



City of Powell, Ohio

Planning & Zoning Commission

Donald Emerick, Chairman

Bill Little, Vice Chairman

Shawn Boysko

Ed Cooper

Trent Hartranft

Joe Jester

Shaun Simpson

MEETING MINUTES

January 23, 2019

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Emerick on Wednesday, January 23, 2019 at 7:00 p.m. Commissioners present included Shawn Boysko, Ed Cooper, Trent Hartranft, Joe Jester, Bill Little and Shaun Simpson. Also present were Dave Betz, Development Director; Rocky Kambo, Assistant Development Director; Derick Stadge, Architectural Advisor; Leilani Napier, Planning & Zoning Clerk and interested parties.

STAFF ITEMS

None.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

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

APPROVAL OF MINUTES

The January 16, 2019 minutes weren't ready for review/approval.

FINAL DEVELOPMENT PLAN REVIEW

Applicant:	The Ohio State University
Location:	3315 Royal Belfast Boulevard
Existing Zoning:	(PC) Planned Commercial District – Liberty Township
Proposed Zoning:	(PC) Planned Commercial District – City of Powell
Request:	To review the Final Development Plan for a medical office building, ambulatory care medical facility and hospital; and to place the property into the City of Powell Planned Commercial District upon annexation.

Aaron Underhill, Underhill & Hodge LLC, 8000 Walton Parkway, New Albany, said he neglected to mention the job creations with this project at the last meeting. 500 jobs in the first phase is big for this community. There will be \$50M in payroll. We don't know what the second phase will bring but this is a big economic boon for the community. There are several out-parcels which are a part of this project coming into the City. There is an existing bank on the corner and some sort of pet user which owns one of the parcels to the east. We needed these parcels to be annexed also for contiguity purposes. The parcels will maintain the same standards they had previously. This is an upgrade and up-zoning of the use. The current owner has the right to develop retail and retail strip centers on the property. The traffic study talks about some of the improvements which will come with our use. A large retail center would have an entirely different traffic pattern, a greater strain on the traffic system.

Keith Myers, Vice President of Planning & Real Estate, OSU, said we took all comments to heart and brought some changes which address some of the concerns mentioned last week. Mr. Myers reviewed Exhibit A3. The site plan now shows the modification at Castleblaney Lane. We are bending Castleblaney Lane and sliding the building up a little bit to create an appropriate distance for landscaping and set-back. There was a question about the service area to the north. In Phase 1 we will build a small service area. The hospital would be built in Phase 2. The size of the hospital has yet to be determined. The hospital will be brought back before the Commission before building. There was a question about pathways and open space. Plans now show the pathway along Sawmill Parkway Staff asked for and the pathways which will be used for rehabilitation. There were also comments about rain gardens. We are looking to put rain gardens in all along the retention/detention areas. Our green build policy requires us to think through all of these sustainability issues. We are committed to doing this. Heights have been added to the architectural drawings. Plans were updated showing a roof plan to address the comments about the penthouse.

We were able to slide the penthouse back 15 feet away from Sawmill Parkway. The penthouse is now centered also.

John Gallagher, Carpenter Marty Transportation, 6612 Singletree Drive, said a graphic was put together to show what the necessary improvements will be. The red are improvements specific to the hospital. Plans are still being reviewed by Delaware County and the City so they are open to change at this point.

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

Staff's review of the 9 Ordinance items still holds true. Staff recommends approval with the conditions listed in the Staff Report.

Mr. Betz said this request is scheduled to go to Council's next scheduled regular meeting for the annexation and development plan zoning. We are processing these concurrently. We want the zoning and annexation to happen at the same time. It will take most of this year for the applicant to develop the plans necessary for building permits. It will be the end of this year or early 2020 before construction begins. We have time to work with the County Engineer on roadway improvements. The funding mechanisms are in place through the developer, the County and the City to take care of improvements. We recommend this request go on to Council's next meeting with a conditional approval which meets the Commission's and the applicant's needs.

Mr. Kambo said he didn't speak about the plat. The plat has been updated showing the new bend in Castleblaney Lane. The plat is ready to move forward.

Derick Stadge, Architectural Advisor, reviewed his comments in Exhibit 1 A. The revisions are all a strong step in the right direction. He appreciates the University's willingness to listen. The area showing the walking path area on the west edge is going to add character along Sawmill Parkway. He also appreciates the creative way to handle storm water management. His only question is on the screen wall enclosure on the south side of the Medical Office building (MOB). He wants to make sure the material compliments the rest of the building and doesn't get too busy. He would suggest cast stone or brick which is proposed for the rest of the structure.

