



**DEVELOPMENT DEPARTMENT REPORT
June 2020**

CODE ENFORCEMENT REPORT

June 2020 – Report Attached.

PLANNING AND ZONING COMMISSION

June 24, 2020 – Meeting minutes attached.

FINAL DEVELOPMENT PLAN REVIEW

Applicant: The Camber Company, LLC
Location: 2630 Carriage Road and 8061 Liberty Road
Existing Zoning: (FR-1) Farm Residence District – Liberty Township
Proposed Zoning: (PR) Planned Residence District – City of Powell
Request: To review a plan to annex land into the City of Powell for a single-family subdivision of twenty-three (23) lots on approximately 7.72 acres.

No vote. The public comment period extended to July 15, 2020 to allow time for everyone to provide comments.

HISTORIC DOWNTOWN ADVISORY COMMISSION

June 2020 – No Meeting Held.

BOARD OF ZONING APPEALS

June 2020 – No Meeting Held.

June Code Enforcement Report 2020

Date	Violation Description	Address	Name	Phone	Notes	Resolved Date
6/22/2020	Multiple Violations	951 Retreat Ln	Umesh Vazirani		Zoning & Property Maintenance Violations	
6/28/2020	Multiple Violations	180 Briarbend Ct	Tom & Michelle Smith		Property Maintenance Violations	



Planning & Zoning Commission
Donald Emerick, Chairman
Bill Little, Vice Chairman

Shawn Boysko

Ed Cooper

Trent Hartranft

Shaun Simpson

Elizabeth Bailik

MEETING MINUTES

June 24, 2020

Chairman Donald Emerick called a meeting of the Powell Planning & Zoning Commission to order on Wednesday, June 24, 2020 at 7:03 p.m. Commissioners present included Donald Emerick, Elizabeth Bailik, Shawn Boysko, Ed Cooper, Trent Hartranft, Bill Little and Shaun Simpson. Also, present were Dave Betz, Director of Development, Elise Schellin, Development Planner, Pam Friend, Planning & Zoning Clerk and interested parties.

STAFF ITEMS

Accessibility in Powell

Rocky Kambo will review with the commission at the next meeting.

APPROVAL OF MINUTES

MOTION: Commissioner Ed Cooper moved to approve the minutes of February 12, 2020. Commissioner Bill Little seconded the motion. By unanimous consent of all Commission members present, the minutes approved as written.

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Dave Betz: We are going to do our best amongst our policies within the city for gatherings having only 10 people in the room at one time. We will call one person at a time in to give testimony. We will give our staff report after the presentations for the developer and then the architectural advisor will speak.

Gary Smith – G2 Planning and Design: I am here on behalf of the applicant, Camber Company and 3 Pillar Homes. I want to thank everybody for the opportunity to get together. I know the last couple of months have been challenging. The application itself is essentially the same as what was unanimously approved at the last meeting. We have complied with all the recommendations adding additional landscaping and the builder has spent a good amount of time working with the architectural advisor and submitted updated architecture. We have included the path along Carriage Road. I know we have people that want to talk tonight but we are happy to answer any questions. We are still very proud of this project and we think it will be a nice development for the City of Powell. It will be a great product providing a little bit more diversity in housing types. Again, it is designed and geared for an empty nester buyer in the community.

Commissioner Emerick: Thank you very much and we will let you know if we have questions.

Dave Betz: Is Chris Bradley or anyone else going to come in to say anything about the project?

Mr. Smith: I do not think they need to at this time as we have covered this extensively and have met the conditions at this point, so we can move things along in hopes of shortening your night.

