



City of Powell, Ohio

Planning & Zoning Commission

Donald Emerick, Chairman

Vice Chairman (Vacant)

Shawn Boysko

Ed Cooper

Trent Hartranft

Joe Jester

Bill Little

Chris Meyers, AIA, Architectural Advisor

MEETING MINUTES

April 26, 2017

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, April 26, 2017 at 7:00 p.m. Commissioners present included Shawn Boysko, Joe Jester and Bill Little. Also present were Rocky Kambo, GIS/Planner; Leilani Napier, Planning & Zoning Clerk and interested parties. Ed Cooper and Trent Hartranft were absent.

STAFF ITEMS

Mr. Kambo advised the Commission there were additional documents at their seats pertaining to the proposed sign. He will explain the documents when he reviews the Staff Report.

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 Jester moved to approve the minutes of April 12, 2017. Commissioner Little seconded the motion. By unanimous consent the minutes were approved.

FINAL DEVELOPMENT PLAN REVIEW

Applicant: The Ellis Co. Ltd./Cole Ellis

Location: 72 Industrial Park Place

Existing Zoning: (PI) Planned Industrial District

Request: To review a proposal to renovate an existing self-storage site to remove boat and RV storage and replace it with new self-storage buildings.

Cole Ellis, The Ellis Co., said he has reached out to the condo HOA per Commissioner Little's request. He contacted the property management company on April 20th. There was an HOA meeting the evening of April 20th. He sent an e-mail to the property management company to be presented at the meeting. He hasn't received any communication back.

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

PROJECT BACKGROUND

The Sketch Plan was reviewed on February 8th and the Preliminary Development Plan was reviewed on March 22nd. Documents were refined after each of those reviews.

CHANGES SINCE THE LAST SUBMISSION

A development text has been provided. We now have a timeline for construction, refined engineering plans and a sign plan has been provided.

ORDINANCE REVIEW

The timeline for this project will be 6 to 8 months and the project will be started almost immediately. The existing roadways are more than adequate to handle the increased traffic. Cars and RVs are being taken off site so there should be a lot less traffic to this site. There are no negative impacts to the surrounding uses and the ability to plan in the future. Staff showed the detention and surface drainage plan to our Engineering Department and they were happy with what they saw. A more thorough review will take place later, after P&Z and Council have approved the proposal.

COMPREHENSIVE PLAN CONSISTENCY

This proposal is consistent with the Comprehensive Plan. New commercial development should contribute to both the service needs of the community as well as the economic and fiscal well-being of the community. Storage units are a need in Powell. This type of use will require very little municipal services. The net benefit is the City and schools will receive more benefits.

STAFF COMMENTS

Staff is still in favor of this development. We appreciate the applicant working with us through the entire process. Comments were made about how red the brick-like product being proposed is. The color of the product on Hard Road and Smoky Row is actually stucco which has been colored to look like brick. It is far redder than the product being proposed for this project. Mr. Kambo asked Mr. Ellis to hold up the sample of the brick-like product which will be used for this project.

STAFF RECOMMENDATION

Staff does recommend approval with the conditions listed in the additional documents provided (Exhibit 1A). Condition 4 has been revised by Staff. The sign which exists today was approved in 1987. The sign was supposed to have been placed in the right-of-way but it wasn't. The existing sign is actually a non-conforming sign. Staff is recommending the proposed sign be allowed to be placed in the right-of-way as previously approved in 1987. The additional documents provided to the Commission tonight include an Indemnity Agreement. Commissioner Little asked if the existing sign was not on their property. Mr. Kambo said the existing sign is actually on Germain's property.

Joe Miller, Attorney, Vorys, Slater, Seymour and Pease, 52 East Gay Street, Columbus, said a screw-up was made on where the sign was placed, as far as they can tell. The sign was approved for the right-of-way but it wasn't placed in the right-of-way.

Mr. Kambo said the sign was supposed to have been placed in the right-of-way in 1987. In order to make all things whole and right, the sign should be allowed to be placed in the City's right-of-way. Commissioner Little asked how far the sign will encroach in the right-of-way. Mr. Kambo said a couple feet. We would ensure the sign wouldn't block any site lines. The Engineering Department would be involved. Mr. Miller said the width of the sign is approximately 2 feet. Originally, the easement area contemplated right-of-way might be 4 feet deep. Mr. Kambo said Staff suggests placing the sign back in the right-of-way; as long as the sign is the same size as the existing sign. The existing sign is larger than what Code allows. The new sign could be the same size but not larger. The sign can be redesigned. A redesigned sign is subject to approval by both property owners and the P&Z Commission prior to issuance of a sign permit. Everything about the sign can be reviewed and discussed when the sign comes back before the Commission. An Agreement needs to be worked out and approved between the applicant and the property owner to the south (D&S Investments) for how the multi-tenant sign panels are maintained and changed as tenants change. The Agreement is to be approved by City Staff and the City Law Director prior to City Council.

The proposed sign is beautiful but it doesn't have the sign panels which are on the existing sign. In 1987, the intent of putting the sign in the right-of-way was to give signage to the storage facility as well as the businesses located on the east side of Industrial Park Place. The extra panels allow those businesses to have signage. Staff would like for the applicant to work with the other business owners to work out an Agreement then bring the Agreement back to Staff to be reviewed by the Law Director. Once this Agreement and all the specifics of the sign are worked out, the sign plan would come back to P&Z for a final review and approval. We recommend allowing the plan to move forward but have the sign come back.

