



## City of Powell, Ohio

Board of Zoning Appeals  
Ryan Temby, Chairman

Randy Duncan Robert Hiles Gregory Short Dan Wiencek

### MEETING MINUTES

June 14, 2018

A meeting of the Board of Zoning Appeals was called to order by Chairman Ryan Temby on Thursday, June 14, 2018 at 7:00 p.m. Members present included Randy Duncan, Robert Hiles and Gregory Short. Dan Wiencek was absent. Also present were David Betz, Director of Development; Karen Mitchell, City Clerk; Leilani Napier, Planning & Zoning Clerk; and interested parties.

### OATH OF OFFICE

Karen Mitchell, City Clerk, asked Randy Duncan and Gregory Short, newly appointed Board of Zoning Appeals members, to stand and repeat the Oath of Office. Mr. Duncan and Mr. Short rose, individually raised their right hands and repeated the Oath of Office.

### APPROVAL OF MINUTES

MOTION: Robert Hiles moved to adopt the minutes from May 23, 2016. Ryan Temby seconded the motion. By unanimous consent the minutes were approved.

### APPLICATION FOR VARIANCE

Applicant: M/I Homes of Central Ohio, LLC  
Location: 4715 Hunters Bend  
Zoning: (PR) Planned Residence District  
Request: Approval of a variance to Section 1145.28(a)(1) in order to increase the slope of a driveway from 8% to 9.9%.

Chairman Temby asked all people who would be speaking to stand. Corey Christopher and Dave Betz stood and were sworn in.

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

The applicant is in the final steps of building a house in The Reserve at Scioto Glen. The Zoning Code requires a maximum slope of 8%. It was determined the driveway slope was going to be greater than 8%. The slope will be over 9%. Staff tried to get this solved without a variance. They have a driveway design which left 20 feet at 8% or less but the driveway would slope up and then up again into the garage. The house was built 4 inches too high. The slab should have been down another 6 inches. Rather than tear out the slab and change siding outside, the applicant is applying for a variance. Mistakes happen in the course of building. This is a minor issue. Staff believes the applicant has met the requirements to approve this variance and recommends approval.

Corey Christopher, 3 Easton Oval, thanked Mr. Betz for speaking on their behalf. We dug the house 4 inches too high. We were already at the 8% slope. We dropped the garage slab. To fix this without a variance we would have to add another step in the garage. There are already 2 steps. The steps come out in the middle of the garage in this style of ranch. Adding another step would really disservice their customer. Their customer would have trouble getting cars in the garage. Mr. Christopher said he took pictures he could show the Board. Chairman Temby said this wasn't necessary.

Mr. Hiles said you aren't even visually going to be able to see it. He doesn't have any questions.

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

No other Board member had questions or comments.

MOTION: The Board of Zoning Appeals agrees the variance is not substantial given the amount of work, cost which would be incurred and the inconvenience to the home owner; therefore Board Member Hiles moved to approve the Application for Variance for the property located at 4715 Hunters Bend as represented by M/I Homes of Central Ohio, LLC, to allow the slope of a driveway from 8% to 9.9%.

Board Member Short seconded the motion.

VOTE: Y 4 N 0 (Wienczek absent)

Chairman Temby announced the Board is going to take a five (5) minute break to allow Board members time to read the copies of e-mails which came in after packet materials were sent out, for the next Agenda item.

#### **CONDITIONAL USE PERMIT**

Applicant: HorsePower Farms LLC

Location: Home Road and Steitz Road

Zoning: (FR-1) Liberty Township Farm Residence District

Request: Approval of a Conditional Use Permit to allow for a sportsman's club.

Chairman Temby asked all people who would be speaking to stand. Numerous people in the audience and Dave Betz stood and were sworn in.

Chairman Temby asked all who will be speaking to come to the podium, state their name and address, and to speak clearly into the microphone. Comments are recorded for minutes.

Chip Vance, 275 Oakham Court, Powell, thanked the Board for allowing him to present his request this evening. He has been a resident of Powell for about 7 years. Auto Assets has been a business in Powell for 28 years. He has been employed there for 21 years. They started the business with 4 guys and now have 15 people. He is presenting a development called HorsePower Farms, for garage condominiums. The property is at the intersection of Home and Steitz Roads and has sat vacant for a number of years. The property has been passed over by a number of home builders. The property is chopped up and an unusual shape. We think the garage condominiums present a creative way to use this space, with minimal downsides. He is happy to present a project which is both a tribute to the rural roots and to the rich motor sports heritage the residents have enjoyed. Mr. Vance pointed out the picture on the wall of the Powell speedway. Those were the days. This history is lost on most residents but he still remembers them and thinks it is something special. The Powell Code says the City likes to have alternative neighborhoods, desired and defined by the City of Powell's Planned Residence Conservation District. The document recreates the rural character of Powell by adding farm like structures. We are trying to do this with our proposal. The zoning is Farm Residential, carried over from when it was annexed. The property is currently pasture land. Although this is in the Conservation District, there is nothing to preserve or conserve on this property. To improve the property, HorsePower Farms has planned to plant 65 each 6' or 7' evergreen trees along the border. We specified fast growing, London Plane trees to provide barriers to the neighbors. They created a one acre pond on the site to re-enforce the rural farm aesthetic. They are planning a bike path which would currently go from nowhere to nowhere but it will be there to be connected. This is a great safety feature for our neighbors. It will give them someplace to ride their bikes as they try to get to Sawmill Parkway. All of this comes with an increase to real estate taxes to the City and the Olentangy schools, with very little stress on the infrastructure. One of the biggest concerns of the residents is traffic. Over the last 5 years, traffic on Home Road has increased from 7,400 cars per day to a current traffic load of over 15,000 cars per day. HorsePower Farms will have negligible impact on the traffic in this area. Any impact on traffic would be during off-peak times. People who buy these structures will buy them to put their RV in. They won't come at 8:00 in the morning to get their RV. The property is situated on a major east/west corridor in southern Delaware County. Powell Road, Home Road and Hyatts Road are the major corridors which take people east and west. We selected this property due to its access to major thoroughfares. We will not permit hazardous materials and things which are disturbing to the existing and future uses. Condominium documents will be prepared to protect every person who invests in this project as well as the neighbors. People who buy these condominiums will be interested in wealth preservation and for securing a piece of property, to display the property and to keep collectibles. The items have high net worth and owners will have high expectations of this project and of the neighborhood. There will be a high standard of appearance and ongoing maintenance. Keeping the property Farm Residential will allow us to utilize non-commercial lighting. We have selected downward pointing, tulip lights which emit a warm glow at the doorway of each condominium. The outside of the buildings will have a

