



**DEVELOPMENT DEPARTMENT REPORT
OCTOBER 2017**

CODE ENFORCEMENT REPORT

Report attached.

HISTORIC DOWNTOWN ADVISORY COMMISSION

No meeting held.

PLANNING AND ZONING COMMISSION

October 25, 2017 – *Minutes attached.*

PRELIMINARY DEVELOPMENT PLAN REVIEW

Applicant: Chris Bradley, The Camber Company
Location: 110 Grace Drive
Zoning: (DB) Downtown Business District
Request: To review a proposed mixed-use project consisting of 25 residential units and 5,000 SF of commercial space on 2.1 acres.

- *Request tabled per applicant's request.*

PLAT REVIEW

Applicant: Pulte Homes of Ohio LLC
Location: Steitz Road and Hunters Bend
Existing Zoning: (PR) Planned Residential District
Request: To review and approve a sub-division plat for Carpenters Mill.

- *Request reviewed and approved with condition.*

CERTIFICATE OF APPROPRIATENESS

Applicant: Steve Reynolds
Location: 41 Depot Street
Zoning: (DB) Downtown Business District
Request: To review a request for site work including three (3) new public parking spaces, gravel service for employee parking and architectural improvements including a 285 SF extension of the existing porch and a 1,350 SF addition to the existing building to support operations.

- *Request tabled and referred to the Historical Downtown Advisory Commission (HDAC) with conditions.*

BOARD OF ZONING APPEALS

No meeting held.

October Code Enforcement Report

Date	Violation Description	Address	Name	Phone	Notes	Resolved Date
10/6/2017	Boat Parking Violation	130 Olentangy Ridg Ct	Kevin Schimdt		I sent out a final violation, in return Mr. Schimdt called the office to say he was trying to find a place to store his boat.	10/14/2017
10/11/2017	Boat Parking Violation	191 Meadow Ridge Ct	Anita Sipes		Sent two informational letters. Plans to move boat	10/23/2017
10/11/2017	Suspected In Home Occupation	317 Chasely Circle	Thomas Lee A & Thuy		No violation was sent, still spectating	pending..
10/11/2017	Junk in backyard	180 briarbend Ct	Smith Thomas & Michelle Link		Junk on the back deck near hot tub/ family do not live there	pending..
10/18/2017	Trailer Parking Violation	346 Paynes Depot Ct	James N Harmon		The trailer is parked on the street, right-a way	pending..
10/18/2017	Uncut Grass	278 Elmendrof Pl	Scott A. McCoy		The grass is 7 inches to high, have not been cut in a month	10/25/2017
10/23/2017	Trailer Parking Violation	165 Muladore Drive	Bryan Feldner		There is a large travel trailer parked in the drive way	10/25/2017
10/25/2017	LawnViolation	684 Village Park Drive	Gregory F and Betty J Bollenbacher		The grass seemed a little over 7 inches and multiple leaves	pending..
10/25/2017	LawnViolation	762 Bovee Lane	Alanda Ross & John B Harris		Lawn checked out ok	10/25/2017
10/25/2017	Boat Parking Violation	842 Bovee Lane	Michael J. & Annette Murray		There was no boat	10/25/2017



City of Powell, Ohio

Planning & Zoning Commission

Donald Emerick, Chairman

Ed Cooper, Vice Chairman

Shawn Boysko

Trent Hartranft

Joe Jester

Bill Little

Shaun Simpson

MEETING MINUTES

October 25, 2017

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, October 25, 2017 at 7:00 p.m. Commissioners present included Shawn Boysko, Ed Cooper, Trent Hartranft, Joe Jester, Bill Little and Shaun Simpson. Also present were Rocky Kambo, Assistant Development Director; Leilani Napier, Planning & Zoning Clerk and interested parties.

