



## MINUTES

### DEVELOPMENT COMMITTEE

Village Green Municipal Building  
Council Chambers  
47 Hall Street  
July 2, 2019  
6:30 p.m.

The meeting began at 6:30 p.m. Those present included:

**Committee Members:** Frank Bertone, Chairman; Daniel Swartwout, Melissa Riggins, Councilmembers; Steve Lutz, City Manager; Shawn Boysko, P&Z Representative; Nicole Scott & David Lester, Citizen Representatives. David Betz, Development Director was absent.

**Staff/Others:** Jon Bennehoof, Mayor; Brendan Newcomb, Councilman; Megan Canavan, Communications Director; Rocky Kambo, Assistant Director of Development; Aaron Scott, Staff Engineer; Karen J. Mitchell, City Clerk; and other interested parties.

**Approval of Minutes** – The minutes of May 6, 2019 were approved as written. The minutes of June 4, 2019 were approved as written with Chairman Bertone abstaining.

### **New Business**

- **Proposed Annexation GFS Chemical Company Property – Redwood Development:** Mr. Kambo explained the GFS Chemical property, consisting of four parcels - two parcels are within the City and two are in the township - wants to bring the township parcels into the City through annexation. A developer, Redwood, wants to develop all four parcels (approximately 70 acres) into empty nester, retirement apartments. The parcels in the City are currently zoned commercial/industrial, and Mr. Kambo suggested that the City should consider whether it wants to give up one of our last parcels zoned this way to change to residential. A resolution will be heard at Council tonight to offer municipal services should the two parcels be annexed into the City. If approved, the developer will move forward to P&Z with a sketch plan.
- **Releasing Drainage Easement Lot 3250 Woods of Powell South:** Mr. Kambo introduced Mr. Rossi who wants to build a deck in his back yard. It will encroach into a City easement. Mr. Scott explained that after Staff review, it was determined that the City has never used, nor does it intend to use, the drainage easement. He recommends vacating the easement. The City would have access from a different easement, if needed in the future, on the north side of the property. The Committee agreed to recommend to Council to vacate the easement.
- **Daily Growler – Approval for Use of a Portion of Right-of-Way:** The Daily Growler wishes to install a bocce ball court but the proposed location goes into the right-of-way about 2 ½ feet. Therefore, it requires Council approval before installing. Staff reviewed this request and does not believe there are any issues created by allowing this that would limit services to residents or impede traffic circulation. The Daily Growler understands that they would be responsible for removing anything that is in the way should the City need to access the right-of-way. P&Z will review this on July 10<sup>th</sup> and it will then go to Council on July 16 via resolution.
- **Fee Waiver and Refund Request – Limerick Lane Animal Hospital:** Limerick is an outlier parcel that annexed into Powell with the OSU annexation. Limerick already had a developer/development ready to go while in the township, but held off on building until after the annexation into the City was complete. After annexation, the City assessed their usual fees and Limerick is now requesting a partial refund of some of the fees that they did not anticipate. They feel they already had approval within the township and had already paid fees while within the township. At issue is the City assessed \$12,721 development fee that Liberty Township does not assess. Staff recommends waiving \$11,771.30 of the fee because Limerick could have moved forward with the development while still under the township but waited to ensure that the OSU annexation proceeded without any issues. Much discussion was had about the role of the developer's architect and if he should have informed the developer about the additional City fees.

**ACTION PLAN: Pending.**

- Locking Swimming Pool Covers Versus Fence Requirements: In the past in Ohio, to ensure safety around pools, fences were required. Overtime, the state now allows either a fence and/or a pool cover; however, in Powell, a fence is still required. Residents, Mr. and Mrs. Hudson, are here to advocate for allowing pool covers only within the City. It will require a Code change to allow pool covers. Staff does not see an issue, from a safety point of view, with allowing pool covers. Many area municipalities have already done so, including Franklin & Delaware Counties, Dublin, Delaware, and Liberty Township.

**ACTION PLAN: Staff will work with the Law Director to research safety issues and craft language to insert a provision into the Code and bring it back for review.**

- Adventure Park Parking Lot Paving: Heiberger Paving will redo the Adventure Park parking lot and the funds will be taken from the Street Maintenance Program to pay for it. It has become a public safety issue and therefore a priority to fix. It will be six weeks out to get the work done.
- Seldom Seen Park Development Staff Update: Thomas & Marker is working on wrapping up the final 5%. There is still some finishing work inside the building. Each meeting gets pushed two weeks longer and now they are saying the end of July for completion of the playground. There have been claims filed by the City against Thomas & Marker due to the time it is taking to finish.
- Establishing an Open Container District (DORA) in the Downtown: The Subcommittee related the findings of the June 4, 2019 meeting with Dave McCorkle, Economic Development Director for the City of Worthington, and Worthington's experiences with their DORA. Overall, Worthington is very happy with it, business sales have increased, and Mr. McCorkle was able to field the many questions our business owners had. Staff completed its research and feels it is time to draft legislation that is customized in a way to reflect how we want our DORA to work.

**ACTION PLAN: Staff was directed to press forward with drafting legislation and to look to a possible implementation time prior to 2021.**

**Adjournment** - Having no further business to come before the Committee, the meeting was adjourned at 7:22 p.m.