



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

January 11, 2017

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, January 11, 2017 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; Leilani Napier, Planning & Zoning Clerk and interested parties. Richard Fusch was absent.

STAFF ITEMS

Mr. Kambo advised the Commission the Certificate of Appropriateness request from Mathew Althouse for the property located at 26 W. Olentangy Street is scheduled to be reviewed by the Historic Downtown Advisory Commission (HDAC) on January 19, 2017. The applicant has been working towards a shared parking agreement with the neighbors.

The Code Diagnostic Committee will be meeting on January 24, 2017, to continue reviewing the City's Code.

P&Z will have a January 25, 2017 meeting to review the Pulte request; the Shelly/Smith annexation on Steitz Road. The request to allow chickens may also be on the January 25th agenda.

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 Little moved to approve the minutes of December 14, 2016. Commissioner Boysko seconded the motion. Commissioner Cooper abstained. By unanimous consent the minutes were approved.

PLAT REVIEW

Applicant: Verona LLC
Location: 4594 Powell Road
Zoning: (PR) Planned Residential District
Request: To review and approve a subdivision plat for Verona.

Kevin Kershner, Stantec Consulting Services Inc., said he is representing Verona LLC. They are requesting approval for the next phase of the Verona development. The next phase is a mirror image of the first phase and will be on the looped street; Fair Oaks Drive. The phase is in conformance with the approved Zoning and Development Plan. There will be twenty-five (25) lots with open space and the existing detention facility. They have engineering plans being reviewed by City Staff and the County. They are anxious to get construction started, hopefully within the next month. Sales have gone well for this particular product.

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

PROJECT BACKGROUND

Overall, the development is for 166 units on approximately 114 acres. The second phase consists of 25 single-family lots and there are 3 open space lots.

APPROVED DEVELOPMENT PLAN SYNOPSIS

The Development Plan was approved by Liberty Township. The City of Powell accepted their Zoning. The Preliminary Plat was approved by Delaware County Regional Planning Commission. Mr. Kambo asked Mr. Kershner

if the Final Plat has been approved by the Delaware County Regional Planning Commission. Mr. Kershner said no, the Final Plat is not required to be reviewed by Regional Planning, just the Sanitary Engineering Department.

STAFF COMMENTS

The verbiage under current zoning says SFPRD; Single Family Planned Residential District. The correct terminology is (PR) Planned Residence District. Also, the language covering landscaping features is vague. Staff would like to see more clarification; public versus private, clarify the language.

ORDINANCE REVIEW

Section 1107.08 of the Powell Codified Ordinances requires a Plat to be submitted and approved by Planning & Zoning.

STAFF RECOMMENDATION

Staff does recommend approval of the Plat with the following conditions:

1. The City Engineer approves all easements and other engineering related items.
2. Staff items mentioned are addressed in a revised Plat before signing. The revisions needed in the language should to be reviewed by Staff before Staff will sign.

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

Commissioner Hartranft said he had no comments.

Commissioner Little agreed with Staff's comments.

Commissioner Boysko agreed with Staff's comments.

Commissioner Jester said he had no comments.

Commissioner Cooper asked if private fences will be allowed in the subdivision. Mr. Kambo said he doesn't think so and this is why Staff is asking for clarification. The language talks about any landscape features such as trees, fences, retaining walls, etc., and drainage easements. Commissioner Cooper said the language is generic. Mr. Kambo said exactly. Mr. Kambo said he also wanted to let the Commission know a street was re-named in the subdivision. Traditions Drive has been re-named to Cordona Loop.

Chairman Emerick said he had nothing further to add.

MOTION: Commissioner Little moved to approve the Plat Review for the property known as Verona Phase II, located at 4594 Powell Road, subject to the following condition(s):

1. That the City Engineer shall approve all easements and other engineering related items, and
2. That Staff items shall be addressed in a revised Plat Plan prior to signing.

Commissioner Cooper seconded the motion.