Chairman Emerick opened this item to public comment.

Les Wibberley, 5005 Bayhill Drive, said he brought up the importance of accessibility to this building at the last meeting; not just for cars but for pedestrians and bicycles. He appreciates the addition of the pathway along Sawmill Parkway. Will this new section on Sawmill Parkway be a sidewalk or a multi-use trail? The Mid-Ohio Regional Planning Commission (MORPC) is very strong on the principal of Complete Streets policy in developments along major corridors. He is hoping this new section will be a 10 foot wide, multi-use trail as opposed to a sidewalk. Mr. Betz said this is what is planned. Mr. Wibberley asked if the pathway along Royal Belfast, the main entrance to the north, will be a 10 foot multi-use trail. Mr. Betz said these pathways will be designed less than 10 feet. Once people get onto the site, bicyclists should get off their bikes because the area is also patient drop off. Good site planning will keep fast moving bikes away from pedestrians. A wider pathway is smart so bicyclists can get to places faster prior to going onto the site. Multi-use pathways have their benefit along roadways. It is better and safer to handle movement slower on site where pedestrians and cyclists share pathways to get to buildings. We reduce pathways for this reason. Especially out front where the walkways are for patients going through rehab. Mr. Myers supported what Mr. Betz said. We want to be very cautious on-site. There will be fragile people walking during rehab so having bicyclists using or being near this area would not be smart. We don't want this. Mr. Wibberley said he wasn't proposing the internal walkways. He is talking about the main access road coming in off of Royal Belfast. There may be people who work at the hospital who ride a bike to work. We are aiming towards a bicycle-friendly environment. This is a common trend which is fully supported by MORPC and ODOT in terms of traffic design. The main access to the facility should be 10 foot multi-use pathways. The cost of building a 10 foot multi-use trail is not much more than putting in a sidewalk. Mr. Myers said it has nothing to do with cost. Mr. Wibberley said this facility will increase traffic significantly which increases the danger to anyone riding a bike who isn't on a trail. This is a safety aspect. Liberty Township has a Complete Streets policy. We would like to work with Powell to extend the network. Mr. Myers said OSU is happy to work with the City to get a resolution on this. Commissioner Little said he is a serious bicyclist. Given the nature of pedestrian traffic at this facility, there is the option of the bicyclist leaving the trail and sharing the road with the people going into the facility as opposed to encouraging through-traffic at a relatively high pace in an area mixed with people. Mr. Wibberley asked where the emergency access will be. He doesn't like to be on the road with emergency vehicles. It is a safety issue. Commissioner Little said he is on the road all the time with emergency vehicles. Mr. Wibberley thanked the Commission for being able to provide input.

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

Commissioner Cooper said the plat plan and the site plan seem to agree now. He doesn't have any further comments or questions to add to what he voiced last week.

Commissioner Jester said he will go back to his original comments about public transportation. This is really an issue. 500 employees are going to be coming in. He doesn't know how we get at this but he wants the issue of public transportation on the record. It needs to be considered. It is important for Staff to look into this. This could be a solution for businesses in Powell. Mr. Myers said we believe in public transportation. OSU runs a public transportation company, basically, on campus. We move 10,000s of people. The accommodation could happen. We would welcome this type of service. Mr. Betz said the City will be meeting with representatives from COTA and DATA. We can put together a plan, utilizing both agencies. It doesn't exist right now but hopefully we could get this to happen in the near future. Commissioner Jester said we have to do something. We need to think about where COTA would stop if COTA goes to this site. Mr. Betz said people can use DATA now to schedule special trips. It might cost a fee but if a person lives in Delaware County they can schedule DATA. We will work on something more regular. Commissioner Jester asked if COTA goes outside of Franklin County. Mr. Betz said they do but not up to this area yet. Commissioner Jester said he wants this kept in the forefront all the way through this project.

