



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

March 14, 2018

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Don Emerick on Wednesday, March 14, 2018 at 7:00 p.m. Commissioners present included Shawn Boysko, 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. Ed Cooper was absent.

STAFF ITEMS

Mr. Kambo advised the Commission the Architectural Advisor position is going through a Request for Qualifications (RFQ) process. We will go through the process and hope to have an Architectural Advisor soon. Commissioner Boysko said he thought an Architectural Advisor had already been selected. Mr. Kambo said we had. We had to rewind the process. Chairman Emerick said Council asked for this. Mr. Kambo said yes.

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 Little moved to approve the minutes of February 14, 2018. Commissioner Boysko seconded the motion. By unanimous consent the minutes were approved.

PRELIMINARY DEVELOPMENT PLAN

Applicant: Elite Real Estate Holdings, LLC

Location: 10331 Sawmill Road

Zoning: (PR) Planned Residence District

Request: To review a proposal to construct four 2-unit residential buildings.

Dave Pontia, Pontia Architecture, 39 E. Main St., New Albany, said he is presenting the Mews at Zion project. They are continuing to make progress on their plans. There will be four (4) duplex units with two (2) units in each building. Each unit will have approximately 2,100 to 2,400 SF. Units are 2-stories. Access onto the site will be directly off of Old Sawmill Road. We will place landscaping at the end of the access road and at the end of each drive to screen headlights as cars drive down the access road. There has been a lot of conversation about a curved road. When he went into the existing development beside this property, which has a curved road, he found all of the drapes down. If we put a curved road in, the head lights will actually shine onto all of the condo units. So they only have a slight curve. If anyone has ever lived on a corner, every time someone comes around the lights hit the home. The units are geared towards empty nester retirees. There won't be a lot of traffic. The buildings will fit within the context of the downtown design standards. All units will have a coordinated design but each unit will be unique and stand alone. Materials are brick, stone, board and baton siding. There will be a mixture of coordinated color schemes. All four elevations are shown in color. The true landscape features are shown. There is an opportunity for each unit owner to have a patio or deck in the back. The deed will set stipulations and control the size (150 SF); the materials which can be used (natural stone, pavers or if a deck, certain types of wood with a maximum 42" high railing). There will be a mail kiosk out front. Lighting fixtures and window designs are shown; which fit the downtown design guidelines. We did a sight line study. We know there are concerns about the buildings being 2-story. There is an existing building close to our property which has 2-stories. We did a comparison of the two buildings. Approximately 60-65% of our rooflines are within the same height line. We also measured distance between neighborhoods. There is a 90' distance between our buildings and the closest neighbor. The development closest to ours has an 80' distance. We have a similar relationship to the existing condo units.

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

The Staff Report links all of the past versions of requests for this property. Requests have bounced between residential and commercial. Residential on this corner is more suitable. Up to 9 dwelling units per acre are allowed on the property. The proposed development will have 5.26 dwelling units per acre. The Commons to the south have 2.98 dwelling units per acre. This request is a little denser but we need to look at each site independently and uniquely. Being on the corner of a good sized thoroughfare, a higher density will provide a barrier from the commercial developments. Three units on this site might be a little too thin. Four units spread out evenly provides more of a residential feel. There is between 13' and 17' between the buildings. This is a good amount of space. There are pathways which lead from the back to the front. Staff believes it will take one phase to develop. The proposed buildings will allow aging residents to downsize but remain in our community. Staff is content with the proposed architecture. It is rural in nature. The sight analysis eased Staff's reservations about 2-story buildings. The buildings aren't so out of scale compared to The Commons. The HOA representative asked if the bike path could be changed from asphalt to concrete at our last meeting. Staff spoke with our Engineering Department and learned the standard for bike paths in Powell is asphalt. Being consistent keeps the cost of maintenance down. We appreciate the applicant listening to all comments and taking them into consideration. Staff does recommend approval. Mr. Kambo asked if the developer had an opportunity to speak with the HOA. Mr. Pontia said they had a meeting with the HOA about 4 weeks ago at Flyers Pizza. There were 8 or 9 people who attended. We gave the same presentation and answered all questions. Bob Dotson filmed the presentation and sent the link to the entire condo association. It was a very good meeting. He thinks everyone left feeling comfortable. We haven't heard any feedback since then. Mr. Kambo said there is a resident present tonight, Patty Martinez, who sent us an e-mail (Exhibit 1A) with her concerns. He already replied to the e-mail but wants to go over concerns.

