



**DEVELOPMENT DEPARTMENT REPORT
APRIL 2017**

CODE ENFORCEMENT REPORT

Report attached.

HISTORIC DOWNTOWN ADVISORY COMMISSION

No meeting held.

PLANNING AND ZONING COMMISSION

April 12, 2017 – Minutes attached.

FINAL DEVELOPMENT PLAN REVIEW

Applicant: Arlington Land, LLC
Location: 2470 West Powell Road (Powder Room property)
8.75 acres off of Beech Ridge Drive
Existing Zoning: (DR) Downtown Residence District
Request: To approve a Final Development Plan for the development of 48 single-family condominium homes.

- *Reviewed and approved with conditions.*

ZONING CODE AMENDMENT PUBLIC HEARING

To amend the City Code to add a new District. The purpose of the proposed (PRC) Planned Residential Conservation District is to balance development pressures with goals of preserving open space and responding to market demands for alternative types of neighborhoods.

- *Reviewed and approved with condition.*

PLANNING AND ZONING COMMISSION

April 26, 2017 – Minutes attached.

FINAL DEVELOPMENT PLAN REVIEW

Applicant: The Ellis Co. Ltd./Cole Ellis
Location: 72 Industrial Park Place
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.

- *Reviewed and approved with conditions.*

BOARD OF ZONING APPEALS

No meeting held.

April Code Enforcement Report

Date	Violation Description	Address	Name	Phone	Notes	Resolved Date
4/8/2017	Excessive Decoration	9551 Galloway Dr	Tide Dry Cleaners	614.526.8433	Required removal of Decorations	
4/4/2017	Question about Property	316 Whetstone Dr E			Owner requested visit to confirm Property Boundary	Owner will be in contact as issue is resolved
4/10/2017	Excessive Decoration	9551 Galloway Dr	Tide Dry Cleaners	614.526.8433	Required removal of Decorations	
4/20/2017	Ducks in backyard	49 Ridge Side Dr			Required removal of Ducks	Resolved
4/20/2017	Construction without permit	8477 Pond View Lane			Pergola and Patio- Stop Work Order	4/20/2017
4/20/2017	Construction without permit	8495 Pond View Lane			Pergola- Stop Work Order	4/20/2017



City of Powell, Ohio

Planning & Zoning Commission

Donald Emerick, Chairman

Vacant, Vice Chairman

Shawn Boysko

Ed Cooper

Trent Hartranft

Joe Jester

Bill Little

Chris Meyers, AIA, Architectural Advisor

MEETING MINUTES

April 12, 2017

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, April 12, 2017 at 7:00 p.m. Commissioners present included Shawn Boysko, Ed Cooper, Joe Jester and Bill Little. Also present were Dave Betz, Development Director; Rocky Kambo, GIS/Planner; Gene Hollins, Law Director; Chris Meyers, Architectural Advisor; Leilani Napier, Planning & Zoning Clerk and interested parties. Trent Hartranft was absent.

STAFF ITEMS

No Staff items.

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 March 22, 2017. Commissioner Jester seconded the motion. By unanimous consent, the minutes were approved.

FINAL DEVELOPMENT PLAN REVIEW

Applicant: Arlington Land, LLC

Location: 2470 West Powell Road (Powder Room property)

8.75 acres off of Beech Ridge Drive

Existing Zoning: (DR) Downtown Residence District

Request: To approve a Final Development Plan for the development of 48 single-family condominium homes.

Len Pivar, 165 Thornberry Lane, said he is submitting the Final Development Plan for Harper's Pointe subdivision. Todd Faris, Land Planner, has guided them through a difficult development plan. This property has a lot of challenges. Due to the change in zoning and different design guidelines, he has brought on two new team members; Keith Hake, a home designer and Rod Arter, a design and concept illustrator. His plan is to build a neighborhood which is magnificent, stunning, mind blowing. Mr. Arter will work with Mr. Hake to accomplish this.

Todd Faris, Faris Planning and Design, 243 N. 5th Street, Columbus, said he is going to address the seven conditions listed in the Preliminary Development Plan.