Commissioner Boysko said he appreciates the modifications made and he realizes how important this project is to the community; the economic impact. This is all the more reason why the Commission needs to do their due diligence and evaluate the project the best they can. The setbacks are a divergence. Is the setback off of Sawmill Parkway 175 feet? Did the language in the zoning text get modified to say this? He still sees 100 feet in his copy. Mr. Kambo said this is one of items he mentioned in the conditions in the Staff Report, have all of the supplemental items match the new site plans. This is one of the needed changes. Commissioner Boysko asked if there were any modifications to the zoning text. Mr. Betz said not yet. Commissioner Boysko said this is the first he has seen the modified plans. Were they posted on the website Friday? Mr. Betz said this one was not. Mr. Kambo said this one was added today. Commissioner Boysko asked if anything was posted to the website on Friday. Mr. Kambo said yes. The few items which were different were. The site plans were put on yesterday or 2 days ago. This was a rolling process. We posted things as we got them in. Mr. Betz said some things were posted Friday, some things were posted Monday. Commissioner Boysko asked if there is a site lighting plan he missed. Mr. Betz said no, they will bring this back. Mr. Kambo said this is part of the architectural review we mentioned. Commissioner Boysko said he still has a concern about how the zoning text reads on building standards. They are requesting approval for designs of a building which are not fully complete. Essentially we are deferring any review on this building design until later, which Mr. Myers said would be 4 to 6 months from now. Mr. Myers said probably. Commissioner Boysko said he is concerned about handcuffing this Commission and allowing us any type of meaningful input on the design. He is troubled with this language and that we are just waiving the requirements. He thinks the project is great and will be a great benefit to the City. He is just frustrated with the way the project is being presented.

Commissioner Simpson asked if traffic lights and things like this are contingent on the plan. Mr. Betz said they are definitely contingent on the plan. Commissioner Simpson asked if the applicant is providing the improvements. Mr. Betz said they are. There are other improvements necessary which aren't based on the effects of this development. It will take time for everyone to put together how this will be done. The traffic present today requires additional lanes on Home Road which this project doesn't include. The County acknowledges this. We need to iron out the final details of all involved in the funding. OSU is committed to making sure improvements are done. The County and City are also committed. It is just a matter of when it will be phased and when it will be done. But, improvements will be done. Mr. Kambo said the Traffic Improvement Study (TIS) is a part of the development plan. Commissioner Simpson asked if there is something on the north elevation, pre-Phase 2. Mr. Betz said it is included in the last information. Mr. Myers said it is included. Mr. Kambo said it's on page 54. Commissioner Simpson said he just wants to make sure this area will be like the rest of the building. Mr. Myers said it will. Commissioner Simpson said the process is a little different than what we are used to but he appreciates the responsiveness.

Commissioner Hartranft thanked the applicant for making the changes they have. He doesn't have any further comments. Both sides are working with things which are out of our hands and are dealing with timelines. It hasn't been ideal but something we can work with, having an Administrative Review.

Commissioner Little thanked the applicant for choosing Powell. You had and still do have other options. This is the most significant development for the residents of this community, a great employment opportunity and the addition of world-class services. The plan is consistent with the Comprehensive Plan. Given the fact this is OSU, we can trust the applicant will continue to work with the Commission to finalize the details to ensure we do introduce a world-class facility to the City of Powell. He feels he can move forward in good faith with the level of what has

been presented today as opposed to what we typically demand in fine detail. He suggests, if we approve the Final Development Plan today, having a motion which identifies what details we would like to come back. We should ask for details to come back for an Administrative Review. Mr. Underhill said we are more than willing and expecting to do this. We will bring everything back once the design is complete, with or without a condition saying this. Commissioner Little said he is comfortable the applicant will work in good faith with us to address pathways, lighting and things of this nature.

Chairman Emerick asked Mr. Betz to explain the timeline remaining for the approval process, including what Council needs to do. Mr. Betz said the next Council agenda will have the Ordinance for the annexation and approval of the zoning. As you annex property, the zoning map changes. This property will be Planned Commercial District. The Final Development Plan will be a part of this. The annexation deadline is February 13th. Council has to hear 2 readings of the zoning so the next 2 meetings will do this. We plan on jumping this right to Council. We would appreciate the Commission taking action tonight so this can happen. Commissioner Little's explanation of handling this with an Administrative Review is correct and why an Administrative Review is in our Code. This is a very complex project. The site and the building are being designed from the inside out. It makes for a very unique review process. Engineering and building construction plans will take months to get done. Many more phone calls will take place. Chairman Emerick said his comments would fall in line with what Commissioner Little said. We are in a situation where we can approve with conditions, knowing full well the applicant will come back with the additional information the Commission needs.