1. She asked what would be done with the septic tank on the property. The developer will determine whether there is a septic tank on the property. If there is a septic tank on site, the developer will work with the Health Department and/or our Building Department to remove it.
2. She asked about the water shed which runs behind The Commons of Powell properties on the north side. All developments are required to make sure no storm water runs off their site. There is a detention or retention pond on the side of this property. There are catch basins which are linked into the retention pond. Mr. Pontia said it is underground detention. Any and all storm water is being retained on site and nothing will spill onto the adjacent property.
3. She asked about emergency exits and how fire and police vehicles will exit the development. The Liberty Township Fire Department is made aware of all developments and is involved in making make sure emergency vehicles can get on and off the site safely.
4. She asked about a telephone pole which is where the access drive is going to be placed. Any time there is a utility, whether underground or above, the developer works with the utility providers to make sure poles/lines are moved.
5. She asked about access management. There are numerous drives and entry ways onto Sawmill Road. She was concerned about safety. Our Engineering Department will be in charge of making sure no site lines are blocked and the entry way is safe and appropriate.

Chairman Emerick opened this item to public comment.

Patricia Martinez, 514 Commons Drive, said she is the person who sent the e-mail to Mr. Kambo. She was unable to attend previous meetings. She and her mother didn't receive a notice about the meeting at Flyers Pizza. Mr. Margello's development has started going up. Their access drive is within several yards of the office complex. This needs to be factored in. The office complex is in/out traffic, which most are. Commissioner Jester asked Mr. Kambo to show this on the overhead. Mr. Kambo showed the Commission the area and reminded them Mr. Margello tried to get a shared access with the neighboring business but was unable to. Commissioner Little said it was the business to the south who wasn't interested in sharing an access drive. Mr. Kambo said correct.

Larry Lyons, 527 Junia Ct., said he would much rather see residential than commercial on this property. His objection was to the 2-story buildings at the last meeting and it still is. We still feel most of the houses along Sawmill Road and the condos in Junia Court are 1-story.

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

Commissioner Jester said he has followed this site for a long time. He does believe this needs to be residential. He asked for clarification on the patios. Mr. Pontia said each home owner will have the option of putting in their own patio or deck. They would have to get approval and the proper permits. They will have restrictions and guidelines the home owner will need to adhere to. They will be limited to about 150 SF. There will be restrictions on the type

of patio or deck and the materials they can use. Commissioner Jester asked what the object was showing in their drawings. Mr. Pontia said it is landscaping between the two units. Commissioner Jester said he likes the pathways from the road in the back to the bike path in the front. He wondered how people would get around the homes. The project has come a long way. He likes how the applicant met with the neighboring condo residents. This needs to happen all of the time. The project is well done.

Commissioner Boysko said he agrees with Staff's comments. This seems to be the best and most appropriate use for the site and location. Mr. Pontia has done a great job with the size and scale of the buildings. He appreciates the resident's concerns about the 2-story units but Mr. Pontia has done a good job at breaking down and reducing the scale. The sight line study is good but it is deceiving. Nobody ever sees a building in elevation. They see it in perspective, what it really looks like. People will see the front pieces which project out and not the full height of the building up to the top peak of the roof. The architecture, bringing the roof line down and projecting the dormers up, helps break down the scale. He is pleased with this direction. Once all of the landscaping is in, no one is going to be able to view the comparison to the height of the other buildings. The sight line drawings helped us understand scale, size and massing. My only comment is in regards to the underground storage to the east. Can this area be paved over or have a pathway put over it? Mr. Pontia turned to a gentleman in the audience and asked if this could be done. The gentleman said a pathway could be put over top. Commissioner Boysko said there are pathways between the buildings and this is great, but he would recommend trying to develop some finished node at the end of the road. Try to wrap it and connect it to the pathway up front. Maybe a 5' or 6' wide path. This will make the road look like it doesn't just stop with a barrier and there will a transition into a pathway. Overall, the proposal is great. He likes the density of the landscaping and the architecture.