Mr. Miller said, for the record, officially, they object to the condition. He won't bring it all out in the record tonight. He will reserve this right if they have to. He believes back in the time, the right-of-way placement of the sign was approved. There was no commemoration of any agreement for the panels; officially. However, we've shown an interest in working with Staff all along. Staff has encouraged us to begin a dialog with Mr. Shepard and Mr. DelGreco, who are present tonight. They have begun this dialog, to see if we can reach a fair and equitable Agreement for a new sign which benefits all of the businesses. They intend to proceed on this course for now to see if this can be worked out.

Mr. Kambo said knowing the conversations have just begun, to hold up an entire development plan for a sign isn't the best course of action. Knowing everyone is working in good faith, the plan could continue forward. Staff and the Law Director will work on getting the sign plan in place.

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 Jester said he thinks the proposal is a positive move for the City.

Commissioner Boysko said he agrees with Commissioner Jester and Staff. He asked if the plat is accurate and the location of the installed sign is not. Mr. Miller said the plat is accurate and shows where the sign was approved to be placed, in the right-of-way. For whatever reason, the sign was placed on Germain property. They have a survey in their file showing the sign on Germain property. Mr. Ellis said the sign is about 2-1/2 feet off, to the east. Mr. Miller said hopefully the explanation gives Commissioner Little a little comfort that the sign won't radically change site lines or anything. The new sign will be bumped back out where it should be, off of private property. Commissioner Boysko asked about the other commercial sign to the west. Mr. Miller said that is Gerber Collision's. Commissioner Boysko asked if there was any concern about breaking up the façade of the storage buildings. There is 180 feet on one side and 230 feet on the other side. Mr. Kambo said Chris Meyers spoke about this in the Preliminary Development Plan meeting. Mr. Meyers said it wasn't necessary to worry about breaking up the wall from an architectural standpoint. Commissioner Boysko asked if there was a requirement in the deed restrictions or zoning which would require the façade to be broken up. Mr. Kambo said he doesn't think so. Commissioner Boysko asked what will be done with the mechanical equipment. Mr. Ellis said the units are commercial HVAC units and they will go on the ground, enclosed with bollards so no one can run into them. Commissioner Boysko asked if the units are ground mounted. Mr. Ellis said yes.

Commissioner Little thanked the applicant for working with Staff and P&Z throughout the process. He is guessing the applicant is looking for a timely resolution on the sign so he can identify his business. He is encouraging everyone to resolve the sign issue quickly. His only concern is that the sign isn't going into the Powell Road right-of-way. We need to make sure the applicant isn't pushed to place the sign in a location which might be affected by the City wanting to widen something. If the City wants to widen Powell Road to 5 lanes, which is quite possible. Mr. Kambo said if Powell Road is widened, we would be going onto private property. The bike path and everything would have to be pushed back. The comment is well-taken. He will pass the comment on to the Engineering Department. Commissioner Little asked if the right side of the current sign is being used by tenants. Mr. Ellis said yes. Commissioner Little asked if the sign is actively being used. Mr. Ellis said yes. Commissioner Little said we probably have to allow the sign to be in a certain place to comply with a previously approved situation and to allow use for other businesses. At a minimum, he encourages not allowing the sign to be placed somewhere where it will have to be moved again. Mr. Kambo said good point.

Chairman Emerick agreed with all comments made. He appreciates the applicant's willingness to work with the City. He agrees with Commissioner Little's comment about the placement of the new sign.

MOTION: Commissioner Little and Commissioner Jester jointly moved to approve the Final Development Plan for a proposal to renovate an existing self-storage site to remove boat and RV storage and replace it with new self-storage buildings, for the property located at 72 Industrial Park Place as represented by The Ellis Co. Ltd./Cole Ellis, subject to the following condition(s):

1. That all Engineering Department issues shall be reviewed and approved by the City Engineer, and
2. That all Architectural Advisor comments shall be addressed, and
3. That a complete packet, including all formerly submitted materials, shall be included in the submittal to City Council, and
4. That the proposed monument sign shall be allowed in the right-of-way as previously approved in 1987, including the approved Indemnity Agreement by City Council, as long as the following requirements are met:
 - A. The sign can be the same size as the existing sign.
 - B. The sign can be re-designed, such re-design is subject to approval of both property owners and by the Planning & Zoning Commission prior to issuance of the sign permit.
 - C. An Agreement is worked out and approved between the applicant, the property owner to the south (D&S Investments), City Staff and the City Law Director, on how the multi-tenant sign panels will be maintained and changed as tenants change. This Agreement shall be approved prior to approval of the Final Development Plan by City Council.

Commissioner Boysko seconded the motion.

VOTE: Y 4 N 0

(Cooper & Hartranft absent)

OTHER COMMISSION BUSINESS

Chairman Emerick said the Commission was going to discuss and select a Vice Chairman tonight but he would like to wait until all Commission members are present.

ADJOURNMENT

MOTION: Chairman Emerick moved at 7:23 p.m. to adjourn the meeting. The Commission seconded the motion. By unanimous consent, the meeting was adjourned.

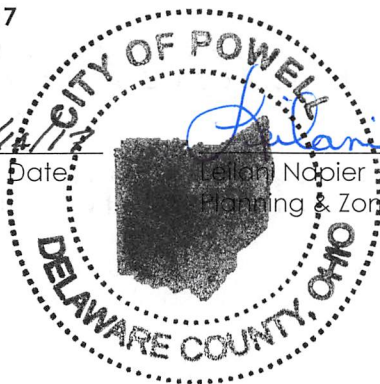
DATE MINUTES APPROVED: May 10, 2017

Donald Emerick

Donald Emerick
Chairman

6/14/17

Date:



Lellani Napier
Planning & Zoning Clerk

Lellani Napier

Date

6/14/17