STAFF ITEMS

Mr. Kambo advised the Commission Chris Bradley, the applicant for the scheduled Preliminary Development Plan review, contacted Staff late in the day today and asked for his request to be tabled until the November 15th meeting.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Emerick opened the public comment session. Hearing no public comments, Chairman Emerick closed the public comment session.

APPROVAL OF MINUTES

MOTION: Commissioner Cooper moved to approve the minutes of September 13, 2017. Commissioner Jester seconded the motion. By unanimous consent the minutes were approved.

PRELIMINARY DEVELOPMENT PLAN

Applicant: Chris Bradley
Location: 110 Grace Drive
Zoning: (PC) Planned Commercial District
Request: To review a proposed mixed-use project consisting of 25 residential units and 5,000 SF of commercial space on 2.1 acres.

Commissioner Little moved to table a Preliminary Development Plan, per the applicant's request, for a proposed mixed-use project consisting of 25 residential units and 5,000 SF of commercial space on 2.1 acres, for the property located at 110 Grace Drive, as represented by Chris Bradley, to allow the applicant to incorporate Staff, Architectural Advisor and Commission comments from the Sketch Plan review.

Commissioner Boysko seconded the motion.

VOTE: Y 7 N 0

PLAT REVIEW

Applicant: Pulte Homes of Ohio, LLC
Location: North of 8260 Steitz Road, south of Hunters Bend
Zoning: (PR) Planned Residential District
Request: To review and approve a sub-division plat for Carpenters Mill.

Mike Reeves, Civil & Environmental Consultants, Inc., 250 Old Wilson Bridge Road, said he is with the surveying company representing Pulte Homes. They are presenting Section 1, Part A and Part B, final plats for Shelly's Retreat at Carpenters Mill. The project has already gone through the Preliminary Development Plan review. The engineering plans have been submitted and reviewed by the City Engineering Department. Comments have been addressed and plans are being reviewed a second time.

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

Staff has reviewed the plat and finds it in conformance with the approved development plan. Staff recommends approval with the condition listed in the Staff Report.

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 said he has no problem with the request as long as Staff's condition is met.

Commissioners Jester, Boysko, Hartranft and Simpson had no comments or questions.

Commissioner Little asked if any changes have been made since the Commission approved the development plans. Mr. Kambo said no changes have been made, it is the exact same.

Chairman Emerick had no comments or questions.

MOTION: Commissioner Little moved to approve a Plat Review for the property know as Carpenters Mill, Section 1, Part A and Part B, located north of 8260 Steitz Road and south of Hunters Bend as represented by Pulte Homes of Ohio, LLC, subject to the following condition(s):

1. That the City Engineer shall approve all lots, easements, notes, roadway dimensions and survey markers as shown on the Plat prior to signature.

Commissioner Boysko seconded the motion.

VOTE: Y 7 N 0

CERTIFICATE OF APPROPRIATENESS

Applicant: Steve Reynolds
Location: 41 Depot Street
Zoning: (DB) Downtown Business District
Request: To review a proposal for site work including three (3) new public parking spaces and gravel service with employee parking; architectural improvements including a 285 SF extension of the existing porch; and a 1,350 SF addition to the existing building to support tenant operations.

Steve Reynolds, Shyft Collective, 250 West Street, Columbus, said he had Derick Stadge with him and they are representing Nocterra Brewing Co. Bruce Vivian is the property owner.

Derick Stadge, Shyft Collective, 250 West Street, Columbus, said the proposal is for interior renovations and a future, small addition on the west side of the property. The west side of the property faces the railroad tracks. The proposed renovations are to support Nocterra's brewing operations and to include a tap room. Mr. Stadge showed pictures of the existing building and plans of where the additions will be. The addition will follow the same footprint which already exists. There is a concrete pad and a couple courses of concrete block already there. They understand the building is in the Historic District and materials are important. They will extend the existing pallet; board and baton siding, asphalt shingles all of the same color tones. Their proposal includes three (3) new parking spaces, while maintaining the existing eleven (11) spaces along Depot Street. There is a service drive which comes from the south and wraps around, finishing to the north. The service drive will no longer be needed. They will turn the area back into pervious area. Nocterra Brewing Company reached out to the community ahead of time and met with residents. Most comments were positive. There were a few concerns which were addressed.