Commissioner Little said we have come a long way with this property over the years. The developer has listened and worked well with us. He appreciates this. What is the current, estimated selling price? Mr. Pontia asked Mr. Katarapu sitting in the audience if he was still planning on selling around \$450,000. We are estimating mid-\$400,000. Commissioner Little said we are looking at a pretty upscale complex. He thinks having the detailed landscaping plan and samples of final building materials at the next phase is important. How is trash going to work? There is a one-way in/one-way out situation. Will owners put their trash at the end of their driveways? Mr. Pontia said it is in the verbiage. Owners will bring trash cans out on trash day. Commissioner Little asked if trash will be brought out to the end of their driveways. Mr. Pontia said to the end of the driveway. Mr. Pontia said there is a detailed landscape plan in the package too. Commissioner Little said he tried to find it. We will look at it at the next meeting. To build on Commissioner Boysko's comment, if we look at the reasons we asked for paths to be placed in between the buildings, he wonders why there isn't a pathway between buildings 2 and 3. Mr. Pontia said the thought was to keep down the pathways. Commissioner Little suggested looking at putting in a pathway between buildings 2 and 3 as well as Commissioner Boysko's comment about the end of the road progressing into a pathway. People are going to be wandering around, walking through yards to get to the other sidewalks. Maybe adding one more sidewalk might not be a bad idea. His personal opinion regarding 1-story versus 2-story, the height is consistent with neighboring buildings. The commercial buildings across the street are of a larger mass so transitionally the height is appropriate. If we restrict the height, the numbers might not work and push this site back to commercial development. He understands the concerns expressed about the 2-story buildings but he can understand why 2-story buildings would be allowed. He appreciates everything the applicant has done to work with the Commission.

Commissioner Hartranft thanked everyone for coming out to the meeting; residents and the applicant. This is a much improved plan. He is in agreement. This project is the best solution for this odd parcel. A good transition from the commercial area. Will the entrance road be matched up with the Margello development drive? Mr. Pontia said this is their goal. Commissioner Hartranft asked if there will be any signage out front. Mr. Pontia said the owners feel based on the size of the site, other than a street sign, there will be no specific signage. Commissioner Hartranft said he looks forward to the next step of the process.

Commissioner Simpson asked if elevations provided are mislabeled west and east. The way the elevations are labeled, he wouldn't want the building labeled west elevation to be the architecture on the corner facing Sawmill Road. Mr. Pontia said the elevations are mislabeled. The elevation labeled east is the architecture which will face Sawmill Road. He will correct this. Commissioner Simpson said he didn't know if putting another window on would look better. There is a lot of growth around the Presidential Parkway area. He is real sensitive to the visibility when trying to drive out. There are going to be a lot of trees on the corner and the bike path goes around the corner. He is wondering if there will be a visibility issue when people try and turn left or right out. If something can be done to avoid the cars from having an obstructed view. He is trying to avoid what happens at Presidential Parkway where there are a lot of fender benders or close scares. For some reason people can't figure out who is supposed to turn when. He lives in the area and he doesn't think commercial is the best option for this site. Aside from these few concerns, the project looks good. Mr. Kambo said Staff can speak with the Engineering Department about sight lines at the end of the road.

Chairman Emerick asked where the mechanicals will go. Mr. Pontia showed the Commission where the condensing units will be set; right off the corner of the garage on the inside edge.

MOTION: Commissioner Little moved to approve a Preliminary Development Plan for a proposal to construct four, 2-unit residential buildings, for the property known as Mews at Zion, located at 10331 Sawmill Road as represented by Dave Pontia, subject to the following condition(s):

1. That all Staff, Planning & Zoning Commission and prior Architectural Advisor (Chris Meyers) comments shall be addressed in the Final Development Plan; and
2. That the applicant shall keep the HOA informed with periodic construction updates and shall listen to their concerns; and
3. That the applicant shall provide a detailed landscaping plan and shall provide final building material samples at the Final Development Plan review; and
4. That the applicant shall take into consideration the Planning & Zoning Commission's recommendation for further pathway connections.