Commissioner Little moved to approve the Easement Vacation Plat for Golf Village North Commercial Revised and the Re-Plat of Lots 5140 through 5148 Golf Village North Commercial Revised for the property located at 3315 Royal Belfast Boulevard as represented by The Ohio State University, for the purpose of building a medical office building, ambulatory care medical facility and a hospital, subject to the following condition(s):

1. That all final details and supplemental information on the Plats shall be resolved by working with City Staff; and
2. That City Council shall approve annexation of this property into the City of Powell, zoned as Planned Commercial District.

Commissioner Cooper seconded the motion.

Vote: Y – 7 N – 0

Commissioner Little moved to approve a Final Development Plan and Zoning Map Amendment for a proposal to build a medical office building, ambulatory care medical facility and a hospital, for the property located at 3315 Royal Belfast Boulevard as represented by The Ohio State University, subject to the following condition(s):

1. That given the enormity of this project and the timeline necessary to ensure completion, the following follow-up items shall be scheduled for review by the Planning & Zoning Commission as an Administrative Review:
 - A.) All architectural change(s) deemed substantial by City Staff which deviate from the approved plans; and
 - B.) Upon finalization of detailed plans, prior to proceeding:
 1. All final infrastructure improvements as they relate to roadways and traffic flow; and
 2. All finalized pathway connections showing their relationship to the overall pathway network; and
 3. All final landscaping plans for Phase 1; and
 4. All final lighting and trash management plans; and
 5. All final signage plans; and
2. That all City of Powell Engineering Department requirements shall be met; and
3. That all plans for Phase 2 shall be brought before the Planning & Zoning Commission for approval; and
4. That all remaining details for architecture or site planning shall be reviewed administratively by City Staff, unless City Staff determines it is substantial; and
5. That City Council shall approve annexation of this property into the City of Powell, and the land shall be zoned as Planned Commercial District; and
6. That the applicant shall explore the feasibility of accommodating public transportation access points by working with COTA and Delaware County public transportation and shall report back to the Planning & Zoning Commission within six (6) months; and
7. That in consideration of a good faith gesture by the applicant to make infrastructure, bike path, landscaping enhancements, etc., the following divergences have been identified and shall be granted:
 - A.) Maximum height of approximately one-hundred (100) feet shall be allowed; and
 - B.) Distances between buildings shall be as little as zero (0) feet; and
 - C.) The maximum building dimensions shall be determined and approved by Staff; and
 - D.) The service area may be established in the front or on the side of the building as determined by Staff; and
 - E.) The setback from Sawmill Parkway shall be approximately one-hundred fifty-five (155) feet from the right-of-way.

Commissioner Cooper seconded the motion.

Vote: Y – 7 N – 0

PRELIMINARY PLAN REVIEW & ZONING MAP AMENDMENT

Applicant: Romanelli and Hughes/The Camber Company, LLC
Location: Carriage Road
Existing Zoning: (FR-1) Farm Residence District – Liberty Township
Proposed Zoning: (PR) Planned Residence District
Request: To review a plan to rezone the parcel to Planned Residence District and construct 11 single-family homes on approximately 4.01 acres.

Gary Smith, G2 Planning & Design, 720 E. Broad St., said a lot of detail has been added since their Sketch Plan review. We have finalized the site plan. The configuration stays the same but we tightened things down a little. The green space is wider. The oval in total was widened out. This puts us way beyond where we need to be for fire truck turning radius. We can accommodate all emergency vehicles. We updated the screening along the north side to meet the screening requested by Staff. We surveyed all of the existing trees and they have been incorporated into their landscaping plans. We added a sidewalk along the southern side. We are still trying to work out the best option for the bike path. We still need to have discussions with the school.

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

The house designs still don't show all 4 sides. Staff recommends approval with the conditions listed in the Staff Report.

Derick Stadge, Architectural Advisor, reviewed his comments in Exhibit 1B. The drawings show each house will be unique and this leads us to believe each house will be custom designed. Eleven homes are proposed. Four drawings are shown. This is fair for a Preliminary Development Plan. Some study could take place on the architecture to make the proportions a little cleaner. Additional drawings should be displayed in the Final Development Plan. Maybe not all 11 designs but enough to show alternate options. This site is a definite candidate for wider paths. He supports Staff's comments about meeting with the school to nail down path connections.

Chairman Emerick opened this item to public comment.