STAFF REPORT

Dave Betz: As you know we have seen this before with the Preliminary Development Plan. They have submitted the annexation petition to the County Commissioners. Council has adopted a resolution saying the City will provide services to this property. Once the annexation is received from the County Commissioners it will go back to City Council within 60-days. You are looking at the Final Development Plan for this property. We can plan as we annex so that the zoning and development plan will go before council at the same time as the adoption of the annexation ordinance. We have been following this practice for a number of years and it works out well. The Final Development Plan is a follow-up on the Preliminary Development Plan and the conditions identified within the Preliminary Development Plan review, which we have found that all of the conditions have been met. We still have work to do with the County Engineer in terms of what type of improvement is going to be done at Liberty and Carriage Road. The County Engineer will still have to analyze it, as Liberty Road is a county road. As part of the annexation, we will be annexing the intersection and it will be in the city for control. The County Engineer has said they will participate with the City on the design recommendations, as it is a regional situation that we want to coordinate. The plan is for (23) single-family lots and the house designs are aimed at empty nesters. Even though it is located near schools, in our estimation, because of the designs and the size of the lots, it will be at least 50% or more of empty nesters. Our Comprehensive Plan calls for a strategic annexation policy and development along corridors. Our new suburban single-family subdivisions are most appropriate for smaller infills. Even though it is an annexation, it is kind of an infill for the whole region. The past and current use as a horse stable and riding facility have basically been a semi-commercial use, which in an agricultural district back in the day would have received a number of people coming and going for horseback riding lessons, horse boarding, etc. This was not fallow farmland as we have normally seen with developments or farmland where it is producing crops. This is more like a horse farm being used as a commercial development, it is sort of a down zoning from semi-commercial use to a residential use. The density is less than (3) units per acre, which is a low density for this type of a development because of the open space, screening and landscaping that have been provided with the plan. The Preliminary Plan requirements of extra screening along the east, does show a bike trail along Carriage Road to cross where there is existing path on the other side. There will be a need for signage that we will work on with the City and County Engineers as we go through the engineering plans, there is an entry area shown in Exhibit D5. They did a nice job with how they laid out their storm water plans. The preliminary storm water analysis has been reviewed by our City Engineers and at this point they are satisfied the amount of drainage they need to account for under our code requirements has been met. It is just a matter of final review of all the calculations when they do the final engineering plan. An important part of this development are the homes and we can ask our architectural advisor if he has any comments on the home designs.

Steve Reynolds, Shyft Collective – Architectural Review: We sent through some general comments in regards to the overall development. We left a comment on there that David mentioned. If we have learned anything during the pandemic it is that your kids do not always stay away. I would definitely agree the house plans and the room layouts for the most part is intended for empty nesters. That does not mean that your kids will not come home from college unexpectedly and be there, but only temporarily. We also added on there and you mentioned additional conversations with the County Planner as you look at the intersection making sure we are planning ahead in the event there is a roundabout or other improvements planned. In regards to the plantings, I appreciate you adding the vegetation along the perimeter and again just being sensitive to whatever those vegetation screenings are, hoping they are some sort of low maintenance piece so it does not end up being unsightly. In addition, with the retention pond that explains kind of that question about it being reduced by such a dramatic amount, but it appears the engineering worked out to allow for the downsizing of the retention pond. I did have questions around site lighting or if there is a plan for that type of lighting. Obviously, design items yet to be determined, but I just want to make sure we are sensitive to any type of entry lighting. I do not think it would be something large that would be a light pollution concern, but want to keep it in scale with the homes in the neighborhood. Then specific to the houses, I do appreciate the additional attention given to make sure we are adhering to the four-sided architecture. Programmatically there is not much we can do with the side elevations. It does not concern me for the most part, with the exception of where it is visible from Liberty. I am not sure if there is something additional we could look at because there is a lot of visibility there. In addition, when you are on Carriage looking at a couple of those units that directly face the road it is going to be a big expanse of one or two windows. If there is a way to look at adding a foe vent or some additional detail on the sides to help there. Previously we had (7) different plans/home types amongst (23) units and now we just have (3). Is that intended to be the case that we are going to reduce the number of home styles? Obviously with (23) homes and only (3) different varieties it could get to be fairly monotonous. Are there additional plans to try to articulate façades differently amongst units that are the same? We do not really have any comments on the (3) units that are shown. The previous comments we had as far as the articulation of the façades and the back elevations have mostly been addressed. For us, the biggest take-a-ways are can something be done with the homes specifically to those side elevations? Even if it is just on the units that are visible from Liberty and Carriage that would be great. Then addressing the variety within the neighborhood.

Mr. Betz: Thank you. Gary do you want to answer any of those questions.