Commissioner Jester seconded the motion.

VOTE: Y 6 N 0

(Cooper absent)

AMENDMENT TO AN APPROVED FINAL DEVELOPMENT PLAN

Applicant: BBCO Design LLC
Location: Sawmill Parkway and Home Road
Existing Zoning: (PC) Planned Commercial District
Request: To approve an Amendment to an approved Final Development Plan for a proposal to construct two office buildings, with a reduced setback for a portion of one building.

Zac Remer-Jordan, BBCO Design, 2029 Riverside Dr., Columbus, said their site is adjacent to the Sunny Day Academy. Their development would add two buildings to the site; building A to the east and building B to the west. The site is part of the Golf Village and has been reviewed and approved pending final material submittals. The materials will be stack stone, fiber cement board and shingle roof. The buildings will speak to the existing neighboring buildings, yet have a language of its own. Building B on the far west side will be for a Kumon school. The site is a U-shape around the existing Sunny Day Academy. Building B is completely within the site. There is a large easement running through the site for power lines. This easement separates the site. There is an existing 100' setback, leaving a small little wedge to build in. We are requesting a reduction in the 100' setback, taking the setback to 75', to allow the building to be built. The building will be similar and in align with the buildings to the south. Commissioner Little asked if the setback is off of Sawmill. Mr. Remer-Jordan said yes.

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

The request is for a site in the Golf Village development. The applicant is asking for a divergence from 100' to 75'. Staff believes the setback request is still in line with the intent of the setback; retain site lines for safety, visibility from neighbors and to retain the character of the roadway. The architecture is great. The use is great. We like the fact the request is for a Kumon school. More services will be provided to our residents. The location is near an existing daycare. The Golf Village owner has authority over the architecture and sign review. Planning & Zoning can offer recommendations. Overall, in Staff's opinion, the request looks really nice and makes a lot of sense. Staff recommends approving the Amendment to the Final Development Plan with the one condition listed in the Staff Report.

Chairman Emerick opened this item to public comment.

Sean Hall, 3620 Hickory Rock Dr., said their backyard is adjacent to the proposed buildings. Aside from his objections, he has heard about the Kumon building but nothing has been said about the other building. He would like to hear about the other building. What are the hours of the businesses going to be? What is the other building for? If you look at the space, they are trying to cram, yet again, more buildings into every blade of grass. The space is very small. He doesn't know why you would waive the standards and the 100' setback. If there isn't enough space to put buildings in then there isn't enough space. He doesn't think guidelines should be waived.

Bipender Jindal, 1401 Kinnards Pl., Columbus, said he is a Chemical Engineer by training. He came to Columbus 40 years ago. He went to Ohio State. In 1994, because of his own children, he opened a Kumon franchise. He has been teaching at 74 Clairedan Drive. He has a full-time job as a Chemical Engineer. He found he could make a big difference in children's lives. He teaches mathematics and English. He has taught over 8,000 students. He

never took a salary. He gave the money for a donation as a scholarship at Otterbein or Columbus State Community College. Now he is coming to retirement. He is not a developer. He didn't realize what a difficult process this would be. He just thought he could continue to teach and make a difference, plus have something for his retirement. He went head first into this purchase without realizing how difficult it was going to be. If I don't put 2 buildings on this property, the numbers won't work. He doesn't have any tenants for the other building. The building will be an office building. He is contacting real estate agents to see if the building could be a medical office building. The traffic wouldn't be as much as a retail building. There is already a dentist office to the south. There are other doctors in Don Kenny's complex. Do I have a plan? The answer is no. Do I have a tenant? The answer is no. He hopes he is able to finish this project.