Les Wibberley, 5005 Bayhill Drive, said he appreciates the supportive comments on trails and paths. The diagram he looked at shows the pathway along the south, from Liberty Road going west, as a 5 foot sidewalk. He believes the path should be a 10 foot multi-use trail. The pathway system provides access into the school and allows residents to hop on the trail and be connected to the Liberty Trail. Traffic on Carriage Road during busy times isn't something you want to ride a bicycle through. A trail, opposed to a sidewalk, would be his #1 request. A trail continuing north along Liberty Road to the YMCA would be a good addition to the trail system. Trails are built one segment at a time. This could be another segment in the right direction.

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 said plans at this stage look pretty good. He is real sensitive to having 4-sided architecture, especially on the exposed sides. We need to see this in the future. Buffering is important.

Commissioner Hartranft said he appreciates the applicant coming back. This is a good project. Is the topography of the lot the issue with extending a bike path north? Mr. Betz said there is a wide ditch section along Liberty Road. There is a guardrail. We will have to look at their engineering plans, the storm water and the grading to determine how/if a path can be incorporated in. We don't know what the school, County or Township will do to get a path all the way up to the YMCA. Right now you have to go on the school's roads to get to the YMCA. You could utilize signage to identify the Liberty pathway route. It might work to bring the path back into the site, taking the path off of Liberty Road. Discussions need to take place with the school. Commissioner Hartranft said the applicant needs to talk with the school. Mr. Smith said we get the message we need to somehow provide connections. It will be dependent on what the school wants. We will figure this out. We will come back with more detail. We can't control what the school wants. Mr. Betz said the school sites have little activity during the day and evening. It's the mornings and afternoons when buses are moving around when it gets busy. This causes vehicle/pedestrian issues. Having a bike lane marked on the school roads might be a good solution. We will need to find an appropriate solution. A 10 foot trail might not be the only option. Staff thinks there might be other options.

Mr. Smith said he wants to address the architecture. Romanelli and Hughes is a custom home builder. In reality, we won't know the exact elevation and design until a buyer shows up and picks the home they want, with the features they want. The 4 drawings are just our best example of the quality level. Each buyer will have input on

their home. What actually gets built might be different even from these 4 drawings. The drawings are a starting point. Commissioner Hartranft said he will be interested to hear how conversations work out with the school. Showing some examples of the materials at the Final Development Plan review might be helpful, a color pallet, a lighting package and detailed landscaping.

Commissioner Little thanked the applicant for coming back. Is the property fenced? Mr. Smith said the property is not fenced. Commissioner Little said the pond or retention area being in close proximity to an elementary school might warrant some type of fencing to discourage children from going to the pond. It is a safety concern. We heard before the school takes kids over to this property on projects. So kids have already been introduced to this property. We should consider some way to discourage easy access to the pond. He would like to at least see some language on elevation variations. It wouldn't look good if all 11 homes looked the same. Mr. Smith said we could include language about houses sitting next to each other or across the street and varying elevations. Commissioner Little said we will want to look at lighting. He asked what will be done from a mail and garbage standpoint. Mr. Smith said we haven't gotten into this yet. The mail requirements have changed. The Post Office now demands all homes are served with a gang mailbox location. The Post Office won't do street, mailbox by mailbox delivery anymore. It will be pretty easy for 11 houses. We will find a strategic location and make sure there is landscaping around it. Commissioner Little asked about garbage. Mr. Smith said garbage will be collected at each individual home. Commissioner Little said he thinks the site is pretty heavily treed. He isn't sure of the quality of the trees. Mr. Smith said the existing trees are volunteer trees. They have popped up on the interior of the site. Some are of higher quality than others. The trees on the perimeter are larger and will be preserved and incorporated into the landscape buffer. Commissioner Little said he wanted to make sure we didn't need to watch how many trees are cut down and make sure an equal amount are planted. Mr. Betz said no. Commissioner Little said he does think some sort of northbound path solution is important. Whatever is decided upon should keep the south side of the property in mind. Does the Township or County have any plans to widen Liberty Road? Mr. Betz said Liberty Road has already had attention given to it for that. He doesn't think new developments would make the road be widened. Commissioner Little said he thinks even if the school isn't interested in connecting by paths, some type of connection solution needs to be thought of. Mr. Smith said the school is most likely going to be happy to give an easement but they won't have money to help build paths.

