks the building is going to look good when done.

Commissioner Boysko agreed with all comments. He likes the improvements made. Commissioner Boysko said comments have focused on the building but is there a need to talk about parking requirements, landscaping or site lighting? Mr. Bogenrife said the parking they currently have is adequate. They are required to put in 3 trees. There is no stipulation of where the trees had to be placed but they are putting in 3 trees. They are putting 2 in the front and one on the side. Flowers will be planted along the front to add color. Commissioner Boysko asked if there is existing site lighting. Mr. Bogenrife said yes. Ms. Warnock pointed out where existing lights are. Commissioner Boysko asked if additional wall packs will be added to the addition portion of the building. Mr. Bogenrife said they don't want to use wall packs. They want to use soffit lights. The parking lots don't need any more lighting. They need lighting for the extended sidewalk. They want to keep the building looking residential. Commissioner Boysko said they are losing a monument sign due to the addition. Is there a need for additional signage? Mr. Bogenrife said they are thinking of moving the existing sign to the side. Commissioner Boysko said signage should be addressed in the Final Development Plan. There seems to be a need for signage unless the applicant is exceeding signage limitations. Mr. Kambo said one sign per building. They will be fine if they move the existing sign.

Commissioner Jester said the addition is nice. It will look great in the area.

Commissioner Cooper said he had nothing else to add. He is pleased with the changes and pleased they paid attention to their neighbor's comments and concerns.

Chairman Emerick had no comments.

MOTION: Commissioner Little moved to approve the Preliminary Development Plan for the property located at 14 Grace Drive as represented by Big Hearts Little Hands Childcare, Brenda Warnock, to allow the construction of a 3,672 square foot addition to an existing daycare, subject to the following conditions:

1. That the applicant shall continue to work with the Architectural Advisor to incorporate the finer details which are necessary for a Final Development Plan , and
2. That the applicant shall provide detailed landscaping, lighting and signage plans at the Final Development Plan.
3. Commissioner Cooper seconded the motion.

VOTE: Y 6 N 0 (Fusch absent)

SUBDIVISION WITHOUT PLAT

Applicant: Ridgewater Capital Management
Location: 383 North Liberty
Zoning: (PO) Planned Office District
Request: To review a proposal to subdivide a parcel into two and append one to the parcel to the west, as part of the Brexton storage facility proposal.

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

The applicant isn't present. The property to the west of the Brexton project is going to be split and a portion added to the Brexton site to the east. The Brexton property requires more property to handle the storm water. The parcel will be subdivided into two parcels and merge the remaining parcel. Staff would rather have seen another business built on the land but we must plan for what is before the Commission now. The additional property is a necessity for the storage facility to move forward so Staff recommends approval.

Chairman Emerick asked if there was any discussion from the Commission. No discussion needed.

MOTION: Commissioner Little moved to approve the proposed Subdivision Without a Plat for the property located at 383 North Liberty as represented by Ridgewater Capital Management, to subdivide a parcel into two parcels and append one to the parcel to the west, as part of the Brexton storage facility proposal.
Commissioner Jester seconded the motion.

VOTE: Y 5 N 0 Abstain – 1 (Fusch absent)

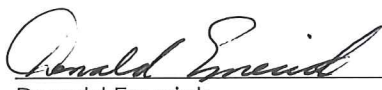
OTHER COMMISSION BUSINESS

Chairman Emerick notified Staff and the Commission he will be out of town for the November 9th P&Z meeting and Commissioner Fusch will be absent. Commissioner Little said he will not be able to attend the October 26th P&Z meeting.

ADJOURNMENT

MOTION: Chairman Emerick moved at 10:07 p.m. to adjourn the meeting. The Commission seconded the motion. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: October 26, 2016



Donald Emerick
Chairman

12/14/16

Date



Leilani Napier
Planning & Zoning Clerk

Date