downward facing LED light to provide light. There won't be any pole lights. They are trying to keep lighting as dim as possible. They will not tolerate unkempt private or common areas, accumulation of debris, noxious chemicals/fumes, fuel storage, commercial enterprises, activities which disrupt the peace, welding, painting, flammable storage, trailer storage or outdoor car storage. There will be annual inspections of each unit to ensure owners aren't hoarding or causing a hazard. There will be quiet times. They will have rules about vehicles being parked outside. Vehicles will have to be put inside a condominium within 72 hours. Their target buyer is automobile; motorcycle; truck collectors; boat; RV; travel trailer owners; antique car owners; classic car owners; snowmobile owners.

Mr. Hiles asked how many vehicles each unit could hold. Mr. Vance said it depends on the type of items stored. People who typically buy these storage condominiums will buy a unit and put four (4) vehicles per unit. It is very common in the collector car hobby for people to buy lifts so they can increase their storage capability. They could put 4 or 6 cars in a single unit without a lot of effort and investment. The important thing is the owner only drives 1 vehicle at a time. It is hard to predict because one person could buy a unit and put an RV in it. Another person could put 40 motorcycles in a unit. Collecting cars is a disease. We are trying to provide a product which is very popular in other locales. Mr. Hiles asked if this plan is modeled off of other locations. Mr. Vance said yes. Mr. Hiles asked if the other locations are successful. Mr. Vance said there is a project in Plain City which just finished Phase 2 and it was sold out the day they broke ground. This is very popular.

Mr. Short asked how in and out access works. Is there a key code to go in and out? Can people come at all hours of the day and night? Mr. Vance said correct. Mr. Short said quiet times were mentioned. Mr. Vance said similar to any other condominium complex, you have access to your condominium 24 hours a day. Mr. Short asked if there is on-site security present midnight to 6:00 a.m. or some time period. Mr. Vance said they don't have a plan for a person to be on-site. They will have closed circuit TV. Condominium documents will specify quiet hours such as 10:00 p.m. to 8:00 a.m. No un-muffled motors, no nuisance noise would be allowed, very similar to any other condominium associations.

Chairman Temby said he saw a couple of the buildings have a pre-determined façade. He didn't see this duplicated on the inside buildings. Will the back buildings be the same or different? Mr. Vance said they will be similar, maybe not exactly the same. They will have similar details. Their plan is in phases. The first 3 buildings will be built in Phase 1. The buildings towards the top of the site would be Phase 2 and the buildings on the left of the site would be Phase 3. They may change some of the details but the buildings will be similar. If a buyer has a desire for additional features, we may have to come back to BZA to make some changes. Chairman Temby asked for a reason why a building would change. Mr. Vance said if we needed to change a dimension of a building from a standard 20' by 40' size. If we see a lot of demand for a 24' wide unit, we will change the size of the building. The outside of the building wouldn't radically change. Chairman Temby asked if there would be a reason why the buildings couldn't stay exactly the same and uniform. Not in size but the outside of the façade. Mr. Vance said he doesn't think there is any reason they couldn't keep them all the same.

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

Mr. Vance is creating a sportsmen's club. People will join by buying condominiums. Restrictions and covenants will be created. There will be a community building which each owner will be a part of. This will be a common club of collectors. A Conditional Use permit is before the Board. The current zoning is in Liberty Township, Farm Residence. The property was annexed into the City years ago. A church was going to be built on the property but never was and the property was sold. Mr. Vance has purchased the property. Under Ohio law, when cities annex property, the zoning can stay the same until the City changes it. The City never changed the zoning. The applicant wishes to follow the FR-1 Liberty Township Farm Residence zoning. Under a Conditional Use permit, Mr. Vance interprets a sportsmen's club as being allowed. There is no definition within Liberty Township's Zoning Code of a sportsmen's club. We have no definition to work with. We do have Section 8.04.E on page 8-3 of the Farm Residence District (Exhibit 1B). The Board needs to determine if a sportsmen's club fits. The Board needs to review the plans and make sure the plans fit in with the requirements and general standards for a Conditional Use permit. We utilize our Powell zoning for the review and approval process when we look at zoning administration of land which is zoned under a Township zoning. Section 1129.03 lists many standards which need to be looked at. If the Board does agree this is a sportsmen's club and agrees it is a Conditional Use within the FR-1 zoning, the Board needs to review the provided documents and the testimony to determine if the request meets the requirements for the approval of a Conditional Use permit. Staff's thoughts are listed in the Staff Report (Exhibit 1). We need to remember the FR-1

District does allow for agricultural uses. Agricultural uses could be exterior farming, growing plants or raising animals. He can picture a few big buildings with chickens. This would be an appropriate use for the FR-1 District. The City would have very little control under Ohio law. Ohio law doesn't allow for cities to require permits for agricultural use. The Department of Agriculture handles it. This proposal won't cause additional public costs. In fact, this will be a benefit for the City, the school district and the County; from an economic standpoint. Many times these car enthusiasts will sell their car to another member. This generates sales tax for the County. The applicant will build a bike path along the entire frontage of the property. The bike path could be connected to the east and west in the future. The Staff Report (Exhibit 1) lists suggested conditions the Board may want to place upon any approval.