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

Staff is pleased with the submission package. The applicant did a very thorough job and Staff appreciates them meeting with neighbors ahead of time. The applicant held a mini Town Hall meeting. The business is within the Historic Downtown core. Since this is an addition to an already existing commercial use, the request is coming before P&Z. The purpose of the Historic Downtown is to retain our historic character, improve upon the services in the downtown core and preserve/enhance the downtown core. This application does a good job of that. The proposal is likely to improve the property value of the neighbors. Commercial uses within walking distance of homes is very valued. Years ago this property had a fire. This proposal will enhance the existing structure. The use of this business will strengthen the economy of the City and will bring another establishment residents and visitors can frequent. The proposal is consistent with the Comprehensive Plan, the Downtown Revitalization Plan and the Downtown Architectural Guidelines. Staff had some concerns about traffic, parking and the noise. The applicant met with residents. This business will be very close to the Police Department which should help regulate noise. The hours of operation are reasonable. The applicant is aware their business will be located in a residential

neighborhood. They want to be good neighbors. The applicant suggested the City provide no parking and speed limit signs near the residential homes to avoid patrons parking along Depot Street and driving too fast. Staff doesn't see a problem with this. The size and design of the street doesn't allow for much speeding. Depot Street is capable of handling any increase in traffic and is a right in/right out. The applicant will be adding three (3) additional, new parking spaces. The business is within walking distance of the municipal parking lot. Parking should be sufficient. Staff does recommend approval with the condition listed in the Staff Report.

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 Simpson asked if the space has been used since the fire. Someone answered without stepping to the podium (inaudible). He had no further questions or comments.

Commissioner Hartranft thanked the applicant for presenting the proposal. He asked the applicant how many people attended the meetings held. Mr. Vivian said they walked around the neighborhood and spoke to twelve (12) of the twenty-five (25) residents. There are homes which are not lived in. Their flyers are still on those front doors. Four (4) families came to the official meeting. They had a small tasting and got to know the residents. The ages ranged from approximately 25 to into the 60s. The residents were excited. Commissioner Hartranft said the biggest concerns were noise control, parking, unruly guests and possible bands. The hours of operation show the business closing by 10:00 p.m. each night they are open. Mr. Vivian said they want to follow the hours most of Powell businesses are open. They aren't trying to change anything. They want to fit in. Commissioner Hartranft asked if the bands would be for an annual or semi-annual celebration. Mr. Vivian said correct. Commissioner Hartranft said he likes the plan.

