



DEVELOPMENT DEPARTMENT REPORT  
JUNE 2019

**CODE ENFORCEMENT REPORT**

*Report attached.*

**PLANNING AND ZONING COMMISSION**

*June 12, 2019 – Minutes attached.*

**AMENDMENT TO AN APPROVED FINAL DEVELOPMENT PLAN REVIEW**

Applicant: Litech Lighting  
Location: 9590 Sawmill Parkway  
Existing Zoning: (PC) Planned Commercial District  
Request: Review of an Amendment to an approved Final Development Plan to allow for another gas price sign.

- *Request reviewed and approved with conditions.*

**PLAT REVIEW**

Applicant: Arlington Land, LLC  
Location: 2470 West Powell Road  
Existing Zoning: (DB) Downtown Business District  
Request: To review Phase 1 & 2 plats.

- *Request reviewed and approved with conditions.*

**COMBINED PRELIMINARY & FINAL DEVELOPMENT PLAN REVIEW**

Applicant: McClurg Properties, LLC  
Location: 204 South Liberty Street  
Existing Zoning: (DB) Downtown Business District  
Request: To review a combined Preliminary & Final Development Plan for the demolition of existing buildings and construction of a new office and garage.

- *Request reviewed and approved with conditions.*

**HISTORIC DOWNTOWN ADVISORY COMMISSION**

*No meeting held.*

**BOARD OF ZONING APPEALS**

*No meeting held.*

## June Code Enforcement Report 2019

Date	Violation Description	Address	Name	Phone	Notes	Resolved Date
6/3/2019	lawn violation	207 Weatherburn Dr	Kevin & Katherine Legates		overgrown lawn	6/10/2019
6/3/2019	lawn violation	487 Retreat Ln N	S B Davis Enterprises Inc.		overgrown lawn	6/10/2019
6/3/2019	lawn violation	495 Partridge Bend	Mtarpoft IRA LLC		overgrown lawn	6/10/2019
6/5/2019	drainage violation	423 Whitaker Ave S	Jacques Saliba		recently built patio is impeding drainage	met w/ homeowners 6/13
6/10/2019	parking violation	721 Old Pond Ln	Milap Nahata		dumpster in driveway w/o permit	
6/10/2019	lawn violation	207 Woodedge Cir W	Open House Ohio Realty		overgrown lawn	6/13/2019
6/10/2019	parking violation	43 Chenango Dr	Erich Harshbarger		dumpster in driveway w/o permit - new owner	
6/10/2019	parking violation	267 Balsamine Dr	Kelly Smith & Nichole Dearne		boat in driveway	6/24/2019
6/10/2019	lawn violation	523 Zion Dr	Srey Thong		overgrown lawn	6/24/2019
6/10/2019	junk violation	The Commons of Powell	HOA contact - June Clayman		junk piled up by pond	6/13/2019
6/14/2019	lawn violation	204 Sierra Woods Ct	Brian Kelly		overgrown landscaping	
6/18/2019	lawn violation	615 Retreat Ln N	Mary Grebe		overgrown lawn	



Planning & Zoning Commission

Donald Emerick, Chairman

Bill Little, Vice Chairman

Trent Hartranft

Joe Jester

Shawn Boysko

Ed Cooper

Shaun Simpson

## MEETING MINUTES

June 12, 2019

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Emerick on Wednesday, June 12, 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; Leilani Napier, Planning & Zoning Clerk; and interested parties.

### STAFF ITEMS

Mr. Betz informed the Commission the Operations Committee and City Council is holding a public forum on Tuesday, June 18<sup>th</sup> to discuss increasing the left-turn restrictions at the four corners. Chairman Emerick asked what time the forum starts. Mr. Betz said 6:00 p.m.

### 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

MOTION: Commissioner Little moved to approve the minutes of May 8, 2019. Commissioner Boysko seconded the motion. Commissioner Cooper abstained. By unanimous consent of all other Commission members, the minutes were approved.

### AMENDMENT TO AN APPROVED FINAL DEVELOPMENT PLAN REVIEW

Applicant: Litech Lighting  
Location: 9590 Sawmill Parkway  
Existing Zoning: (PC) Planned Commercial District  
Request: Review an Amendment to an approved Final Development Plan to allow for another gas price sign.

Keith Cobb, Litech Lighting, 3549 Johnny Appleseed Ct., said the GetGo would like to change the existing gas price sign. A gas price sign will be added to each elevation of the canopy. The Advantage Pay price will be advertised. People will see the regular gas price and the Advantage Pay rewards price. There will be 15 SF per side in addition to the signs present now.

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

Mr. Betz asked Mr. Cobb to clarify how many sides of the canopy are affected. Mr. Cobb said only two sides are affected. Mr. Betz said the proposal is to remove the two existing signs and replace with four signs; resulting in two additional signs. This is a marketing scheme for the rewards program. The amber color lighting is being kept. Electronic signs are allowed. Staff would want the applicant to go back to just two signs if the marketing scheme ever changes and they don't want to market the rewards price.

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

Commissioner Cooper said he has no problem with the request as long as the brightness of the signs stay within Code limits.