Mr. Smith: In regards to the architecture, I will confirm this, but I am assuming there are probably going to be more footprints available. I think those are the (3) bestselling footprints that they anticipate and wanted to provide those as an example of the architecture and the style. In addition, this is a custom homebuilder so the buyer will have the opportunity to add some custom touches so the elevations may vary and there is more opportunity for diversity. In regards to the size of the home, I think that the builder can work out a way to increase some additional architectural treatments. We have tried to wrap that screening from Carriage around to Liberty in order to minimize the appearance of those from Liberty because we realize those are backs and sides of homes. We tried to screen off as best as possible, which is good for not only the view from Liberty and Carriage but also for the folks that will be living there who will be looking back out on to the road, so we are very sensitive to that as well. From the lighting perspective, I think it is an easy answer because we do not want a lot of light. It is intended to be a small private community so we may have a low voltage up light on the sign itself and I think that would be it at the entry. Then each unit would have its own carriage lights on the garage. We do not anticipate lighting up the streets or anything of that nature. We want to keep that dark skies feel with the development.

Mr. Betz: I have one more thing to add to my report. This is similar to other places in Powell where we have had empty nester type homes proposed in various infill areas at the edges of the city. On Sawmill Road next to Grandshire, where Epcon is built along Seldom Seen and Village Park Drive where again Epcon has built next to adjoining properties were there are existing single-family residential homes. In any of those areas, there has been no diminishing of property values or any concerns over how they ended up being constructed and built with screening. They have not caused issues with the additional traffic or children. We have found a niche for these types of homes, which add different housing stock to the community for aging in place. We did identify in the Comprehensive Plan the need for people stay in Powell as they transition from larger family homes to smaller homes, giving them the opportunity for high-quality homes while continuing to be Powell residents. We recommend approval of the plan, with a few conditions. Subject to what is in the staff report, as well as subject to the City and County Engineer working together on what exactly the improvement will be at Carriage and Liberty, whether it be a roundabout or traffic signal. Making that happen in the future when the County Engineer has the ability to work with us.

Commissioner Emerick: Very good. Thank you David and Steve. We will now allow public comment.

Jeanne Stoll 1680 Carriage Road, Liberty Township: I am here to give a historical perspective. We chose to build on a lot in Westchester because of the greenery and the privacy that the woods provide. If you have been on Powell Bubble, you may have seen where we had a mother deer not more than 20 yards from our kitchen window birth twins while we were watching. That is the kind of thing that happens in Westchester. I was 28 years old when we built our home. I can tell you are probably thinking that was a long time ago and I appreciate you not saying it aloud. At the time and to show you how long ago that was Powell was really four corners. There was Clara's Market, Barbie's Dairy Delight and there was a hardware store. I am not sure what was in Kimberly's because at the time we were building our home so I could not afford jewelry. There was one postal route for all of 43065 and it had a volunteer fire department that was right in the middle of Powell. As the growth was becoming more apparent there was an organization formed called the Liberty Powell Civic Association, which was a wonderful association in that people from Powell and Liberty Township had the same goals for the area. We had quite a bit of cooperation from both the City and the Township Trustees. However, as Powell went from the four corners to becoming a Village and then a City there was a completely different atmosphere between the Township and the City. Of course, because you are a City you have powers that Liberty Township does not. One of the things we have noticed is aggressive annexation. They refer to Powell people being able to stay in Powell; well the horse farm has never been part of Powell. It was started on Bethel Road and moved to Carriage with Col. Strasburger when Bethel Road became crowded. It is not what you think of as a commercial establishment. Our daughter has had a horse there that showed all over the country since she was nine years old and she is now 40. We never thought of it as a commercial establishment and we never dreamed that Powell would be taking part of our neighborhood and it is part of our neighborhood. I would like to ask, did I hear that the path is referred to as a bike path Dave?

Mr. Betz: It will be a multi-use walking and biking trail like all the other trails in town.

Mrs. Stoll: It is not in your town and the bridle path weaves all the way through Liberty Township and through our neighborhood so we would have Powell people biking and walking through our neighborhood David?