Chairman Temby asked if setbacks to the property line have been met. Mr. Betz said it appears as if all setbacks have been met. The size of the buildings in terms of the lot coverage is met. The amount of green space is met as well. There are no variances being asked for at this time.

Chairman Temby asked Mr. Vance to come back up to the podium. He asked about the rules of a sportsmen's club. Mr. Vance said the condominium association is the sportsmen's club. By virtue of buying a condominium a person would be in the sportsmen's club. A person would be a property owner, invested in the property and able to use the sportsmen's club. The club will be a place for people to gather. An owner may have buddies over to watch a race. The owners will be bound by the rules of the club. Chairman Temby asked if there are other ways to get into the club, other than to buy a condominium. Mr. Vance said no. The use of the club will be restricted to the owner and their guests. You would have to be a guest of an owner to get in.

Mr. Hiles asked who decides what collectible is allowed. Are there any limitations? Mr. Vance said if you collect something and it is important to you, you could buy a condominium to keep it inside; as long as it isn't hazardous, dangerous or rubbish. Mr. Hiles said then it isn't limited to cars and motorcycles. Mr. Vance said no but we are really gearing this project to people with cars, motorcycles and RVs.

Mr. Short asked if there is outside storage. Can someone park a trailer outside? Will there be open lots for RV storage? Mr. Vance said no. Mr. Short asked if someone is having friends over for a party, will there be adequate parking? Will people park on Home Road and walk in the gate? Mr. Vance said there should be enough parking surrounding the clubhouse. There is parking all along Home Road. There are close to 20 designated parking spots. The whole property will be paved with asphalt. He doesn't know how many people the clubhouse will hold yet.

Mr. Duncan asked if there will be hourly limitations for events or gatherings in the clubhouse or will it be 24/7? Mr. Vance said they haven't determined the exact hours of operation. He would say by 10:00 p.m. things should be wound down and indoors. By 10:00 p.m. the doors should be closed and there shouldn't be a nuisance to our neighbors.

Chairman Temby said the diagrams always show a picture of a car or a bigger vehicle inside. What determines the level of ownership someone has? Mr. Vance said each unit will be sold individually. Someone will buy a 20' by 40' space and they will own this full unit. The 800 SF will be their condominium. Chairman Temby asked if this is as small as the unit will be. Mr. Vance said yes. Chairman Temby asked what the total occupancy will be when all 3 phases have been completed. Mr. Vance said most people will buy 1 unit. There may be people who buy 2 – 4 units. There may be 1 person who owns 2,400 SF. Chairman Temby asked if every single unit was bought by a different person, how many units would there be. Mr. Vance said if units don't change in size, there would be a grand total of 75, 20' by 40' units. Chairman Temby said the total capacity would be 75. Mr. Vance said if we only sell 1 unit per person, 75 would be the maximum ownership. Chairman Temby asked how many units are planned in the first phase. Mr. Vance said 17 units. Chairman Temby said the first phase consists of 17 units, the clubhouse, the pond, the access road, the bike path and the emergency exit. Mr. Vance said this is correct. Phase 1 would be the ground work, the infrastructure, the water, the storm water off, the access roads and the 3 buildings.

Chairman Temby opened this item to public comment.

Dan McClurg, 1682 Malabar Court – supports

- Has taken his cars to Mr. Vance's business.
- He and Mr. Vance have worked on community events together.

- This is a good use of the land.
- Mr. Vance isn't by any means a developer. He is a Powell business owner. He has proof of how he conducts business. If you go by his shop, he has never seen it run down. Many residents in Powell would speak for him. We need to look at Mr. Vance as a person. He has kids in the school district. He isn't some out-of-state, out-of-city developer. Mr. Vance isn't about money either.
- I don't live next to this property but I wouldn't mind this development going in next to me. I would be grateful to have a responsible business owner going in beside me.
- If someone goes to Mr. Vance and tells him something isn't right, he will take care of it. If a neighbor had an issue, they could go to Mr. Vance and he would take care of it.
- The owners aren't going to be like teenagers revving their engines at night. The clientele will be pretty high end.

Tracie Jenkins, 4319 Home Road – opposes

- She has major concerns with traffic, property values going down, light pollution, noise pollution, the amount of security cameras, the maintenance of the property, the landscaping and safety; which won't just affect her but her neighbors as well.
- Mr. Vance's presentation didn't mention a sprinkler system or fire retardant walls within units. 6 – 8 cars per unit will be full of gas. If a spark sets a fire there will be serious issues.
- There is nothing written in black and white about clubhouse hours.
- She has serious concerns about the construction time, noise and mess.
- She questions whether the tax money is really worth someone's life. She doesn't think so.
- Mr. Vance mentioned parties in the clubhouse. She is worried about trash and smell of trash.
- She has a fear of revving engines and squealing tires at night.
- She is concerned about mosquitoes at the pond and maintenance of the pond.

Gary Barton, 7685 Polo Lane – supports

- Resident of Powell for more than 20 years.
- Moved once and the reason was for increased garage space. Five years ago, he added another garage onto his house because something like this wasn't available.
- He did look at the property in Plain City but he didn't care for having to drive that far away.
- As his car collection grows, he puts in lifts. His sickness only gets worse as time goes on. He doesn't think his collection will shrink, he thinks it will grow. He was very excited when he heard about this project.
- This would be less than a mile from where he lives.
- He has known Mr. Vance for 20 years. He is a very fair and approachable guy. He takes the community into account.
- He likes the ability to gather with others and enjoy/share the hobby. He goes to car and coffee events around Columbus to be around other people like himself.
- He has seen what Mr. Vance has done with Auto Assets.