Commissioner Jester asked if the brightness is going to be the same as it is now. Mr. Cobb said yes, we have the specs. If the Commission needs to see them, we can provide the specs. The signs have a photocell, which is light sensitive. Commissioner Jester said he is OK with approving as long as light brightness is no greater than what is there now. Mr. Betz suggested submitting the specs when the applicant obtains their permit.

Commissioner Boysko asked if the City is managing the SF limitations of the signs. Mr. Betz said they are within Code. Commissioner Boysko said, in theory, he isn't in favor of more advertisement, which is what this request is for. He agrees with the Architectural Advisor's comments that the additional signs are somewhat deceiving. However, this is probably fine. We typically don't allow additional signs for sales at retail establishments.

Commissioner Simpson said there isn't much else to say about this. As long as the signs are within the same scope, it is OK. If the scope were to change any, he would want the applicant to come back or change back to the original format.

Commissioner Hartranft said he is fine with the request.

Commissioner Little said the people who have bought into the reduced price deal are already aware so this might be a little redundant. Traditionally, if we look at places like UDF, we allow them to post regular, mid-grade and premium. As a result of this, he is good with the request. Mr. Betz said gas stations are required by Federal law to post the price of each grade of gas. This isn't the same.

Chairman Emerick said this doesn't overly excite him but he is OK with the request.

Commissioner Little moved to approve an Amendment to an approved Final Development Plan for a proposal to allow another gas price sign, for the property located at 9590 Sawmill Parkway as represented by Litech Lighting for GetGo, subject to the following condition(s):

1. That all lighting levels shall be consistent with the existing price signs and Code; and
2. That this approval shall be for changing two (2) of the four (4) canopy signs.

Commissioner Cooper seconded the motion.

Vote: Y – 6                      N – 1                      (Boysko)

#### **PLAT REVIEW**

Applicant: Arlington Land, LLC  
Location: 2470 West Powell Road  
Existing Zoning: (DB) Downtown Business District  
Request: To review Phase 1 & 2 plats.

Len Pivar, 165 Thornberry Lane, said he is here for the plat recording. There have been a couple minor modifications to our plans. While conducting storm water studies, we determined we need to give up two (2) lots. Those 2 lots will have storm water systems in them to help manage water and slow down the run off. We gave up Lot 1 and Lot 8. On Lot 1, the water goes south towards Powell Road. The back of the subdivision drains both east and west. Lot 8 is where the temporary stub is. We submitted a revised landscape plan (Exhibit A1) for these 2 lots. We can't plant large trees on top of the storm water system. We will plant around the system. We will use these areas as green spaces, maybe put in benches. Lot 21A will now have a house on it. We went from 47 houses to 46 houses.

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

Engineering work has developed into the need to phase the subdivision into 2 phases. The storm water detention for the first phase will be handled in Lot 1. Storm water detention in the rest of the project will happen within the open spaces, in the middle of the cul-de-sacs and in Lot 8. There will be some off-site sewer improvements made to allow for upstream water in Olentangy Ridge to go through this site to the stream, as it should. Our Engineering Department has been working hard with Mr. Pivar for both of these phases. The Commission needs to approve two separate motions; one for each phase. House designs will come back to Staff, the Architectural Advisor and the Commission as we receive them. This request includes the dedicated public road, called Susan Lane. This will act as another way to get to Grace Drive without having to go out to Powell Road. Commissioner Little asked how the City is doing with the owner of the shopping center on this. Mr. Betz said it is going very well. They like the idea of the road. The owner is working on some plans, which the City hasn't seen yet. We will see this in the future. There will be sidewalks on both sides of the road. Staff recommends approval with the conditions listed in the Staff Report.

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

Commissioner Simpson asked if there would be 5' side yards. Mr. Pivar said yes. Commissioner Simpson asked if Mr. Pivar has a product which will go 40' wide. Mr. Pivar said yes. The homes will be lot specific. We have 5 homes completely designed. We will bring the artist renderings in as soon as they are done. We are going to have 6 – 8 home designs. Commissioner Simpson said losing the footage on the 2 home sites isn't ideal but getting more green space is definitely good enough.

Commissioner Hartranft had no comments or questions.

Commissioner Little had no comments or questions.

Commissioner Boysko asked if the plat approval would include the future road extension. Mr. Betz said no, this is only for the property Mr. Pivar owns. This feature will come back later. Commissioner Boysko asked if Lot 49 was still a detention pond. Mr. Pivar said the lake planned in the center was planned because he wanted a lake feature. It has been reduced dramatically in size due to all of the water management issues. The storm sewer Mr. Betz mentioned is being built because there is a lot of excess water coming onto our property from the property to the north. This storm sewer will pick up all of this water and take it down to Grace and Powell Road. This is why we have to build in phases. We didn't want to build in phases. We have to manage the water before we can start moving dirt around in the back section. The pond is much smaller. As you move north of the pond there will be a ravine affect. Commissioner Boysko said it sounds like a part will be dry and a part will be water. Mr. Pivar said the area which is going to be wet will have permanent water in it. There will be a dry area to the north. Commissioner Boysko said he is glad to see the water feature will still be there. It is a nice feature of the property. Mr. Pivar said he was very disappointed when it had to be changed. This is the best plan we could come up with.