VOTE: Y 6 N 0 (Fusch absent)

EXTENSION OF DEVELOPMENT PLAN APPROVAL

Applicant: Day Dream Inn, LLC
 Location: 80 E. Olentangy Street
 Zoning: (DB) Downtown Business District
 Request: To review an extension request for a previously approved plan.

Gene Rodriguez, Day Dream Inn LLC, 80 E. Olentangy St., said he came before P&Z a couple years ago for approval. Directly after obtaining approval, a series of events occurred which he had no idea would happen. The first was the demise of his primary investor. His primary investor had physical problems and the oil and gas business industry collapsed. He remembers well discussing the handicapped requirements for his facility. That day was his last healthy day. He tore his meniscus and he went blind in one eye. He now utilizes the handicap facilities everywhere they are available. He is quite happy handicap requirements were addressed. His issues short circuited all of his options at the time. He is now asking for an extension of another year. He hopes everyone still feels positive about his request. Commissioner Little asked if Mr. Rodriguez is asking for one or two year's extension. Mr. Rodriguez said he is asking for one year. He didn't know he could ask for two. Commissioner Little said he doesn't know the answer. He was just trying to determine what is being requested. Mr. Rodriguez said a year should suffice.

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

PROJECT BACKGROUND

The previous Day Dream request was to renovate an existing building on the corner of Grace Drive and Powell Road. The building was to be converted into a bed and breakfast with ten (10) rooms. The east side of the property was going to be re-graded to accommodate the necessary parking. The renovation was going to be great for a historical building in the downtown core. A great entry feature into downtown Powell was going to be created.

EXPIRATION OF APPROVAL PERIOD

Section 1143.11 (p) says when a project breaks ground, the applicant has five (5) years from the day ground is broken to complete the project. If the project isn't started, the applicant has two (2) years from approval of the Development Plan to begin construction. The applicant wasn't able to begin construction within the 2 year time frame.

STAFF COMMENTS

Staff doesn't see a problem with providing a year extension.

STAFF RECOMMENDATION

Staff recommends the applicant come back before Planning & Zoning if ground has not been broken within the year extension. The request will still be a great addition to the downtown core, adding another use into the downtown core and diversifying the mix of what the City has in the downtown area.

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

Commissioner Cooper asked Mr. Kambo if the request was still within the original 2 year period. Mr. Kambo yes. The request was originally approved on January 5, 2015. As per the Code requirement, the applicant contacted the City 90 days before the expiration. Commissioner Cooper asked if the fact that today is January 11th factors into this. Mr. Kambo said no. The applicant approached the City 90 days prior to the expiration of the approval period. Commissioner Cooper said he just wanted to check on all of the technicalities.

Commissioner Jester said he had no questions or comments.

Commissioner Boysko said he is in agreement with the extension. The project is a great re-development project and he is very supportive.

Commissioner Little said he was sorry the applicant had experienced all of the troubles. He thinks the house is beautiful the way it is. Renovations will make the house even better. He 100% supports whatever help the applicant needs.

Commissioner Hartranft said he is sorry for the applicant's misfortunes. Things happen. He thinks the business will be a great addition to the downtown and he is excited to have the business as a part of the downtown.

Chairman Emerick concurred with all of the previous comments.

MOTION: Commissioner Little moved to approve an Extension Request for a previously approved Final Development Plan for the property located at 80 E. Olentangy Street as represented by Day Dream Inn, LLC, subject to the following condition(s):

- 1. That the extension shall be for one (1) year, and
- 2. That approval by the Planning & Zoning Commission shall be required should any further extension be needed.

Commissioner Cooper seconded the motion.

VOTE: Y 6 N 0 (Fusch absent)

OTHER COMMISSION BUSINESS

No further business.

ADJOURNMENT

MOTION: Chairman Emerick moved at 7:16 p.m. to adjourn the meeting. The Commission seconded the motion. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: January 25, 2017

Donald Emerick 2/8/2017
Donald Emerick
Chairman

Lelani Napier 2/8/17
Lelani Napier
Planning & Zoning Clerk

Date