Commissioner Little said he is in favor of the business. This business is in the Historical District. The applicant is adding to a structure. Does the Historical Downtown Advisory Commission (HDAC) need to look at the request? He will probably query the Commission to see what they think. Has Chris Meyers made any comments on the request? Mr. Kambo said no. P&Z can decide to send the request to HDAC. Commissioner Little said Chris Meyers would have been the missing link to HDAC and if Chris felt it was OK to waive going to HDAC we could have. Commissioner Hartranft asked the applicant if they knew who Chris Meyers was. Mr. Reynolds said yes. The pad in the back of the building was a previously permitted addition. There was a set of drawings which were previously reviewed. The structure was never completed. We are basically re-permitting this area. The roof pitch may be a little different than what was previously submitted but they are staying within the existing blueprint. Mr. Kambo said Staff didn't recommend going to HDAC because the additions are towards the rear of the building, facing the railroad tracks. While Staff does feel four-sided architecture is very important in the downtown core, the additions won't be visible and are following the same type of architecture. Commissioner Little said he will query the Commission. He doesn't have concerns but sometimes consistency is important. The drawing shows seventeen stools in the taproom. There are tables showing as well. Mr. Reynolds spoke without walking to the podium (inaudible). Commissioner Little asked what the total number of seats is going to be. Mr. Reynolds said he would have to work backwards to figure out the seat count. Mr. Kambo said we consider this an eat-in restaurant so there needs to be 25 parking spaces or one space for each 3 seats; plus one for each 2 employees. They have 17 parking spaces out front, which will allow about 50 seats. Mr. Reynolds said they did a reverse calculation and determined they need eleven (11) spaces. The idea is to have loose seating for patrons. There is about 1,800 SF of seating areas with ping pong tables and things like this. It sounds like he needs to give the exact number of seating. Commissioner Little said the City is in the middle of figuring out how the Code should read related to this subject. The business is in the Historic District, in the Downtown District. What was the rough estimation of the number of seats? Mr. Reynolds said 65 seats. Mr. Kambo asked how many employees. Mr. Reynolds said there will be 3 employees. Mr. Kambo said they will need about 15 parking spaces and they have 17 spaces. Commissioner Little said if we divide by 2. Mr. Kambo said the current Code says we "shall". Mr. Reynolds said employees will park behind the building, not in the spaces out front. A parking lot is shown between the 2 pieces of land which could provide additional parking. Mr. Kambo asked if use of this parking lot would be something an agreement could be formed on. Commissioner Little asked how many parking spaces will be required if we use the same math which we used for the Asian Fusion restaurant on Olentangy Street? Mr. Kambo asked how many parking spaces would be available in the additional parking lot. Mr. Reynolds said about 14 spaces. Commissioner Little said, based on a very recent precedent, we would expect at least 28 parking spaces. Mr. Kambo said yes. Commissioner Little said he would suggest nailing down the number of seats and handle parking the same way it was handled with the Asian Fusion restaurant. Personally, he is leaning towards not voting in favor of this request until a seat count is provided. We could table the request until we have seat count information. Aside from this issue, he thinks the plan is great. Mr. Reynolds asked if the criteria the Commission used on the Asian Fusion restaurant will be made available to them so they can make sure they have the correct amount of parking. Mr. Kambo said he will get the information to them.

Commissioner Boysko thanked the applicant for coming in with the project. The business will be a great addition and it is a great use for the building. He has some of the same concerns Commissioner Little has. He agrees HDAC should review the request and be a part of the process. What is the normal process, who should review first? Mr. Kambo said according to the way Ordinances are written, commercial buildings within the Historic Downtown go before P&Z. P&Z can decide to send the request to HDAC. Residential buildings go to HDAC first and recommend to P&Z. Commissioner Boysko asked for the history of the building, is the building a historic structure? He knows there was a fire and the building was restored. Mr. Reynolds said he doesn't know when the building burned down or was rebuilt. There is no historical significance to the building.