1. "That all engineering requirements, easements and utility provisions shall be approved by the City Engineer through the final engineering review process." They added text on page 4, item K8. This is also a standard City requirement before they can receive a building permit.
2. "That the area where unit #48 is located shall be reserved for the possibility of connecting a new road through Powell Center to Grace Drive and connecting to Beech Ridge Drive." They have provided two sets of plans; a set of plans with 48 units and a set of plans with 47 units. They would only have 47 units if the public roadway goes in. They have provided landscape plans, final engineering and development plans for both scenarios.
3. "That the developer shall coordinate the requirements of all environmental studies and recommendations with Staff as these requirements are being met." There is nothing to report on this requirement. We do commit to doing this. They have had people out to look at the site. The next step is to actually do the cleanup. When they get to this point, they will notify Mr. Betz and the City Engineer.
4. "That the developer shall provide a schedule for when any pond or catch basin work will be completed which will impact the Olentangy Ridge pond." They have the contact names of the Olentangy Ridge residents who

live around the pond. They don't know the schedule yet but they will meet with the residents when they do. This has been placed in the plan text on page 4, item K9.

5. "That the developer shall work with the Olentangy Ridge Civic Association to ensure the Association's ideas are taken into consideration in the Final Development Plan." Mr. Pivar has been in contact with the HOA President, Leif Carlson.
6. "That the City Law Director shall attend the Final Development Plan review to offer appropriate legal advice." Mr. Hollins is present.
7. "That the developer shall meet all of the obligations necessary to fulfill the Final Development Plan review process." They believe they have done this to date. There are going to be additional items which come up but they will address those items as they come up.

Mr. Faris said they were also asked to provide updated utility letters. They have verification from Delaware County Water and Sanitary. The capacity is still available. They also have verification from Columbia Gas. This project is able to move forward from a utility standpoint. Most modifications to the plan are very insignificant. The text of the plan has been updated to reflect the site is a part of the Downtown Residence District rather than the Planned Residence District. The biggest changes are with the architecture.

Rod Arter, The Arter Company, 505 Coover Road, Delaware, said he is the project designer, along with Keith Hake. A lot of different interests must come together in any successful design venture. This project offers a handful of challenges. There are a wide variety of lot sizes and shapes. Some lots are wide but not very deep. Some lots are narrow and very deep. There are several corner lots. There are several lots which back up to the pond which are practically 4 sided; visible all of the time from every side. They need a design strategy which allows them to inter-mix pieces and parts to satisfy all of these conditions. These homes will be a little smaller since they will appeal to a mature audience of empty nesters. They will have one-story homes, 1-1/2 story homes and two-story homes. They have plans to build at least one house with an elevator to provide access to a second floor master suite. Some houses will have finished basements. There will be a variety of different eve heights, home shapes, sizes, facings and massings. The orientations of homes to each other will be important. He has enjoyed designing a series of homes which will work together in concert rather than one design which will be used multiple times. They are using Cotswold's design features. This design style is appropriate and compatible with the Architectural Guidelines in Powell. A real emphasis will be placed on quality materials and authentic detailing. They have 3 different floor plans for this meeting which represent a one-story, a 1-1/2 story and a two-story home. The homes will be site specific. The drawings in their plan represent their vision for a mixture of stone, stucco and timber; Cotswold types of cottages. The entry feature will have a gate house, a pendant sign and landscaping. Mr. Arter showed the Commission samples of the materials they plan on using on the homes.

Mr. Pivar said he wants a rich looking neighborhood. Their target market hasn't changed. They have actually realized the neighborhood will end up being a little higher end than they expected. They are looking for buyers who are moving out of very large homes, who want all the bells and whistles they had in a large home just in a smaller package, who want to stay in Powell and who want to be able to walk into downtown Powell. They will see what type of demand they have for a home with an elevator.