Mr. Betz: The bike path is only along the frontage of this property on Liberty and Carriage.

Mrs. Stoll: No, I am not talking about Carriage Road, I am talking about the bridle path.

Mr. Betz: There is nothing planned for the bridle path outside of the confines of this property. If they are going on any other path, on any other private property that is going to be up to those property owners to let them on it.

Mrs. Stoll: Well, it is an easement that goes with the horse farm.

Mr. Betz: This is the first I have heard of the easement and we will have to look into it.

Mrs. Stoll: Yes, because I do not think this is something we would care to have.

Commissioner Emerick: I am going to have to interrupt you at this time because we do have a limit of per speaker.

Mrs. Stoll: Ok, thank you for your time. I know that you can do this development but just because you can, does not mean you should. It is a very poor fit for our neighborhood. Thank you.

Mark DiPiero 2615 Carriage Road, Liberty Township: I live directly across the street from this abomination. I have many things to say that you all do not want to hear so I just have some questions. My major concern is the drainage that is going to be happening. I noticed the retention pond has gone from .4 acres to .16 acres, which concerns me greatly because there is way too much water that comes through my backyard and my neighbors. We get flooded out after every rain and I would be more than happy to supply you with pictures of what that looks like. So, I have a question, who do I sue when my basement gets flooded? Can I name all of you or is it just the developer or the City as a whole? I do not expect you to answer that question. Some of my other questions revolve around accountability. I have attended every meeting that goes along with this development and at each one, there have been comments made back to the developer that they need to do stuff. It has been consistent that they have thumbed their noses at you and have done none of those. They finally put the sidewalk in this last time. This last time they were directed to put a sidewalk all along Liberty, now it goes a quarter of the way up and there is a ramp to cross Liberty, which is even more dangerous because now it's a mid-block crossing and my engineer friend here will tell you this is even more dangerous than putting it at the intersection in lieu of a roundabout that may or may not come in the future. You are inviting many more pedestrian vehicular accidents by putting it in the middle of the road and not at the intersection. They were told to do four-sided architecture and I am glad your architectural consultant mentioned it. Now only 3 houses have just the side elevations, just big blank walls of siding and one tiny little window. That is what I get to stare at every day, so they did not do that. They were told to work with the community to come to some sort of a compromise at the last meeting. We have reached out several times and invited them to our neighborhood meetings with no response. So they did not work with us the least bit. I just wonder what you are all here for because you are supposed to be the ones with the power to tell them what to do. They do not listen to you, why are you here? Please remember what you are supposed to be doing. Thank you.

Amy Woods 2015 Carriage Road, Liberty Township: I have been to the prior meetings, so I have a few points to make. I implore you to not annex this property into the City of Powell. Clearly, the neighbors are opposed to this development. I will make a couple of points around that and I will reiterate at the last meeting is the first time I felt we were heard at all. Ms. Bailik, I was so happy to see some gender diversity on the team. I felt we were finally heard and I appreciated your comments to ask for engagement. My understanding is there has not been engagement from the developer. When I reviewed the plans online, I did not see anything that was responsive to our feedback from the prior two or three meetings, to address some of the prior council comments around wanting to be supportive of property owners selling their property. I can appreciate that position, but I do not feel that love, and I feel like you are supportive of this property owner selling this property to this developer without regard for my ability to sell my property in the future. My belief is this will not help that process. In terms of wanting to strategically attract empty nesters to age in place, I am that person. I have shared that before. My husband and I moved here less than two years ago and we chose our home on Carriage Road as a place that we could live for a long time. It is a ranch style house that is beautifully set up to age in place. Adding this development at the end of the road makes it much less desirable and pushes me out. You are making choices for potential residents that may want to live there against the residents that are currently there. Lastly, you have stated that we are one big Powell community and it just has not felt that way through this process. If this development were to be permitted under the current zoning that would be great. Clearly, it is not. That is why you need to annex it. I am asking you not to annex the property and allow this development to go forward. I appreciate you listening.

Commissioner Emerick: Thank you.