Dan McClurg, 1682 Malabar Court, said the building burned down 3 years ago. The previous owner rebuilt the building to the current status. There was no historical value. He purchased the building from the previous owner. The building looks a lot better now than it did before the fire. He is very careful about redesigning all building exteriors in Powell. He makes the buildings look appropriate for the area. The building wasn't the original depot station. He is trying to play off of this theme. He would like a glass cupola with an old train bell in it. Commissioner Boysko asked if the building to the north is a part of this development. Mr. McClurg said he owns the building to the north. The building isn't a part of this project. He re-did the whole exterior of the building to the north last year and put a new roof on. There were tenants already in the building when he bought it. He just wanted to make the building look better. The buildings aren't tied in together. Commissioner Boysko asked what the plans are for the building to the north. Mr. McClurg said he already has 3 tenants. He plans on continuing to lease to these tenants. The businesses are pretty quiet businesses. Commissioner Boysko asked if the parking to the north of this building is available for this new project. Mr. McClurg said absolutely. He purchased the land back there too so he has future plans for a development there. There is 2-1/4 acres of land. A ton of parking could be added if needed. Plans show 12 parking spaces but they could take parking all the way to the railroad tracks and have 24 spaces. Commissioner Boysko said this supports Commissioner Little's point about potential parking for a higher intensity use business. There seems to be parking available. There won't be a need for agreements with anyone since you own the property. It is an easy conversation. Mr. McClurg said they could have plenty of parking. Their employees are going to have parking in the back lot. They will never need to park on the streets. Commissioner Boysko asked if a number of parking spaces in the back lot has been identified. Mr. Reynolds said they haven't but they can. Commissioner Boysko asked if there will be any treatment of the space along the railroad tracks. Mr. Reynolds said there will be plantings and railings but they won't screen the tracks. Commissioner Boysko asked if food will be served. Mr. Vivian said the trends in Columbus with most breweries is to connect with food trucks. This would allow them to have food, change their menu and connect with other businesses. People follow their favorite food trucks. It might bring people to Nocterra who wouldn't normally come. Commissioner Boysko said maybe the idea of food trucks could become a part of the plans for the back yard/lot development. Commissioner Boysko said his biggest concern is access to the business; along Depot Street and East Case Street. He is concerned about the liability of East Case and bringing people in and through to the business. Everyone will travel down East Case Street. He is concerned about the size of the street, it is a residential street, and a higher intensity use will be added. There should be some re-development of the street to accommodate the business. Mr. Kambo said he went back and read what the Commission did in regards to parking for the Asian Fusion restaurant. As a whole, the applicant was able to come up with the minimum required parking but they were able to get an agreement with other businesses and the applicant had the municipal lot to use also. Commissioner Little said we specifically identified the number of patrons to be able to do this. Mr. Kambo agreed. Commissioner Little said we made a condition the applicant would need to come back before P&Z if they ever increased the number of patrons. Mr. Kambo said correct. You will want to do something similar with this request. In regards to concern about the streets, the Keep Powell Moving plan talks about improving and upgrading the streets downtown. Improving these streets should be on the shoulders of the City and not the applicant. Commissioner Boysko said he wasn't suggesting the applicant should bear the burden of infrastructure improvements. He sees this business as a higher, intensive use than what was there before and could be the catalyst to help improve the streets. There needs to be more done than just put up no parking signs. There needs to be significant improvements to Case Street. The street is very, very tight. Commissioner Little mentioned past discussions about improving Depot Street when the north property is developed. Mr. Kambo said those conversations were about an extension to Depot Street. Chairman Emerick agreed, the conversations were about extending Depot Street. Mr. McClurg said the building use was retail. They had a booming business. They had daytime traffic and this will be evening traffic but it isn't going to be that much more. They had frequent semis going to the building. They will definitely need signs directing people back in to the business. The alley way is small but there are all commercial buildings and lots along the street. Commissioner Boysko said wayfinding signs could help but the streets need to be improved. The space is classified as commercial/restaurant. When you submit plans, you need to identify use and the occupant load. There are 2,591 SF in the tap room. That is about 172 patrons. Mr. Stadge said the square footage includes operation and support space. Mr. Vivian said they could break down the square footage. Commissioner Boysko said we could better identify if you provided a seating plan. A seating plan would also help determine the number of parking spaces

needed. He isn't worried about parking count. He is concerned about deviating from what Code says. Until the new Code is written and adopted, he is hesitant to hold an applicant to something which isn't an approved standard yet. He agrees with Commissioner Little in saying seating and parking needs to be re-evaluated. But, it has been clearly demonstrated there is additional parking available. There are opportunities to share parking based on the hours of the different businesses. Parking is a non-issue but it is important to document.