Commissioner Jester said we have been talking about this for a long time. He is glad plans are getting underway.

Commissioner Cooper said he has no problems with the plat approvals. He assumes the landscaping designs we got tonight aren't really a part of what is being approved tonight and we will see a Final Development Plan. Mr. Betz said a Final Development Plan has already been approved. Commissioner Cooper asked if the landscaping plan was included in the Final Development Plan. Mr. Betz said yes, Mr. Pivar has just submitted the changes for your information since lots changed from buildable lots to open spaces.

Chairman Emerick had no questions or comments.

Commissioner Little moved to approve a Plat Review for the Phase 1 plat, for the property located at 2470 East Powell Road, also known as Harper's Pointe, as represented by Arlington Homes, subject to the following condition(s):

1. That the City Engineer shall have final approval of all addresses, lot numbers, easements, right-of-way needs and other items prior to recording of the plat.

Commissioner Boysko seconded the motion.

Vote: Y – 7 N – 0

Commissioner Little moved to approve a Plat Review for the Phase 2 plat, for the property located at 2470 East Powell Road, also known as Harper's Pointe, as represented by Arlington Homes, subject to the following condition(s):

1. That the City Engineer shall have final approval of all addresses, lot numbers, easements, right-of-way needs and other items prior to recording the plat.

Commissioner Boysko seconded the motion.

Vote: Y – 7 N – 0

### **COMBINED PRELIMINARY & FINAL DEVELOPMENT PLAN REVIEW**

Applicant: McClurg Properties, LLC  
Location: 204 South Liberty Street  
Existing Zoning: (DB) Downtown Business District  
Request: To review a combined Preliminary & Final Development Plan for demolition of existing buildings and construction of a new office and garage.

Commissioner Boysko recused himself.

Steve Reynolds, Shyft Collective, 15 East Gay Street, said he will cover the big items which have changed since the Commission last saw the request. We met with the Historical Downtown Advisory Commission (HDAC) per the request of this Commission. A couple renderings have been updated to show additional details and additional landscaping behind the garage. There are now two (2) options for the garage; one option with a dormer and one without the dormer. HDAC wanted to ensure we intended to plant behind the garage. There is also additional landscaping towards the front of the garage. Design details now show half-round gutters per HDAC's request. The downspouts and gutters match



the fascia or the portion of the building they are up against. Additional detailing is shown in trim around the windows. An example of the signage is shown. We obtained better pricing from Mr. McClurg and the architect and a true dormer on the garage carries a cost premium. 15% to 25% of the cost of the building may go into a real dormer. As we proceed with the project, it might be better to spend money on the front of the building rather than put in a real dormer, to help maintain Mr. McClurg's budget.

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

Staff is letting the elevation drawings slip by for now. The applicant can bring elevation drawings back in as a Certificate of Appropriateness once they have working drawings. We like seeing the 3D designs. They are easier to read and provide more detail. Staff recommends approval with the condition listed in the Staff Report.

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

Commissioner Cooper said he really likes this a lot. The building is cool, inside and out. He understands budgetary constraints but he really likes the dormer on the garage. He would love to see it included if possible. He is all for the request.

Commissioner Jester said he went down by the area today. This is going to be an upgrade for the property. The conceptual drawings we see tonight look good. The request is very appropriate for the property and he supports it.

Commissioner Simpson said the plans look fantastic. He doesn't have a concern whether the dormer goes in or not. He assumes the resident next door is aware of the project. Dan McClurg responded from the audience (inaudible).

Commissioner Hartranft thanked the applicant and the team for the project. We are excited to have the business in Powell and welcome the project. The building is great and will be seen by those coming into the City.

Commissioner Little said he also thinks the project looks great. He is personally in favor of the 3D representation. He is good either way in regards to the dormer. It would be nice if we could work some compromise out with Staff to have something.

Chairman Emerick thanked the applicant. His preference would be to see the dormers. They add class to the building. It is great the business is moving into Powell.

Commissioner Little moved to approve a combined Preliminary & Final Development Plan for the demolition of existing buildings and construction of a new office and garage, for the property located at 204 South Liberty Street, Buckeye House Painting as represented by McClurg Properties, LLC, subject to the following condition(s):

1. That all Engineering Department requirements shall be met; and
2. That the applicant shall work with City Staff to find a reasonable compromise for the aesthetic appearance of the building in the rear (garage), if the dormers aren't possible.

Commissioner Cooper seconded the motion.

Vote: Y – 6 N – 0 (Boysko recused)

#### **OTHER COMMISSION BUSINESS**

Mr. Betz advised the Commission there isn't a need for the second meeting in June. Plus, it is Powell Festival week.

#### **ADJOURNMENT**

MOTION: Chairman Emerick moved at 7:40 p.m. to adjourn the meeting. By unanimous consent, the meeting was adjourned.

#### **DATE MINUTES APPROVED:**

Donald Emerick  
Chairman

Date

Leilani Napier  
Planning & Zoning Clerk

Date