Keith Sarbaugh 2380 Carriage Road, Liberty Township: I have a couple of comments to make. One is I feel like we are going to have this whether we want it or not. On the east side of the property, they show some mounding and green space if you will. I think that ought to be a lot more than it is and I feel for the property owner right next door because some day that is going to be me. There is a four-acre lot behind this that backs right up to my house. What is going to happen is I will come here three or four years from now when that property sells to a developer and I will ask for more buffering. The board will say that the buffering the developer has put in is very similar to the buffering that was put in at Carriage Farms. At the last meeting, I heard at least three of the board members say they like this development because it matches what is across the road that is being built right now, but not one person indicated

that this development was like the current houses that are already there in either density, style or uniqueness. We have just heard there is only going to be (7) different designs for (23) houses. There is over 105 houses on Carriage Road and no two are alike. I would push for some more buffering on the east side. The other question I would have for the developer is does all of the drainage run towards Liberty Road or does any of it go to the east because my basement has flooded three times in the last eight years and I do not need any more water coming onto my property. The last comment that I have is on the structure of these meetings. I have been to all of them concerning this property. We have a public comment period, questions can be asked, the developer can come in and say whatever they want to say but there is no opportunity for any back and forth or re-questioning because once the public comment is over then we do not get to speak anymore. If you want people to come and actually express their opinions there ought to be a little more back and forth. Thank you.

Zenios Micheal Zenios, 3 Pillar Homes: We are in contract to buy the proposed development. I want to talk a little bit about the comments as it relates to the homes. Of course, we are not planning to build (3) different home styles. We just wanted to show a sampling of our work. For those that know what we do, our work is semi-custom and custom. We have an in-house architectural designer who engages with the clients and we develop the designs. What we wanted to show is a sampling of the work consistent with what we are envisioning and for the product demographics that we are targeting for the area. As for the windows or any extra dressing that we need to do, we are more than happy to do that. In fact, the only essential change that we did from the first round to the second is to incorporate some of your comments literally copy/paste some additional suggestions. We want to stay sensitive to that and should you allow us to proceed forward we are happy to work with Steve and staff to adjust whatever needs to be adjusted. Thank you.

Commissioner Emerick: Thank you.

Mr. Betz: Mr. Chairman and members of the commission we have no other speaker slips. What we recommended and provided for in our original information going out to the public is for this hearing to continue to the next Planning & Zoning meeting you schedule when you would make your final decision and continuing the hearing so that we can get more email comments. We did receive several emails already and I think that Pam included those in your packets. We will forward any other to the board as they come in. I do recommend that if you have anything you would like us to work on with the developer in the meantime, go ahead and have your discussion now, then we can put together anything you would like staff to work on.

Commissioner Emerick: Thank you David.

Commissioner Boysko: David did you say we are able to add any concerns that can be addressed later?

Mr. Betz: Yes, if you would like to, we are not going to take action tonight. The commission will take action at the next Planning & Zoning meeting. If you have any comments or issues that you want us to express with the developer we can go ahead and make a list to go over it with them. If there are any additions or other information, we need to provide to the commission.

Commissioner Boysko: Sure, maybe if we can address some of what the residents have said. I agree with Keith that the way this meeting is set up is not very open to communication, it is kind of one sided. I think we can try to improve that communication. Maybe I can first start by addressing some of the comments that the residents have made. I think there is some very valid concerns that were raised and these are comments that we have not only heard before but are consistent with other applicants. Mark raised some concerns about his drainage. I have every confidence in the way the storm water system is designed, not only for this site, but also for other sites. I have done many private developments over the past 20 years or so. I have done work here in Powell as well and I am very confident in the way the storm water requirements are set up in Powell and are guided by the EPA that developments like this can go a long way to solving past problems. Understanding where Mark is at across the street, I can see the way that the water drains into his property that is a result of poor development from back in the 70's when I looked at this property. Those horse barns were built back in the 70's and there was no storm water management system in place. This development can go a long way to solving those storm water drainage problems. The fact that the retention pond is reduced is irrelevant. It is not the size or area of the pond, it is the volume of water that it holds. Again, I think Powell storm water requirements are much more restrictive than other cities around us. Therefore, I have confidence that they will not only solve the storm water problems for this site but also solve the run off issues that Mark is experiencing. We have seen that on other developments as well. One of the things that Amy had mentioned and I read this in some of the other comments is that there was very little, if any communication, with the HOA. I want to see if Gary or the gentleman from 3 Pillars can address if they attempted to contact people from the HOA and if there has been any communication or improvements. Is Gary available or Chris Bradley?