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

Commissioner Simpson asked if a same variance was granted to the Infinite Smiles building. It looks like the Infinite Smiles building is quite a bit forward as well. Mr. Kambo said there is a bend in Sawmill Parkway which could account for it. He doesn't know. Commissioner Simpson said the power lines make this a very limited site. It is a matter of whether we allow something to be built there or just sit empty. From a City standpoint, the income and the use would be appreciated as opposed to sitting vacant. The use is appropriate. It doesn't look like the building would be too far off of where the existing building is sitting if we allow the variance. Mr. Remer-Jordan said they looked at this as well. Mr. Jindal said if you look at the existing parking lot, where the power lines go over, there was a variance granted for the parking lot. Our building will be right in line with the parking lot. Otherwise, he won't be able to build. Commissioner Boysko asked where the variance was granted. Mr. Jindal said the variance was granted for the parking lot extension. He understands there is a City of Powell setback requirement of 150' from the center line of the road. Golf Village has 175'. He had this reviewed by Todd Farris and they didn't have objections. It will meet the City of Powell's setback requirements but won't meet the Golf Village setback. We are asking for a variance of the Golf Village variance.

Commissioner Hartranft asked if the Commission is just reviewing the variance. Mr. Kambo said we are focusing on the variance but the Commission can make comments on the location, elevations. Commissioner Hartranft asked if there is a density issue. Mr. Kambo said no. Commissioner Hartranft asked if the 25' has to be granted in order to make this project work. He asked Mr. Kambo to show the buildings on the site. Mr. Kambo said there aren't drawings which show the buildings on the site. Commissioner Boysko said it is important to see the full context of the building edge, compared to the buildings further to the south. He asked if lines could be drawn while in Google's aerial view, showing where the existing building's edge is in comparison to where the new building will be. Mr. Kambo drew a straight line from the front edge of Infinite Smiles to Sawmill Parkway. It shows 134'. He drew a line from where the proposed building would be and Sawmill Parkway. It shows 111'. There will be +/- . This is the 25' the applicant is asking for. Commissioner Hartranft said this helps him understand. Commissioner Boysko said he was asking to see a building line, from one building edge to another building edge. Regardless of what the setback variance is, it looks like the new building is going to project out significantly beyond all other buildings. Mr. Remer-Jordan said his concern is the existing building doesn't have a frontage on Sawmill. Their property will have a frontage on Sawmill. Starting the line at the existing Sunny Day is a little deceiving. Mr. Kambo tried to draw a box to represent where the new building would be. He was unable to.

Commissioner Little spoke to Mr. Hall in the audience. This is one of these strange things the Commission finds themselves in the middle of. The property was developed in the Township. The Township handled all of the zoning and set all of the ways the property could be developed. The City of Powell annexed the property. What the Township established came with the property. We are going through an exercise but we can only do so much. This is controlled by the original development plan. If this were a pure Powell development, we handle things differently. From a Powell perspective, we tend to push buildings towards the road and place parking behind buildings. Is the proposal within Powell guidelines? Mr. Kambo said yes. Commissioner Little asked if this is why, as a City, we don't have to grant a divergence, because this really isn't a divergence from a City guidelines. Mr. Kambo said this is a Planned District. A part of the Golf Village development plan. This is an amendment to that really big plan. In the really big plan, there were certain setback requirements off of Sawmill Parkway. Every request is unique and different. If this were in the downtown core, yes, we would push the building to the street edge. This is a completely different environment. This is Sawmill Parkway. The intent of setbacks is to maintain a greenway so as you drive by you see more greenways. This is a divergence because of the development plan which says there must be 100'. Mr. Jindal is incorrect. Commissioner Little said Golf Village is still in control and they have agreed this request is acceptable. Mr. Kambo said Golf Village has review authority in regards to architecture and they do hold authority in regards to the setback. Our authority is to allow the Amendment to the Final Development Plan. We are in a unique situation. From Staff's point of view, even a foot is a divergence. The character of Sawmill Parkway is going to be maintained, even with the 25' divergence. There will still be green space. And, it is always

important to us to provide additional commercial space, per the Comprehensive Plan. Commercial development is helpful to the City in regards to funds. We have limited funds. Commissioner Little said he doesn't have a problem with the 25'. We also have no real control.