Stacy Petz, 4320 Home Road – opposes in a residential area

- She grew up with a father who built and restored Mustangs and Thunderbirds. He is a Powell resident and he enjoys driving in the Memorial parade. She spent many weekends at road rallies and car shows. She does appreciate and understand the car culture and gatherings.
- She lives directly across the street from the property. She isn't voicing opposition to this type of project but she is voicing opposition to putting this in a residential area; any residential area in Powell.
- She is concerned about the absence of fire suppression in the units. Owners will be there a small fraction of the time. The owner can't monitor if something happens. There will only be an employee there during normal business hours. There is a higher risk due to the flammable threats. Other car condos in Ohio have safety precautions listed on their business website. Park Place in Lebanon, Ohio and in Missouri and Wisconsin have fire suppression for their units. Progressive Auto Storage in Florida has customized sprinkler system. All of these are also located in commercial areas. She would like clarification as to why this isn't listed in Mr. Vance's design. She understands he has

30,000 SF which doesn't require him to put fire suppression in but this is a residential area. It should be looked at a little differently.

- She is surprised cars will be allowed to turn left out of this site. Her driveway is right across the road. Cars turning left will be straightening out and accelerating in front of her driveway. Her children will be getting on and off the bus here.
- Currently she may have to sit at the end of her driveway 5 – 10 minutes because of the traffic. She can't image trying to beat the traffic if she is driving an RV or towing a vehicle or boat.
- They have witnessed numerous distracted drivers driving on Home Road. This will be a problem.
- She does appreciate the fact Mr. Vance is a Powell resident and has put forth effort in making the buildings and grounds aesthetically pleasing. She would hope all/any future requests for annexation from area properties would be held to the same standards, especially if surrounded by residential homes. There are other clubs close which are not following Codes.

Mr. Hiles asked Mr. Vance to come to the podium and address the fire protection issues.

Mr. Vance said they are in the preliminary parts of documenting everything they will have as part of the development. They do have plans for a fire detection system. In his old building they had a sensor which sensed rising temperature and triggered the Fire Department. No one had to act for this to happen. We have a fire detection system in their current building. If it detects smoke it triggers the Fire Department. No one has to act. There will be provisions for fire and smoke detection so no one needs to act. Mr. Hiles asked if building codes will require fire protection system. Mr. Betz said he doesn't know the answer but Mr. Vance has his architect here.

Brian Reynolds, 49 East Third Avenue, Columbus, said he designed the buildings. These will be an S-1 building use which allows for up to 12,000 SF without a fire suppression system. These units will all be less than 12,000 SF so fire suppression is not required by Ohio Building Code. It is Type 2D construction which means non-combustible.

Fay Baynton, 7560 Steitz Road - supports

- She is adjacent to this property to the south. She has a horse farm.
- Mr. Vance has come to her 5 or 6 times and shown her the plans. The plans look wonderful to her.
- Unfortunately this area isn't out in the country anymore. There are going to be buildings on this land. She would much rather have Mr. Vance's project built beside her than have something else like a strip mall or more housing. She has 192 houses being built right behind her now. Kids are screaming, jumping on trampolines and scaring her horses. People ask her if the cars are going to scare her horses. She tells them no because we ride inside the building and her outside riding ring is further south.

Vince Contini, 2474 Friesian Lane – opposes

- Passed out and entered Exhibit 2A, a document from AEP, encroachment guidelines.
- Lives a block west of the property.
- He doesn't mean any disrespect to Mr. Vance but after reading the encroachment guidelines from AEP, the plans look like a glamor shot. When you read through the AEP guidelines you read about ponds underneath power lines, nuisance shocks, excavation limitations, specific soil movement and a whole host of other limitations which illustrate there are tremendous obstacles to this plan.
- He isn't a 345,000 volt power transmission line expert. He is doing the best with the research he has learned to communicate and educate the Board on some of the obstacles and hurdles this plan is faced with.
- He spoke with an AEP right-of-way contact who with just the description of the plan said it would be pretty difficult to build.
- His other concern is above ground fuel. At full capacity, there could be 20 – 30 RVs with each RV having a 100 – 150 gallons of fuel. There could be another 175 cars stored. There could be 4,000 – 6,000 gallons of fuel at a time within a certain distance of these power lines. The AEP contact said he couldn't address this but it sounds like something his engineers would like to learn more about.

Andy Yager, 2477 Isabella Blue Drive – opposes

- He is a neighbor of this facility.
- He appreciates Mr. Vance being up-front. He has met with Mr. Vance a couple times. Mr. Vance has been very responsive to questions.
- He is concerned about safety, noise, the amount of fuel which will be on the property without fire suppression, near the power lines.
- He also has the AEP encroachment document (Exhibit 2B). He underlined quite a few of the issues he feels need to be taken into consideration.
- A pond is one of the main points. Mr. Vance's drawings show the pond 100% covered by power lines. He also wants to mention the nuisance shocks. These power lines are 345 double circuit lattice. #1, #2 and #4 are types of vehicle sizes which could cause shock. Any type of metal surface can potentially cause issues. He has a lot of safety concerns.
- If the City moves forward with this plan, the back entrance is on Friesian Lane, which ties into his development. Mr. Betz said it would be for emergency vehicles only. We have a very large and expensive assessment charged to us for streets, utilities, etc. He wants to make sure some of the tax dollars which go towards this project also help pay down their 30 year assessment.

Joe Doodan, 7514 Steitz Road – supports

- He has been a Liberty Township resident for over 30 years. He will be a direct neighbor of this project; back and side yards.
- This is a difficult lot. The power lines cause a problem. He thinks this plan represents the highest and best use of the land.
- He doesn't know Mr. Vance. He only met him a couple times. Mr. Vance did it the right way. He came out and met with all of the neighbors at least once. He showed the plan, asked what questions people had, asked what problems people had. He, himself, had several problems with light pollution and landscaping. Mr. Vance addressed each. He seems to be a man of character. I trust him.