Chris Bradley, Camber Company: Shawn to answer your question we communicated with Mr. DiPiero via email. Evidently, the HOA emailed us, however I did not receive the emails. I think also with the Covid situation I am not sure there has been any meetings. We are open to having a conversation with them. I specifically talked to my civil engineer about his current drainage problems to make sure he was aware of them so when he is designing and thinking about it, we can improve the condition as it sits today. They said they tried to reach out by email but again I did not see it.

Commissioner Boysko: Chris if you could stick around. I guess I would encourage the residents to still reach out and make that connection to see if there is an opportunity to reach some compromises. One of the other comments that was given is the reduction of property values. I have heard this before on other projects and I do not know if Chris or Shaun could address that aspect of this development.

Commissioner Simpson: I actually looked up all the numbers before we got here regarding this product in general. We currently have less than a month of inventory in a product like this and I believe we have 14 stand-alone condos in 43065 so there is obviously a demand for this product. Of course, part of that is because the market is so strong in this area right now. I have yet to see a sort of a front or back type community impact the values. I mean if you put it in the middle of a community then we would be talking about something, but this is something in the front of the community and it is not well-defined frontage anyway so I do not see a problem. Maybe the ones directly across or right behind could be impacted but Carriage is a long winding road and I do not see anything outside an adjoining property having any kind of negative value.

Mr. Bradley: I might just add specific examples: look at Muirfield Village and Jerome Village. There are new empty nester products going.

Mr. Simpson: You look at Verona where Romanelli made the decision to put a product like this in the front of their neighborhood.

Mr. Bradley: I am not so sure that anything surrounding it is declining in property value. We do not want to apologize for these homes. They are going to be extremely nice. I know it is hard to look at a piece of paper and understand what this is all going to feel like but between the landscaping, the quality of homes that 3 Pillar builds, and the fencing surrounding the property, this is going to have a really nice look to it in the end.

Commissioner Boysko: Just to continue that discussion when you talk about this housing type that is geared towards empty nesters how do you respond to people when they say you are not going to stop a young couple with kids from moving in.

Mr. Bradley: I just think if a family with children are going to spend \$500,000 or more on a house, it is not going to be a house without a yard and most of the homes are two-bedroom ranches, so I just do not think it is designed to meet a young or growing family's needs. I think the history is there if we look at all the developments we just named, Verona in particular, and survey the owners of those specific units we are not going to see families. I am not saying zero; maybe there is a kid late in school with one more year left or college like someone mentioned, but typically speaking at this price point, and Shaun may have the expertise to speak of this as well, but they are not going after this type of product.

Commissioner Boysko: That leads me to the next topic, which is the traffic study. I am looking at the traffic study, which is geared toward empty nesters and a much-reduced trips per unit compared to a single-family house. I agree with that study, as we have seen it before. I do not know if we have historical information to demonstrate if that is fairly accurate. It is going to have a minimal impact on traffic as opposed to single-family houses. I think even your traffic study suggest this (23) units for empty nesters is equivalent to (6) single-family residence.

Mr. Bradley: That is what the numbers show when Smart Services did a study on a couple different neighborhoods of similar housing product.

Commissioner Boysko: I am confident in the limited impact it has on traffic and the limited type of impact the product has on school systems. Have you started to talk about anticipating 50% empty nesters for this housing type?

Mr. Betz: Being realistic that is our guess looking at the housing types. Some of these have three bedrooms so you could have a few with high school aged, but not little kids. I cannot put an empirical analysis on it, but it is a gut feeling.

Commissioner Boysko: I agree with all the comments that Steve at Shyft mentioned. I agree with the four-sided architecture. I think there is some opportunities on the long walls where they do face Carriage even with the buffer to

improve those. I am confident in 3 Pillars scheme and they only show three examples, but as they said they are semi-custom.