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

This property is now zoned Downtown Residence District. This District provides for the establishment of smaller lots which are set up in a Village style. Lots are typically 50' by 150'. This development will have a private street and will be a part of an HOA. The architecture being proposed should try and relate to the history and to follow the Downtown Historic Guidelines. Staff suggested taking design cues from the Bartholomew house on the corner of Jewett Road and 315, which is a Cotswold style of home. The Architectural Guidelines don't recommend using a lot of brick and stone for residences because the buildings in the downtown area are mostly made with frame and wood construction. Staff feels using Olentangy Blue stone is appropriate. The Olentangy Ridge subdivision has stone, stucco and brick in their home designs. This site is a transition area so Staff feels the architecture is OK. The site is surrounded by single-family homes on two sides and commercial on the other sides. The developer has included plans for not having a road from Beech Ridge Drive to Grace Drive and for having a connecting road. The development will add traffic to the area, but less than what would be added under the previous zoning. Staff doesn't feel the developer is responsible for putting in all of the road which would connect Beech Ridge to Grace. Staff feels the applicant might be responsible for the portion of the road which would be in front of their development. The applicant is happy to make sure the road connection can happen. Staff contacted the church which owns the Powell Center and they will work with the City on the right-of-way, providing the ability to put the connector road in. Plans for the road haven't been finalized. A number of different custom home designs will be built. You won't see the same home over and over again. Custom built homes make it a little more difficult to tie down the architecture for each specific home during the Final Development Plan review. Staff recommends the

applicant come back before P&Z with a Certificate of Appropriateness as they have custom home designs ready. The applicant could come back with the designs of homes in the first phase. The site will have access to Beech Ridge Drive during construction. The first phase will go south to north. All construction activities can be kept on the site and won't have a negative effect on the neighborhoods. Construction will take place in phases and over a period of 4 to 5 years. Staff is excited to see this plan move forward.

Comprehensive Plan Consistency

The site is located in the Downtown Mixed-Use area. The re-zoning has already been approved. The development is consistent with the Comprehensive Plan. The density fits within the Downtown Residence District. The streets will be private and meet turning radii and all fire department requirements.

Staff Recommendation

Staff recommends approval with the four conditions listed in the Staff Report. There might be a need to add another condition pertaining to the Certificate of Appropriateness process for the custom home designs.

Chris Meyers, Architectural Advisor, said the first thing he noticed in the site plan is the existing pond. What affect will the pond have on site work, storm management and is there any concern about building houses where there used to be a pond? Mr. Pivar said it is actually a cistern which provided water for the original homes. Mr. Meyers asked if the cistern was man-made. Mr. Pivar said yes. The cistern was for Mrs. Trowbridge's home. Their Civil Engineer addressed this in an earlier meeting. If the cistern totally disappeared, it would have absolutely no effect on the surface water. He also spoke with the City Engineer about how to drain the cistern. They want to drain the cistern off. They won't drain it all at once because the water has to go somewhere. They thought they were going to have to drain to the east side of the property but now it looks like they will drain to the west side of the property. He needs to have the ground tested to see if they will have issues. The cistern is retaining water, which is a very good sign. It is about 3-1/2 or 4 feet deep. Mr. Meyers said knowing the cistern is only a few feet deep and the soil will be tested, he knows the issue is in good hands. He wanted the Commission to know this. Mr. Meyers asked Mr. Foley to explain the two different entry designs. Mr. Foley said the one plan doesn't have a public entry. The plan without the public entry would be off of Beech Ridge Drive and entry would be immediately into the development. The entry would be a private drive. The gates would be right at the entry area. The second plan shows having a public street going from Beech Ridge Drive to Grace Drive. He has had to move the gated entry around and off of the public street in the drawing showing a public street. They would lose a lot/home. Mr. Meyers said a public street modifies lot 48. Mr. Foley said the whole end of their development is modified. They will have to push all of the lots down. There will be 12 lots affected by the public road plan. Mr. Arter said there would be one less lot. Mr. Meyers said a couple variations of landscaping drawings were provided. Both drawings seem adequate. What will the height and scale of the buffering be? Mr. Foley said the buffers are essentially the same regardless of whether they have a private entry or a public street. They will put in a mixture of evergreen trees and different types of spruces to the back of rear yards. The typical height will be 6 to 7 feet. They will infill with different types of shade trees. The larger trees will be used along the eastern buffer, adjacent to the existing residential area. There is a larger setback near the existing residential area so the trees can spread larger and get taller. Mr. Meyers asked if there will be any degree of mounding. Mr. Foley said probably not. They are trying to maintain all existing trees along the perimeter. Mr. Meyers asked if it is fair to say the buffer plan, especially the plan adjacent to the existing neighborhood, works with the existing trees which are in place and doesn't create grading issues which shed water. Mr. Foley said correct. Mr. Meyers said he recalls from a past presentation talking about the cul-de-sacs. It is nice to see the cul-de-sacs are being treated as a continuation of the landscape design and not just a patch of grass. The landscape design is great. Mr. Meyers said he met a couple times with Mr. Arter and the rest of the group to discuss architecture. When there is a certain quantity of homes, for the sake of development and construction, you have some consistency in floor plans. This makes you wonder about how to have a distinction and variation amongst the homes throughout the development. The plan tonight is for 48 homes, potentially 3 floor plans with subtle variations. Mr. Arter said there will be 3 categories of homes; one-story ranch homes with a finished basement, a 1-1/2 story home and then 2-story homes. There may be as many as 6 – 8 different design plans. Mr. Meyers said attention has to be paid to making sure each home is authentic and a repetitive nature is avoided. The character of the elevations provided do pay attention to homes being authentic. The exact placement of what home is going to go where is what will need to be reviewed in the future. Mr. Arter said all homes are 58' wide and 38' deep. Any home can be built with any of the different variations and materials. Mr. Meyers said subtle variations or simple spec changes aren't going to be enough for this community. Mr. Arter said the more unique they can make each home the more the value of the whole community is elevated. Mr. Meyers said the materials are falling short. Pulte presented the exact same materials when they came in with production houses. Economics always play into the decisions on materials. With the character of the design of homes shown and the uniqueness of the development, materials should be different from what every other home builder is using. He isn't saying the materials have to be more expensive or outlandish. The material selections need to create a distinction. Mr. Arter said he forgot to mention they want to mix in a larger, castle stone with the production stone. Larger