Surendra Vegnesna, 2606 Triple Crown Xing – opposes

- He is right behind the property on the west side.
- He appreciates Mr. Vance talking with them. He met with them 3 times.
- He has safety concerns. He has 2 young kids who are always in the back yard.
- He is concerned about fire hazards. He understands Mr. Vance will put rules in the by-laws and he will do inspections but there are no details on this. There is no on-site security.
- He is concerned about noise.

Jerry Goodson, 7956 Steitz Road – supports

- He used to be a neighbor of the property but people built houses in between.
- He is a little concerned about walking out of here tonight and all of the cars which are parked outside. Heaven forbid if one of them were to catch on fire. What a mess we would have.
- Do all of the people who live in the houses nearby have fire suppression in their garages? What if their car catches on fire? 2% of all fires in Ohio last year were garage fires.
- Will there be more noise from the party house and people congratulating themselves outside the party house than what I have to listen to every time there is a football game at Liberty High School? When he moved out here 50 years ago, he didn't move there because he wanted a high school and all of these houses.
- This corner lot has sat vacant for years. Mr. Vance has come up with a great idea which will have some agricultural aesthetics to it. Besides a cemetery, he doesn't know what else could be put there which wouldn't bother anyone.

Steve Southard, 1345 Magnolia Way – supports

- Mr. Vance is a partner of his, a family partnership, of Auto Assets. Mr. Vance was a big part of the Auto Assets development. Mr. Vance has been talking with Mr. Betz for 2 years now on this project. They have gone through 2 or 3 different drawings, trying to utilize the property in the best way, given the conditions the property has. The power lines are part of the issue. Mr. Vance will have a wide

open mind to all of the input. He is willing to listen. This is a passion of his.

Ameva Tamhaney, 7180 Pleasant Grove Dr. – opposes

- He travels Home Road a lot from SR 23. The first time he drove on Home Rd. over the bridge, he wondered what the houses were by the railroad tracks. They reminded him of small cottages. It took him a little while to figure out they weren't houses but a façade for storage units. Isn't this really what this plan is? Mr. Vance said they are going to store things. If you go to a garage condo website, it says it is a place where people store. Call this what you want. Make it aesthetically pleasing. Make it look like a museum. But, it is a storage place. Be up front about it. Say what it is. Why come across as a sports club? A golf course is a golf course. A bank is a bank. A storage space is a storage space.
- Mr. Vance said meeting place. Does a meeting place need to have storage with it? Are there no other uses which can be thought of for this property?
- The garage condo location in Plain City was brought up. This business is in an industrial area. Not a residential area.
- There are luxury homes built under power lines in other places. He isn't saying homes are the only option.
- Mr. Vance said this plan won't be a drain on Powell resources. Does this mean fire, police and EMS? Will this be self-sufficient in terms of how it will be secured? Will there be 24/7 security? Will there be any costs to this?

Ed Collazo, 5470 Sheffield Ave. - supports

- He is a 6 year Powell resident.
- He has been an employee of Auto Assets for 12 years.
- He would like to speak about the community aspect. All of his sense of community is based around his experiences with customers and their love of cars. A lot of those customers are in the room today. He has loved cars since he was a small child. He still has the first remote control car his dad bought him as a small child. He has the privilege of sharing moments with customers whether it is being on the track, them riding with me or me being their instructor. We all share our undying love for all things mechanical, particularly cars. We love sharing moments over them, polishing them, talking about them or even just staring at them in a group. Someone targeted this project for its lack of community. He couldn't disagree more.
- He questioned whether he should wear his Auto Assets shirt to this meeting. He wears it with pride. The community we help create is tight knit and enthusiastic. We have people who come in on a weekly basis, after hours, to just see what is going on in the shop; to spend time together to talk about cars. There aren't a lot of businesses you can say this about, anywhere.
- What makes this project special is the clubhouse. No other car condo communities local to us have a clubhouse. They are purely storage places. We do truly have a goal and a desire to create a tighter community within the already powerful community of Powell. We want to share even more memories and events. Grow closer.
- Car language is universal. He is old enough to remember the speedway. He drove by it on the way to school each day. He thought it was pretty neat to be a part of a community which had a racing heritage. The memory of the speedway lives on in this town. The Powell car show is a good example of the strong automotive culture our community has. The City is flooded with people who have a like-minded passion, who gather on one day to raise money for different charities in an organized, respectful, clean and safe way. We could have more of those events with a set-up like this close by.
- Denying Powell a project like this wouldn't fall in line with our history.

John Tallarico, 225 Oakum Court – supports

- He has been in Powell 28 years. He has known Mr. Vance for 8 years.
- He doesn't have a country club to go to. He isn't a golfer. He is a Mechanical Engineer at Battelle. He has been there 30 years. He started his career testing engines on the Dyno. He loves mechanical things. His garage is full. He wants something like this in the area. Mr. Vance's ideas

and what he has presented is a first class facility. He lives 2 doors down from Mr. Vance. Everything he does is with the highest integrity. If there is an issue with anything, Mr. Vance will make it right. He isn't trying to sell this project but Mr. Vance isn't going to do anything to deter from people's home values. Someone mentioned a gasoline bomb. Being an engineer, there are so many things which can go wrong on the way home tonight and people worry about this place blowing up.

- In regards to security systems, everyone has a security system now. You can have a monitoring system for minimal dollars. You can have a system which monitors for fires quicker than a security guard can.
- In regards to being rowdy, these people have antique cars. They are car collectors. The clubhouse is a place for them to meet with people having similar interests. They want to develop friendships. Have life-long relationships.