Commissioner Jester said the use is appropriate and the plan is an upgrade to the property and area. You have a challenge on how to direct people into the business. Signage is important. Mr. Reynolds said there will be signage. They will do a lot of advertising. Commissioner Jester said he supports the business. Commissioner Jester asked if the gravel area along Depot is public parking. Mr. Kambo said yes. The land is owned by CSX Railroad but it is available as public parking. There is a sign there which says it is public parking. Mr. McClurg said he reached out to CSX about purchasing the property. He was thinking about buying the land and turning the whole area into parking. CSX won't sell at this point but they said they would lease the land. If we need to, we could lease the strip and use it as parking. Commissioner Jester said the potential is there for a lot of parking. Mr. Kambo said the applicant could show all possibilities in their refined plan.

Commissioner Cooper said he thinks the plan is a great improvement for the property. He does think HDAC should review the request.

Commissioner Boysko said he had a question about exterior lighting. He is concerned about how dark the street is, especially parking right off the street. Is there a way to illuminate the street parking area? Mr. McClurg said there is currently lighting in the back lot. The light isn't turned on right now but they could turn it on. Mr. Reynolds said they could place some period specific light fixtures on the façade of the building for parking and for pedestrians. They wouldn't want any lighting which is bright and crazy but they could put lighting up. Mr. Kambo said exterior lighting might be a good idea.

Chairman Emerick said he agrees with Commissioner Little on the parking issues and getting plans formalized. He does think it would be wise to have the request reviewed by HDAC. When there is music, will it be played until the normal quitting time? Mr. Vivian said it isn't in their business plans to have bands. They aren't trying to be a music venue. They haven't even discussed the topic. If they did have bands, it would probably be during normal hours. They know everyone goes to bed at 10:00. Every restaurant up and down Powell Road closes at 10:00.

Mr. Kambo said plans are showing 2 restrooms. Is this enough restrooms for the number of patrons? This might be a health code issue. Mr. Reynolds said they could check on this.

Commissioner Little polled the Commission regarding a review of the request by HDAC.

MOTION: Commissioner Little moved to table a Certificate of Appropriateness for the property located at 41 Depot Street as represented by Steve Reynolds, to allow site work including three (3) new public parking spaces and gravel service with employee parking; architectural improvements including a 285 SF extension of the existing porch; and a 1,350 SF addition to the existing building to support tenant operations, subject to the following condition(s):

1. That all discussed and/or proposed changes shall be reviewed by the Historical Downtown Advisory Commission (HDAC) prior to returning to the Planning & Zoning Commission, and
2. That the number of proposed seats shall be specified on all plan drawings which shall in turn drive parking requirements, and
3. That a viable parking plan shall be presented at the next Planning & Zoning Commission meeting to allow the Commission to determine whether adequate parking is available, and
4. That signage and lighting plans shall be submitted for HDAC review prior to final review by the Planning & Zoning Commission, and
5. That Staff shall determine whether required facilities (i.e. restrooms) are adequate for the proposed number of patrons.

Commissioner Cooper seconded the motion.

VOTE: Y 7 N 0

OTHER COMMISSION BUSINESS

Mr. Kambo advised the Commission the Code Diagnostic Committee is wrapping up. We may need to have a second meeting in November to process the recommended updates to Code. He polled the Commission to see if everyone was available on November 29th for a second meeting. All Commissioner members will be available. There is a lot of items to be reviewed. They are going to break the items up into manageable groups. Minor updates will be reviewed during the first round. Parking may be reviewed on its own. Recommendations will be

reviewed by P&Z and then move on to Council for 1st and 2nd readings. The review of the grouped items will be back to back. The meetings will be public hearings. They will also open up possible comments online.

Chairman Emerick asked if the Commission has been updated on Chris Meyers. Mr. Kambo said no. Chairman Emerick advised the Commission Chris Meyers resigned as Architectural Advisor. Mr. Kambo said Council has already started the review process to select a new Architectural Advisor. Chairman Emerick asked if Council will do the entire process. Mr. Kambo said he believes so. Chairman Emerick said he was a part of the interview Committee when they interviewed Mr. Meyers. Mr. Kambo said he would mention this to the City Manager.

ADJOURNMENT

MOTION: Chairman Emerick moved at 8:07 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