Commissioner Boysko said this plan is a great improvement over what we saw before. He loves the density. He asked if the applicant has talked with the HOA to share the plans.

Chris Bradley, 6760 Colt Court, Dublin, said the HOA was at the Sketch Plan review. We shared information with them in the lobby after the meeting. Beyond that we haven't had any conversations. The President of the HOA was here. Commissioner Boysko encouraged the applicant to keep the HOA in the loop and get their buy-in for the next review. This is the second time there seems to be someone missing at the table; the Olentangy School District. Is there a better way to engage the school system early on or help developers engage the school system? Mr. Betz said yes. Staff just gave the applicant the correct person to talk with this week. Commissioner Boysko said there does look like there are some significant amounts of trees on the tree survey. There will be a lot of trees being taken out. You will need to identify the types, size and caliper of trees being put back in. Mr. Smith said there will be a mixture of evergreen trees, flowering/ornamental trees and deciduous trees. We want to provide a variety which give shade, screening and color. We will put in smaller, flowering trees on the interior of the courtyard. We really haven't gotten this far in the details. Commissioner Boysko agreed maximizing the perimeter buffer with larger, denser trees would be great. Are there mounding opportunities? Mr. Smith said there may be. We will determine this as we work through our engineering. There will be top soil leftover. We could put in mounding as long as the proper flow of storm water isn't blocked. Commissioner Boysko said he agrees there is value in taking the pathway north and west. Are you willing to bring the path headed north more into your property, around the pond? Mr. Smith said if a pathway does go north, it may be impacted by the ditch. We may end up having to pull the path in. This is open for discussion. Commissioner Boysko said there is a great pathway connection behind the school which goes to Adventure Park and up to Liberty Park. There is a crushed gravel trail already there near the YMCA. There may be some value in having a crushed gravel path which goes north and a paved trail which goes west. Mr. Smith said we can look into this. Commissioner Boysko said both of his kids went to Liberty Middle School. The parking lot gets very full during certain events. Over-flow parking happens along the access road. There may be a need to better separate the western property line from the road. It won't be uncommon for people to park on one side of this road. They could park on both sides. It might be worth thinking about some type of fencing as Commissioner Little suggested. Mr. Smith said we will have to look at this. We won't know how much separation we have until engineering is done. We will look at these types of things when we get the survey back. Commissioner Boysko asked if there is a white, split rail fence to the south. Mr. Smith said there is, to the south. Commissioner Boysko asked if there is some value to mimicking this fence to help deter kids from going onto the property. Mr. Smith said possibly. It might make sense to pull some of the design ques across to have a consistent theme. Commissioner Boysko asked if they have considered a dry pond, to limit the liability. Mr. Smith said part of

it is driven by water quality standards. This is a final engineering question. His biggest concern about dry ponds is they just never look good. The amount of maintenance required will be a lot for an 11 home HOA. The area ends up becoming a giant weed, mud pit. No one would be happy with this. The concern has been raised. We will just have to figure out a way to address it.

Commissioner Jester didn't have any questions or comments.

Commissioner Cooper said he has no new comments. He looks forward to seeing the Final Development Plan.

Chairman Emerick didn't have any questions or comments.

Commissioner Little moved to approve a Preliminary Development Plan and Zoning Map Amendment for a proposal to rezone the parcel to Planned Residence District and construct eleven (11) single-family homes on approximately 4.01 acres, for the property located at 2770 Carriage Road as represented by Romanelli and Hughes/The Camber Company, subject to the following condition(s):

1. That the applicant shall continue to work with Staff to address all engineering requirements; and
2. That a walking path shall be provided through the open space as recommended by Staff in the Staff Report; and
3. That the applicant shall determine the best method to establish a northbound multi-use trail and shall ensure this trail relates to the southern solution; and
4. That the applicant shall consider fencing to ensure access to the pond on-site is limited to the residents of the development; and
5. That the developer shall meet with the Olentangy Schools to share the development plan and report feedback regarding potential path connections and other items; and
6. That all comments from the Architectural Advisor and Commission members shall be incorporated into the Final Development Plan.

Commissioner Boysko seconded the motion.

Vote: Y – 7 N – 0

AMENDMENT TO AN APPROVED FINAL DEVELOPMENT PLAN

Applicant:	Dr. Ali Khaksarfard, DDS
Location:	Northwest corner of West Olentangy Street and Lincoln Street
Zoning:	(DB) Downtown Business District
Request:	To review a proposal to change the previously approved rear entrance on Traditions Way by 17 feet to the south to gain parking for four (4) spaces.