Bonnie Goodson, 7956 Steitz Road – neutral

- She wishes she had the money to offer Mr. Vance a good sum for the not so good piece of land. She would extend their specialty farm and put apple trees on the property, to have pick-your-own apples and sheep.
- She has been so concerned she has served on some type of commission in Liberty Township for 15 years. She has been on the Board of Zoning Appeals and she is currently on the Zoning Commission. She is concerned with this land being grabbed up if this request doesn't go through. She isn't saying she is entirely for this project. She does understand both sides. She sees some things which should be addressed. Mr. Vance bears the burden of proof. People who live close have said some things which need to be addressed. The AEP issues are definitely a big thing. She is concerned some developer will come in and put more houses on this land. Her great-grandfather built the house she lives in. She has been here for the better part of 50 years. She never wanted Golf Village. Someone is going to come in and want to put in empty nester homes. They are everywhere. This brings more cars and traffic. She doesn't think this is the answer. She doesn't want another gas station or a pizza place. So, she would have to say she thinks this plan could be a good thing. Mr. Vance needs to help the people who have concerns with safety. You need to hold people accountable. You will make a good decision.

Hetal Kholia, 7180 Pleasant Grove Drive – opposes

- She lives a block away on the north side of Steitz Road. They moved here a year ago. They used to live on Sawmill Road in Dublin. There was a lot of traffic, noise pollution and light pollution. They wanted to move somewhere they wouldn't have this. Their home wasn't cheap. It's more than \$150 per SF. There was no commercial development.
- Putting a storage place in the development opens a can of worms for other commercial developers to come in. This would make the neighborhood a major corridor like Sawmill Parkway. This isn't what we want. This is a residential community.
- She agrees with the safety, privacy, fire hazard concerns and everything mentioned.
- Someone mentioned technology monitoring and surveilling the units. You can only monitor using the cameras. You still need police and fire department to answer the call. By the time they get here, there can be loss of life.
- She understands the hobby. You don't need your hobby in the residential area. You need to go away from the residential area. Sawmill Rd. or other pockets should be used.

Kenneth Cornell, 220 Tiller Drive – supports

- Fees paid for this club make this appropriate and in accordance with the current use of this land.
- It will not increase traffic. In fact it will decrease traffic. If someone builds track houses in there, their value will go down.
- This is a condo where they are buying an association to that condo. If you are like me, I have a 1967 Triumph TR4A. That side of my garage is the cleanest side of the garage. If he could have some place where he could take his car, store it some place safe, where he can work on it in a safe environment, he would definitely use it.
- This space will be utilized for vehicles which are classical or motorcycles. Some of these cars will be

valued at the value of the houses in the neighborhood.

- There are no sprinkler systems in his house. He has fire and smoke detectors.
- The focus is bringing in people from Dublin who will use some of Powell's resources like restaurants. These people have nothing but respect for their cars and the neighborhood. This won't be a car club which drags down a strip.
- Being a condo association, Mr. Vance will be responsible for the exterior of the buildings and all of the area around it.
- Each of these units will not be inexpensive. This isn't like a little storage space. The value is going to be much higher.
- If there was residential here you would have 4 times the amount of fuel on the property.
- He has lived in Powell for 19 years. He has bought cars from Mr. Vance. He trusts Mr. Vance. He is an honest business person.
- This is a great thing to bring into Powell. It would diversify what we are. Why is Powell #4? It is because of the diverse businesses we allow here. This isn't an apartment complex. He understands the neighbors and their concerns. This is the best use. If this land isn't used for this, what will it be used for?

Sreedevi Viswanadha, 4156 Harvest Point Drive – opposes

- She never thought she would be talking to a fan club of an auto dealer. She sees a lot of Mr. Vance's friends supporting him but she doesn't see the friends living in the surrounding area. She can call on her friends living in Columbus in support of her.
- This isn't the place for commercial development. Being a single mom, she choose this area because she was concerned about her son's security. She choose this place over many other places for privacy, safety and security.
- We heard this place can be any type of storage, not just cars. Can guns be stored? Her son's school is close. Are we not hearing of the incidents and seeing the pains of the parents who have lost children? Am I exposing my child to such danger?
- Mr. Vance has given examples of other areas with these types of storage but they aren't residential areas.
- They mentioned this is a nice place to meet. Don't we have Kinsale under one mile where everybody can meet and have parties?
- What if a person from a motorcycle gang owns a place here? What am I exposing my son to? Is this the reason I bought my house? No.
- Who knows what can come in the car's trunks. Could it be drugs? Could it be guns? Who is watching? Once you give approval, he is free from this.
- Why can't this be a residential friendly project? Not a high intensity project.
- Is Steitz Road a 4 lane road already? No. Why are you saying there is no traffic impact? There is.
- No one takes responsibility for safety. Who takes ownership?

Brian Lauer, 2612 Triple Crown Xing – opposes

- Part of his back yard is up against this property. The back of his house will look directly on the back of this property.
- He is concerned with safety and fire. While the building code doesn't require automatic sprinkler systems, will there be fire walls in between the different units to protect fires from spreading? If this ties into City water, will fire hydrants be required?
- He appreciates Mr. Vance's transparency. It's one thing to say what you are going to do. It's another thing to actually do it. The place across the street is supposed to be a sportsmen's club. They didn't do a lot of the stuff they said they were going to do. It looks pretty trashy now.
- He is concerned with the upkeep of a pond. He doesn't want a bunch of mosquitoes in his back yard due to the pond not being cared for.
- Mr. Vance said the noise should be done by 10:00 p.m. Is this going to be the way it is? You say this will be what happens but will there be something stipulating this? How will the noise be controlled?
- Mr. Vance said these are car collectors and they won't be racing down the road. A couple of us

went to the Daily Growler and we witnessed one of Mr. Vance's employees pulling out of the parking lot like he was going to a fire. You say this stuff but is there any proof it is actually going to happen? I want the assurance there will be some guidelines, some conditions.

- He doesn't want to see all 3 phases decided upon. Start with Phase 1 if you are going to do anything. Decide on the rest after time goes by.
- He doesn't know why a sportsmen's club requires storage.