stones would be on corners and under windows. Mr. Meyers said Heritage stone has a different line, a fieldstone line which is an authentic English cottage looking stone. He hopes this type of stone wouldn't cost more but would be more unique to the character and would be different. GAF roofing is being presented tonight. Timberline roofing is on every MI or Pulte home going up in the area. GAF has a Glenwood or Camelot line which would have more of a slate appearance to it. He doesn't want to make them blow their budget but these are the little touches which will create the authenticity the designs are showing. It is difficult to approve a Final Development Plan with only seeing a front façade of the homes but he recognizes custom homes are designed as the home is acquired. Architectural dialog needs to continue. Given the history of the group and seeing the presentations tonight, he is comfortable with the Final Development Plan. Review and oversight needs to continue as the applicant gets closer to construction. There are distinct differences in the entry features depending on which road plan moves forward. Once decisions are made, the entry area warrants another review and continued conversation. He is pleased with the approach being taken. The plan is a wonderful architectural fit for the location.

Chairman Emerick opened this item to public comment.

Charles Johnson, 283 Penny Lane, said he is a semi-retired real estate developer with over 30 years of experience. His most notable project was Bartholomew Run 29 years ago. Bartholomew Run was a successful development but it would have been much more successful if this project was across the street when he built it. Dealing with the Powder Room made sales very difficult. The most important thing when you look at a piece of raw land is what the highest and best use of the land is. When he looks at this development, it is going to fulfill a tremendous void in the Powell area, in regards to single floor, patio homes. Everyone is getting older and they want to stay in Powell. This development isn't going to generate new traffic; it will capture traffic which is already here. The quality and value of this development will create a tax base Powell desperately needs. The foot traffic into downtown Powell will help revitalize the downtown area. This project is a home run all the way around. He doesn't know why anybody would object to this project.

Pat Kijewski, 9030 Francine Lane, said she lives with her mother, Gerdy Trowbridge. It brings tears to her eyes to think this development is finally going to happen. Harper is her mother's maiden name and this a homage to the citizen she has been in Powell for so many years. She is sad this has taken so long and has cost the City of Powell money to fight the opponents. It has cost her mother over a half a million dollars. She took a big hit when she sold the property. It is very unfortunate because this land was essentially her 401K. She is very impressed with the elevations shown. They are beautiful. She can't think of anything her mother would be more proud to have her name attached to.