Commissioner Boysko asked for the size of buildings A and B. Mr. Remer-Jordan said building A will be 4,925 SF and building B will be 7,550 SF. Commissioner Boysko asked what building A will be used for, a daycare/learning facility? Mr. Remer-Jordan said a portion of building B will be the Kumon school. The rest of building B will be office space. Mr. Jindal said Kumon opens twice a week for about 4 hours each time. They have been open in the after-hours over the last 25 years. Currently they are open on Wednesday and Saturday evenings. If they have more enrollment, they may open another day. No one comes during the day. They are like a Huntington tutoring center. They aren't open during school hours. This is an after school program. Commissioner Boysko said you don't need any type of outdoor facilities such as a playground because this isn't a traditional type of school. Mr. Jindal said no. Commissioner Boysko said you do have an unfortunate site, especially with the overhead lines. He still has a concern about pushing the building out. 25' is pretty significant. It is half the building. The building will be very prominent; significantly further out from the other buildings. To Mr. Hall's point, his initial reaction was it appears as if we are trying to put a lot of stuff on this site. He understands the need for square footage to make this work. He would rather see the building be pushed back to the west of the overhead lines. Either build one large building or 2 smaller buildings further back.

Commissioner Jester said he had no further discussion points.

Chairman Emerick said he doesn't have anything new to add. He isn't a big fan of granting a divergence or variance. He understands we are still maintaining site lines and he understands the problem. Commissioner Little asked Mr. Kambo to show where the power lines are. The lines are right over the entrance. Mr. Kambo said the Commission has the option to table the request and look at it further. You can ask for a site line study, some renderings to see what it would look like. Commissioner Boysko said short of redeveloping the site, you are either for or against this. Mr. Jindal said even though this is a 2.6 acre site, only after buying and paying for the site did he realize you have less than half to build on. The rest is all in the easement. He is already paying Golf Village dues. This is a part of his retirement plan but he doesn't know whether this will work out or not. He tried to go with one building. It doesn't work out with the amount he paid for the site. Chairman Emerick queried the Commission on how they feel. There were enough yes's to pass. Commissioner Little said the developer can have the Commission take a vote or can ask for the request to be tabled. Mr. Remer-Jordan said we will bring this to a vote.

MOTION: Commissioner Little moved to approve an Amendment to an Approved Final Development Plan for a proposal to construct two office buildings, with a reduced setback for a portion of one building, for the property located at Sawmill Parkway and Home Road, Parcel # 31924001031012, which is a part of the Golf Village development as represented by BBCO Design LLC, subject to the following condition(s):

1. That all Engineering Department requirements shall be met; and
2. That a divergence to allow for a 75 foot setback off of Sawmill Parkway shall be granted as opposed to the 100 foot setback allowed by design.

Commissioner Hartranft seconded the motion.

VOTE: Y 4 N 2 (Emerick, Boysko) (Cooper absent)


OTHER COMMISSION BUSINESS

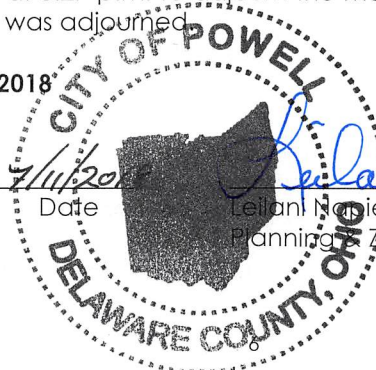
Chairman Emerick advised Mr. Kambo there are a lot of electronic signs through-out town which are on 24 hours a day. Some signs are scrolling and flashing. Could you please make note of this and check it out. Mr. Kambo asked Chairman Emerick to send him an image or an address. Chairman Emerick said there are multiple. Mr. Kambo said if you can give us information we will look at them.

ADJOURNMENT

MOTION: Chairman Emerick moved at 8:27 p.m. to adjourn the meeting. The Commission seconded the motion. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: June 13, 2018


Donald Emerick
Chairman



Date

Lellani Napier

Planning & Zoning Clerk

7/11/18
Date