Ryan Lawrence, 2459 Friesian Lane – opposes

- He has found it interesting that we have sat here tonight saying a lot of things about how nice Mr. Vance is and the assets he brings to the community. This is all great. This isn't what we are here to analyze tonight, whether Mr. Vance is going to live up to his word or whether the business is going to operate this way. We have had conversations about safety. He has full faith the City and County will hold Mr. Vance accountable. We are trying to determine whether this is appropriate use and conditional use of changing over the zoning of the property. Is this correct? Chairman Temby said it is one of them.
- We are determining whether a sportsmen's club is appropriate. Does it meet the criteria? Mr. Betz read us a lot of information. He heard noise, does it affect the residents? He wants to focus on a couple things which will exhibit and push this away from being a conditional use.
- Noise pollution. A lot of people brought this up. It is important. The property is completely surrounded by residential area. There is no commercial zoning anywhere else. He has a good friend who races cars. He knows how car owners are. They get out their tools, they work on their cars and it brings a lot of noise. He queried the CDC, the Center for Disease and Prevention Control. They talk about power tools and the noise level which goes with them. They range from 80 – 100 decibels which is enough to damage ears. We have all heard Harley Davidsons. He can see Harleys going into this type of facility. A place where they can be stored. We all know the signature sound which comes with a Harley Davidson. The big loud sound. You can hear them a mile away. I'm guessing that if I work on my car or motorcycle in the garage condo, I'm eventually going to want to pull it out and test it. I'm going to rev it up and make sure it is running right. Let it run for 5 minutes. Turn it off. Tinker with it more. Rev it up again. I'm convinced there will be a lot of noise with this type of idea. Cars don't sit quietly. They are motor vehicles. They aren't all electric. They have motors. This is a big reason to kick this out of the sportsmen's club idea.
- Light pollution. As a residential area, the area is pretty dark. We have about 120 houses in our area and maybe 5 street lights. It's very dark. We have small coach lights out front. It's dark but lit in the right areas to protect us and be safe. He knows the City works hard to keep light pollution at a minimum. The area where the emergency entrance will be has to be big enough to have fire trucks and ambulances to go through. There will be a gate. Everything which is there today, the trees, will have to be removed. This will open the area up. When he is out on his evening walk, all he will see is the condos and the glowing lights. It doesn't fit in a residential area. They have to have light. There will be high dollar vehicles there. They don't want people coming on site and hurting them. Lighting will be a big deal.
- We have heard the argument "if we don't do this, what else could it be?" We heard the idea of a chicken coop. There is no way a chicken coop is going to be put on this property. We aren't in the game of deciding what will go in if this doesn't go in. We are deciding whether the conditional use as it is currently zoned is capable of being a sportsmen's club. We already have a sportsmen's club across the street. It is labeled as British Auto Care according to Google. He doesn't know if this is what it is called. It is an abandoned house. Check out how it isn't maintained. It is an eye sore. We don't need another garage condo across the street. We don't need competition to drive each other out of business. If we do have the need for this business, move it down to Sawmill Road, on the corridor.
- There are a ton of car condos across the US. What he finds with every one he looked at, they are in industrial areas. They are always in an area where there is no housing. What is the first thing Mr. Vance is going to do when he opens his facility? He's going to have a car show, a car rally. To say this is low impact is wrong. This is high impact. You will have the 75 units and all of the friends

bringing in cars. It is going to be a huge traffic headache. This is what they do. They gather and have car rallies. They might have poker runs with a bunch of motorcycles. They will leave the facility and drive around. There is a lot which goes on beyond just a car condo facility.

- This is really a high end garage. It's like having a Goodyear right under the power lines. There will be garages open. Would the City approve Goodyear putting in another location here? This wouldn't be an appropriate use. To call this a sportsmen's club, to get a loophole so you can get a conditional use; maybe. It's bending the rules a little bit. We don't want a commercial operation here.

John Petz, 4320 Home Road - opposes

- He has concerns about security. His daughters get on the bus here.
- Asked for permission to ask the architect one question. Chairman Temby said you can ask. He doesn't have to answer. Mr. Petz asked if AEP has been involved in the process. Mr. Vance answered from the audience (inaudible). Chairman Temby told Mr. Vance he would need to come to the mic. Mr. Petz said he can catch up with Mr. Vance later. He would expect this request to be tabled tonight to get answers to some of these questions.
- He lives next to the Powell Auto Club. Unfortunately, they are the most hated people in Powell for how the property has been built. He expects this property to be annexed into Powell and this causes a great fear. We have been burned very badly. Please see the records from the 2<sup>nd</sup> Zoning Appeals meeting in Liberty Township. Powell Auto Club was voted 5-0 to do anything more on the land or to expand the land because of what has happened on this property and how it was treated. He doesn't expect this from Mr. Vance but because of this experience we have learned. He would like to request greater details on vegetation. 6' or 7' trees isn't adequate privacy. That's just a little higher than me. It will take years for the trees to grow up. We need to know how many feet the trees will be placed apart. We would like to know when the vegetation will be installed. How soon will be vegetation be fixed when it dies? What will repercussions be if vegetation isn't fixed? Can a person live in one of these units? Will there be guidelines on this? Are the owners allowed to sublet? Can the units be rented out? What repercussions will Mr. Vance and his organization have to fulfill the plans he has shown? What authority will they have? When will dumpsters be collected? In addition to auto fuel tanks being on site, will there be an alternate type of fuel tank on the property? If yes, what are the EPA guidelines? He would assume Mr. Vance has all of this information, he just wants to make sure this is covered. There is more which should be shared with us. We would love to see the HOA guidelines. He would like to see these questions/items addressed when Mr. Vance comes back.

Tom Sherrin, 4686 Glen Lakes Drive – opposes

- He backs everyone who opposes this project going in. He won't repeat everything said.
- This project doesn't fit with Farm Residential at all.
- He is concerned about the condo association. Once the owner sells off 75 units he is out of the picture. It will be the association, the members who will set the rules. Who will set the dues to paint buildings, to keep landscaping up?
- The last time the economy had a bust, he remembers reading collectibles were the first things sold off.