Suzanne Jacobs, 10623 Pembroke Place, said she has been coming to meetings and watching this project for 2 years. She hoped the project would have come to fruition sooner. She has always wanted all of her friends to stay in Powell. Unfortunately, half a dozen of her friends have moved away to other locations because Powell didn't have the types of places to live which Grandview and Upper Arlington have had. She hopes this development can be approved quickly so the other half a dozen of her friends can stay in Powell.

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

Commissioner Cooper said he is glad to see Mr. Pivar back again. He hopes the project can move on with the exception of a few architectural details. He agrees with Staff's recommendations. He thought the road from Beech Ridge to Grace had been worked out a couple years ago. He hopes the road can be worked out. He would like to see lot 48 removed and the entrance to the development being to the south so the road can go in.

Commissioner Jester said he has been concerned about the road all the time. He asked what is holding the road up. Gene Hollins, Law Director, said he is the best person to address the question. The original plan was presented while the property was a Planned District. The applicant is the master of their own ship. The applicant went out and made an arrangement with the adjoining land owner to get the right-of-way needed to build the road. The applicant included the road as a part of his plan. If the applicant doesn't voluntarily make the road, the City can't impose upon the applicant a condition which requires the applicant to work with a third party. The applicant has submitted his plan for his property, leaving the road possibility open. Since the original Planned District plan was overturned by Referendum, the City and the applicant are in close communication with the church. We believe there is still an interest to allow the road but the owner has started marketing the shopping center property. When the owner speaks with their realtor and attorney, they are being told the buyer of the property will probably want to make the decision about the road. The possibility is being left open. Commissioner Jester asked if the shopping center is on the market. Mr. Hollins said yes. Commissioner Jester asked if the road being decided on now could be a deal breaker for a buyer. Mr. Hollins said the City doesn't think so. Anybody interested in buying the shopping

center would know the center is next to an upscale development and the access road would drive traffic through the site to create potential out lots. We think it will make complete sense in the future but with the zoning now being Downtown Residential District on this parcel and the shopping center being Downtown Business District, it leaves the City in the position of working with the new owner of the shopping center parcel to make sure the road happens. Commissioner Jester asked Mr. Pivar if leaving the one lot hanging out there messes him up. Mr. Pivar said at some point a decision needs to be made. They are prepared to give up the lot and home to make the road work. It will have to come to a head at some point so the engineering of the entry can be done. They will need to know which entry needs to be engineered. The City won't have a problem with them giving the property needed for the road. The road will enhance the shopping center's property. There will be more frontage and better access to the front lots. A road would make the one lot immediately in front of his property a viable lot. Commissioner Jester thanked the applicant for working on the road issue. He really wants this road to go in. He is glad the pond issue is all figured out. He asked how many single floor homes will be built. Mr. Pivar said they haven't determined this yet. They will do a market study. He has been told there is a big demand for homes with elevators. Commissioner Jester said he thinks the concept of elevators is great. He asked how wide the streets are. Mr. Foley said 22 feet.