Ali Khaksarfard, 170 W. Olentangy Street, said he is the developer for Armita Plaza. Originally, his architect designed for the 2 large dumpsters to be right at the main entrance, coming from Traditions Way. After construction has begun, his real estate agent brought to his attention the restaurants interested in leasing are concerned about the dumpsters being so close to the main entrance of their restaurant. It is actually a health code violation. He researched and found out it is recommended that dumpsters be placed at least 50 feet away from the main entrance. If space permits, 100 feet is recommended. The smell of the restaurant will attract rodents such as rats and roaches to the facility. We knew we needed to move the dumpsters. Moving the dumpsters anywhere in the parking lot will cause us to lose 4 valuable parking spaces. We are already tied because we are sharing parking with the adjacent property. The site engineer determined if we moved the driveway 17 feet towards Powell Road, we could actually gain 4 large parking spaces near the center which could be used as large handicapped parking spaces. We will also place a stop sign right at our exit which would duplicate the existing stop sign the adjacent property has. They will also place a concrete ramp for the adjacent development and duplicate the same thing for our own walkway. The residents will be able to easily walk from center to center without interruption. His ultimate goal is for people from downtown Powell to walk easily to Sawmill Road.

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

A City Inspector was out to this site and found the driveway had already been built at a location different than what was approved. This is a substantial alteration to the approved Final Development Plan so Staff asked the applicant to come back before the Planning & Zoning Commission. The approved traffic pattern has been changed. The applicant provides 2 options of where the dumpsters could be moved. Staff prefers Option 2. Good site planning and engineering plans have access points directly across from each other or far enough apart where turning doesn't cause a problem. The location of the new driveway isn't directly across from the other driveway. Commissioner Little asked if the approved plan had the driveways directly across from each other. Mr. Betz said yes. Now people have to turn to get over to the driveway across the way. Centerline to centerline the driveways

are now 35 feet apart. If there was more space from driveway to driveway it wouldn't be so bad. As is, it could cause problems in traffic flow. Our Engineering Department is very concerned with the location of the new driveway. There is a street light where the driveway should have been placed. The street light would have had to be moved. Commissioner Simpson asked if pork chopping off of Lincoln would work, forcing a right-out. Mr. Betz said this would not work. We don't want to take all of the traffic to Lincoln.

Derick Stadge, Architectural Advisor, reviewed his comments in Exhibit 1C. He definitely agrees off-setting the driveway does create challenges. Shifting the driveway creates a safety concern for people coming out the door close by. There is actually a better place the dumpsters could be placed, a third option (Exhibit 1D). This location is a straight access for the trash truck. The dumpsters need to be enclosed on all 4 sides and the area should be buffered with vegetation. There needs to be bollards placed inside.

Chairman Emerick said he had the same question about being able to angle in and pick up trash. Mr. Betz said he agrees with this third option.

Chairman Emerick opened this item to public comment.

Martha Morrissey, 52 Traditions Way, said her concern is where the dumpsters are. She would like to see them as close to Lincoln Street as they can get. She works at Legacy Paper Arts in a little strip shopping center at 232 W. Olentangy Street. Their dumpsters for their business are common. They aren't gated or locked. Her neighbors on Traditions Way dump things in the dumpsters and it's disgusting. She drives by there every day. The smells of the restaurants around them are pretty pungent at times. She would like to see the dumpsters be as far away from the condominiums as possible.

Commissioner Boysko asked if it was a part of the original plans to have dumpsters enclosed and gated. Mr. Betz said yes. Ms. Morrissey said they did a real nice job with the dumpsters on the other side. Mr. Betz said we would expect the same on this side.

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

Commissioner Cooper said the second option for dumpster placement is probably the best. He recalls specifying wanting the driveways to match for a reason. The reason is still with us. Regardless of whether it means removing a tree and a light, the driveway should be placed where it was originally planned.