Mark Hampshire, 8778 Coldwater Drive – supports

- He is a 30 year resident of Powell; Past President of the Architectural Review Committee for Falcon Ridge and Past President of Falcon Ridge HOA. He isn't new here. He is usually opposing things.
- He is an atypical owner of a condo in an auto complex like this. He visited Autobahn Country Club and Iron Gate in Chicago. He thought both places were perfect for Powell. Mainly because of all of the collector cars in Powell. He is 67 years old. He doesn't care what time the quiet time is, he is watching the news and going to bed at 10:00 p.m. He takes care of his cars during the day. He doesn't work on cars. Most of us don't. The most work we do is put more wax on. If we need our car worked on, we take it to Auto Assets.
- This will not be a bunch of teenagers. These are guys with an investment and who appreciate

investments. This is why we own collector cars. We love cars. We take care of what we have.

- He isn't worried about security. A lot of these condos will have \$300,000 - \$400,000 sitting in them. If the guys who own these cars aren't worried about security, no one else should worry.
- We aren't squealing tires. We aren't racing engines.
- He won't put his car collection in a storage shed. He will put his cars in a condominium.

Robert Corwin, 5294 Spring Grove Court – supports

- He lives in Scioto Reserve, off of Home Road.
- He is a 15 year business owner in Powell. Mr. Vance is taking a piece of property which really can't be developed with houses.
- This will be a great project.

Mr. Vance thanked everyone who showed up tonight, both people supporting and opposing. He appreciates the constructive comments. There were questions about the size of the pond. This did escape him. His initial sketch had the pond smaller. As the plans developed, he didn't pay attention to the pond covering the whole right-of-way. It shouldn't be like this. He will address it and take care of it. The amount of landscaping in his plan shows a fairly significant amount of detail. The drawings show the shielding. He met with the neighbors and asked them what was important to them. He tried to address those concerns by making sure there is a mound with 6' – 7' trees. To put this kind of vegetation in, he is trying to do his best to shield. They will put in Norway Spruce and White Spruce. He will mention his London Planes again. These things grow fast. He heard a lot of comments about noise. People won't hear any more noise from this project than you hear from your neighbor who doesn't have a condo but lives nearby with a collector car. There will be a concentration of cars but it won't be any different than a neighbor. He has heard a lot of concern about fire suppression and possible fires. This is a real possibility but the Code is set up saying a building can be such and such size and it has to be far enough away from another building so you don't have fires getting out of control. The buildings will be equipped with fire systems so they are alarmed. He would like to request approval of a Conditional Use with the opportunity to come back with more detail.

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

Chairman Temby said it has gotten very late. In all fairness to the Board, we need some time to talk through all of this. He would like to defer any decision to a future time. He isn't in favor of closing down the public hearing. Can we reconvene at a future date? Mr. Betz said yes. You don't have to close the public hearing. You can re-open the meeting. You want to make sure you don't hear all of the same things over again when you re-open. Only new items bearing on the case would be presented. You have 30 days from the time you close a public hearing to make a decision. If you don't close the public hearing tonight, you have as much time as you wish to take. Chairman Temby said he would entertain a motion to keep the public hearing open. He would like to understand the AEP issues more. Mr. Betz said if you have specific questions you would want to ask the applicant to present answers at the next meeting. I would recommend, if you table tonight, to try and coordinate calendars tonight.

Chairman Temby said the first request will be more information from AEP. There is quite a bit of information which was submitted tonight which needs clarification. If design changes are needed we would want to see those. He would also like specific details on the rules of the sportsmen's club, the bylaws, articles of incorporation, hours, acceptable use of the club, membership buy-in, and items of this nature. Mr. Hiles said he would like to see more information on subletting or people renting out their units. Chairman Temby said he would like to see more information and details on light emissions. Mr. Hiles said more AEP information is the primary need.

MOTION: Board member Hiles moved to table the request for a Conditional Use Permit to allow for a sportsmen's club, for the property located at Home Road and Steitz Road as represented by Chip Vance, HorsePower Farms LLC, until a future date. Board member Duncan seconded the motion. By unanimous consent the hearing was tabled.

Chairman Temby advised Mr. Vance he doesn't want to shorten the amount of time needed to gather more information. He invited Mr. Vance to be a part of scheduling the next meeting. Ms. Napier advised Chairman Temby she will need to check on availability of Chambers and a Court Reporter. It might be easier to find 2 open dates for Chambers and e-mail everyone to

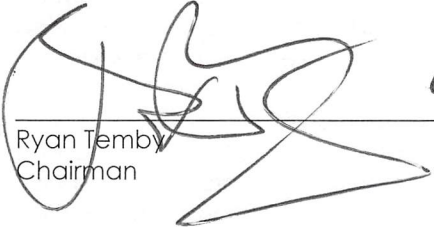

check on availability. Mr. Vance said 3 or 4 weeks would be preferable, to give him time to get information from AEP. Chairman Temby advised Mr. Vance the AEP document gives information of who to contact. The pond is covered in the document. Height restrictions are listed. We didn't even get into height. Building composition seems to matter to AEP. Mr. Vance said he did have conversations with AEP when he first purchased the land. He will resurrect those conversations. He has the AEP document. He will document his conversations with AEP more clearly. Chairman Temby said you can also reconsider the phases. He is aware of the financial outlay. It is OK to rethink the phases and re-submit if you would like.

Chairman Temby thanked everyone for coming out tonight and speaking. It is very much appreciated.

#### ADJOURNMENT

MOTION: Chairman Temby moved to adjourn the meeting at 9:31 p.m. By unanimous consent of the Board members the meeting was adjourned.

#### DATE MINUTES APPROVED:

	9/5/18		7/9/18
Ryan Temby Chairman	Date	Leilani Napier Planning & Zoning Clerk	Date