Commissioner Boysko said he agrees with Staff and Mr. Meyers' comments. He thinks the project is great. He asked if the road has to be a private road or can the road be a private access drive. Mr. Hollins said sometimes roads are private access roads with cross access easements. This would be a possibility. Our job right now is to make sure we don't foreclose the chance for anything like this to happen. If we determine a road built to public road standards is preferable, the downtown TIF could help. Without the City's participation, the road would probably be a private road with cross access easements. Commissioner Boysko said a private road could be built to public standards without dedicating it. He asked if Mr. Hollins sees a need for the road to be a public road. Mr. Hollins said it really may end up being who can front the cost and then wait for reimbursement. He said it would be a benefit to the shopping center if they can bear the upfront costs. Then the City takes over maintenance. It could be a two stage process; it could start as a private road then be converted to a public road. Commissioner Boysko said the road is critical to the success of the project. It is a great connecting link. He asked Mr. Pivar if he could move forward with the entrance being to the right regardless of whether the road becomes a public access road. Would the entrance to the right work if the road doesn't ever connect? Mr. Foley said they could. They could have one house outside of the gated area. Commissioner Boysko said to make the public road work, part of the property has to be deeded back to the City. Mr. Pivar said they would have to give up a unit and would have to deed some land to the City. They could stub the road off for the future. Commissioner Boysko asked Mr. Pivar if he would be open to this. Mr. Pivar said yes. Commissioner Boysko said one of the conditions listed in the Staff Report is a schedule on when the pond/catch basin will be completed. Years ago there was a lot of discussion about drainage issues to the adjacent neighbors. Will the drainage problems be solved? Mr. Betz said correct. The City Engineer anticipates being able to solve the drainage issues. It looks like drainage will go to the west which wouldn't affect Olentangy Ridge to the east. Commissioner Boysko said he thought the ongoing drainage issues weren't a result of the pond but a result of grading issues. Mr. Betz said they found a plastic bucket stuck in the outfall pipe. When they removed it, some of the problem was solved. Commissioner Boysko said he likes the customization of the homes. He agrees with Mr. Meyers' comments about being able to create a uniqueness with the materials selected. The proximity to the downtown area makes this development a great link to the downtown, making a great walking community. The only criticism he has would be there are no sidewalks. Mr. Kambo said the 22' road makes the cars secondary to the development. The road is about pedestrians. The road is the sidewalk. Commissioner Boysko said you still have the issue of cars driving down the road. Mr. Kambo said it is a community neighborhood. He doesn't see this being an issue. Mr. Johnson said he thinks the residents would rather see grass than sidewalks. Commissioner Boysko said he knows it is a very tight site with very small front yards. The idea is the community is very pedestrian friendly and then people are being pushed onto the street. He knows there are other communities which don't have sidewalks. You see people walking their dogs down the middle of the road with cars swerving around them. Mr. Pivar said the community being gated makes a big difference. The speed limit is 15 mph.

Chairman Emerick asked Mr. Hollins if a condition should be written for a stub road to allow connection at a future time. Mr. Hollins said it is within the discretion of the Commission.

Commissioner Boysko said Mr. Meyers made a comment about the architecture and the elevations. It almost seems as if we need to see a master plan to identify which house plan, which elevation, what materials will be used, so we can assure there isn't duplication and there is variety. He doesn't know how to administer or manage this. Mr. Kambo said we would have the applicant come back with a Certificate of Appropriateness. Mr. Betz said the applicant could come back with a group of houses. Mr. Kambo said or they could come back with individual homes. Commissioner Little said he thinks he has this covered with a condition in the motion.

Commissioner Little thanked the applicant for going through the long journey on this project. He appreciates the passion and the patience. The development will be a very nice, high end development which has been well thought out. There is a demand for this type of development. This proposal is the crown of this type of proposal. This is what he refers to as a zoning up and is a better use of the property than what could go on the property. This development will help bring up the Olentangy Ridge's property values. The proposal is consistent with the Comprehensive Plan. We are trying to make a walkable downtown area. He encourages working with the Olentangy Ridge HOA to keep them informed on a regular basis. The connector road is extremely important. Some people from the Olentangy Ridge HOA reached out to him and said they would really like to get the entrance to this new development off of Beech Ridge and this is why they have been pushing for the connector road. They are trying to improve traffic flow downtown by providing alternate routes for the residents; trying to keep people off of Olentangy and Liberty. This connector road is consistent with Keep Powell Moving plans. He lives in Falcon Ridge and often goes home through this area. The current shopping center is the cut-through to avoid a left-hand turn at Case and Powell Road. It is a mess. This road would bring some structure. He will put something in the motion asking the developer to move the entrance off of Beech Ridge, creating a stub road and he will ask Staff to help promote continuing the access road all the way to Case. Any community would be extremely happy to have a development of this caliber.

MOTION: Commissioner Little moved to approve the Final Development Plan for a proposal to develop 48 single-family condominium homes on the property located at 2470 West Powell Road as represented by Arlington Land, LLC, subject to the following condition(s):