Commissioner Jester said he went to the site today. The second option for dumpster location is best. Where else could the dumpsters be placed? Mr. Khaksarfard said there is Option 1. Commissioner Jester asked which option Mr. Khaksarfard prefers. Mr. Khaksarfard said it doesn't really matter to him. Option 2 definitely helps out the residents. Commissioner Jester said he would go along with Option 2. Mr. Betz said we now have Option 3 which allows the truck to get to the dumpsters easier. Commissioner Cooper said parking isn't tight. Mr. Betz said not on this side but on the other side. This is why we had a shared parking agreement. Commissioner Jester said he looked at where the driveway is. He can't remember where they wanted the driveway to be. Mr. Betz showed Commissioner Jester where the driveway should have been put in. Commissioner Jester asked if the plan is to get the driveway back where it should have been and move the dumpsters to the back. Mr. Betz said yes. Commissioner Jester asked if where the driveway is now is an issue. Mr. Betz said it is an issue. The Commission needs to decide whether to allow the driveway to stay where it is now or have the applicant put the driveway back where it was approved to be.

Commissioner Little asked, for writing the motion, is there now an Option 3 for dumpster location. Mr. Betz said yes. Commissioner Little said the Commission needs to say whether they like Option 3.

Commissioner Boysko said he agrees with Staff's comments. He would pick Option 3.

Commissioner Simpson asked if there is a buffer around the dumpster area. Mr. Betz said there would be a fence which is higher than the dumpster, with a front. Landscaping could be added behind the fence. Commissioner Simpson said he prefers as far east as possible, Option 3. He uses the title company there and there is a patio there. Option 2 would be 8 feet from the patio.

Commissioner Hartranft said he agrees. Mr. Khaksarfard said the base coat for the driveway has already been put in. It is up to the Commission. He will do whatever the Commission says but the curbs and base coat are already

in place. It will cost him an additional \$45,000 to put the driveway back. Chairman Emerick said the Commission understands this.

Commissioner Little asked who made the decision to put the driveway in the new location. Mr. Khaksarfard said he is taking full responsibility. The reason is due to communicating with the condominiums. Mr. Khaksarfard walked away from the podium to explain and his comments are inaudible. Commissioner Little said the Comprehensive Plan promotes shared parking and easy flow of traffic. He can't agree to a misalignment from a traffic standpoint. We are asking for a bad combination. He is in favor of Option 3 for the dumpster. He will query the Commission for Option 2 or 3. Commissioner Hartranft asked why the light pole is there. Does it belong to the condos? Mr. Betz said the light pole was put in when Traditions Way was built. It isn't just the condos. Everyone has the easement for use of the street. Commissioner Hartranft asked how the condo association can tell Mr. Khaksarfard what they want with the light pole then. Mr. Betz said he doesn't know. He wasn't party to the conversation. The light pole can be moved. Commissioner Boysko asked if the Commission's approval trumps the condo association. Mr. Betz said the original approval of this plan requires the light pole to be moved. The applicant should have come to Staff before ever making this change. We would have brought it before the Commission. Then the applicant wouldn't have to spend money and then spend more money. It is unfortunate.

Chairman Emerick said those of us who have been involved in the construction industry are well aware of the fact you don't just arbitrarily change approved plans on your own. You go to the proper approving agencies and get approval. He is unwilling to approve a change to the driveway location. The originally planned location is better from a safety and traffic flow standpoint. He is in favor of Option 3 for the dumpster.

Commissioner Little asked the Commission which option they support. All members said Option 3.

Commissioner Little moved to approve an Amendment to an approved Final Development Plan for the property located at the northwest corner of West Olentangy Street and Lincoln Street, as represented by Dr. Ali Khaksarfard, DDS, subject to the following condition(s):

1. That the dumpster location shall be changed to location Option #3 as presented in the Architectural Advisor's comments; and
 2. That the entrance drive shall remain in the location which was approved at the Final Development Plan Review.
- Commissioner Cooper seconded the motion.

Vote: Y – 7 N – 0

OTHER COMMISSION BUSINESS

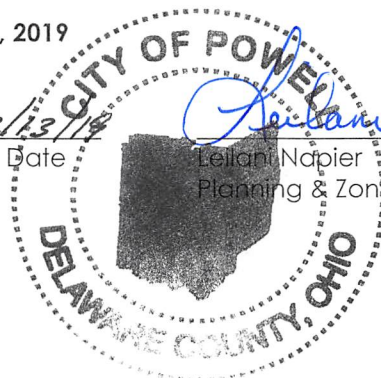
None.

ADJOURNMENT

MOTION: Chairman Emerick moved at 9:00 p.m. to adjourn the meeting. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: February 13, 2019


Donald Emerick
Chairman



Date


Leilani Napier
Planning & Zoning Clerk

Date