1. That all engineering requirements, easements and utility provisions shall be approved by the City Engineer through the final engineering review process; and
2. That the applicant shall remove the main entrance area of the proposed development from Beech Ridge Drive and shall create a new, stubbed public road to the west, substantially in accordance with Illustrative Plan – Public R.O.W. (Exhibit C-1.1); and
3. That Staff shall continue to help the applicant work with the owners of the shopping center to the west to promote connection of the newly created stubbed, public access road; and
4. That the applicant shall come before the Planning & Zoning Commission in the future, to obtain approval of the initial group of home plans in the first phase of development, via a Certificate of Appropriateness; and
5. That, given the custom build nature of this development, Staff shall determine whether custom variations are significant enough to merit further review by Planning & Zoning. Staff shall have the ability to make the same determination for subsequent phases; and
6. That the applicant shall work with the Architectural Advisor and Staff to finalize the external finish materials; and
7. That the developer shall coordinate the requirements of all environmental studies and recommendations with Staff as these requirements are being met; and
8. That the developer shall provide a schedule for when any pond or catch basin work will be completed which will impact the Olentangy Ridge pond. Said schedule and periodic updates shall be provided to the Olentangy Ridge residents whose property abuts the pond in the Olentangy Ridge neighborhood.

Commissioner Cooper seconded the motion.

VOTE: Y 5 N 0

(Hartranft absent)

ZONING CODE AMENDMENT

To amend the City Code to add a new District. The purpose of the proposed (PRC) Planned Residential Conservation District is to balance development pressures with goals of preserving open space and responding to market demands for alternative types of neighborhoods.

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

In 2015, the City updated their Comprehensive Plan. Exhibit 2.2 was created; the future Land Use map. In Staff's opinion, the City can and should plan for areas outside the City's boundaries. One of the recommended future land use types was conservation development. The plan specifically shows north of Home Road but this doesn't mean it couldn't touch upon other developments or annexations which may or may not come into the City. A (PRC) Planned Residential Conservation District is meant to preserve as much of land as possible. Sprawling subdivision types of developments eat up land and don't leave a lot of green space. This new District aims to preserve at least 50% of the open space. The proposed language is the result of many hours of work by the Zoning Code Diagnostic Committee. Some Zoning Code Diagnostic Committee members sit on the Planning & Zoning Commission and City Council. The Committee also includes Mr. Betz, Steve Lutz and myself. Liberty Township has already adopted a PRC District so we used theirs as a template and massaged it into our Code, making it a little more Powell friendly. The plan is to re-green and re-ruralize Powell. The plan is to keep and cluster homes into certain portions of land so the majority of the land can be kept open space; either passive open space such as

green open fields or as active open space such as active farm land. There are one or two typographical errors which need to be fixed in the draft language.

Commissioner Little asked what the Commission needs to do procedurally. Mr. Betz said this is the public hearing for the Code change. The hearing was advertised. The Commission will open the item for public comment. Once a version the Commission is happy with is adopted, it will go on to City Council. If the Commission would like to see changes we can make changes. Mr. Kambo said the Commission can send on to Council if they are happy with the language as is. A new Zoning District is being added into City Code.

Commissioner Boysko said the map isn't being rewritten, a new category is just being added. Mr. Kambo said correct. Mr. Betz said the category is being added. There is no land in the City at this time which will be zoned into this category. As land is annexed, the category would be available to use for land.

Chairman Emerick said during Comprehensive Plan conversations they were primarily thinking of land to the north of Home Road. If the land is annexed into the City, this would be a good category to have.

Commissioner Little said if he hears correctly, we are creating a new zoning classification and implying going north would be a good place to use the classification, but we aren't making a decision for a specific piece of land today or in the near future. Mr. Kambo said correct, we are providing ourselves with a stamp. Just like many other Districts in the City, this is a Planned District which is being proposed. Although there are minimum qualifications or criteria for dimensions, the criteria is subject to change depending on the lay of the land.

MOTION: Commissioner Little moved to approve the Zoning Code Amendment to add a new District, the (PRC) Planned Residential Conservation District, to balance development pressures with goals of preserving open space and responding to market demands for alternative types of neighborhoods, subject to the following condition(s):
1. That Staff shall correct all typographical errors in the draft Amendment prior to submitting to City Council.

Commissioner Jester seconded the motion.

VOTE: Y 5 N 0 (Hartranft absent)

OTHER COMMISSION BUSINESS

No other business.

ADJOURNMENT

MOTION: Chairman Emerick moved at 8:38 p.m. to adjourn the meeting. The Commission seconded the motion. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: April 26, 2017

Donald Emerick
Chairman

Date

Leilani Napier
Planning & Zoning Clerk

Date



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:

Donald Emerick
Chairman

Date

Leilani Napier
Planning & Zoning Clerk

Date

DRAFT