Mr. Reynolds: I was concerned when they pulled the (7) plans back to (3) thinking that maybe that was the intent but now hearing them clarify that the intent is to look at each plot individually, I think we will see some variety there. Folks that have been through Evans Farm you can see the variety you can get from making some simple tweaks to facades so it answered that question for me.

Mr. Boysko: Right and I do not know if this is a question for Chris or for the gentleman from 3 Pillars. You have got variations with those (7) home types, so what mechanism do you use to make sure there is some variety between units that you do not have the same style side by side? Is there something that Powell needs to do to better manage that variety?

Mr. Zenios: Obviously, we are interested in promoting diversity. We are interested in promoting market. This is not a knock, but we are not the Epcon's and we do something very different. Massing is similar so we are playing with gables, we are playing with hips and we are playing with products. The general massing is what it is, we do not have the ability to go two half stories high to show those differences. Within that, we are going to stay super sensitive to the existing clientele and obviously with the remaining inventory we have so that we can protect our interest and the interest in the neighborhood.

Mr. Boysko: Sure, I understand that but I think the question is what tool you use to manage that variety so you do not have people next to each other that want the same model, same look. Is there some tool or as you go through this process does Shyft or Powell needs to manage that piece so that we ensure there is some variety?

Mr. Betz: Usually developers do that on their own because they do not think that is good for the neighborhood either. First come first serve on the models and if one were taken then they would have to look at another model.

Mr. Zenios: Typically, the scheme of what is established is already posted and the architectural and interior space designer meets with the client to make those selections.

Commissioner Boysko: Thank you. Some of the other concerns that were raised before is accommodating future improvements to the intersection. Whether those are three lanes, a turn lane, or a roundabout are we satisfied that there is enough setbacks on that corner to allow for those?

Mr. Betz: We will have a final review with the final engineering plans, but we know the design would accommodate a roundabout. The County Engineer just does not know yet what the improvement will be there, whether it is a signalized intersection or a roundabout because there has been no examination of this other than preliminary. They are still a couple years away from the improvement. They have indicated participation with us as they did at Seldom Seen and Liberty where it is a 50/50 cost share and then we got a safety grant, which might be good here too.

Commissioner Little: A point of clarification Dave, I think you said the City is going to annex the intersection?

Mr. Betz: Yes and we will have control over what to do but we are working with the county on a plan.

Commissioner Little: So that is a key point that gives the City control of that intersection?

Mr. Betz: Yes. It also helps with investigating crashes rather than it be in two different jurisdictions.

Commissioner Cooper: What about maintenance to that intersection?

Mr. Betz: The general maintenance for paint stripping will be on the City, but when we get to do an intersection improvement or signalization that will cost more, so it will be the County and City working together.

Mr. Smith: I just want to piggyback on what Dave said just for clarification. We actually designed the site based on the preliminary roundabout design that the county gave us. We made sure that all the setbacks were there should they build a roundabout in the future. Our site plan would not be changed as it currently stands. We did not include that on most of the sheets because obviously we did not want to send the message that the county is going to build this right away.

Commissioner Boysko: From my perspective of everything I have heard and my evaluation of this, I do see this as much more of a transitional type of development. Unlike a development that would occur in the middle of Carriage Road where it would be out of context, but because of its location and proximity to other development not only across

the street but in the area where houses set on quarter acre lots the size, the scale and the density of this is consistent with this area. It may not be consistent with Carriage Road but I think it is still a good transitional development. I think it also does help protect Carriage Farm and that unique identity that Carriage Farm has that is different from the rest of the area. I have confidence in 3 Pillars and Chris and their ability to create a strong development that is going to add value to the neighborhood.

Commissioner Bailik: First, I want to thank Shawn for bringing up several of the issues. I think the lack of forthcoming since the last meeting with regard to a couple of things we asked to be completed puts us in a very difficult position. I feel like if we asked for an additional traffic study or we asked you to reach out to the homeowners association. Neither would cost money, well maybe the additional traffic study cost money, but certainly reaching out to the homeowners does not. I am new to this commission but I can tell you it is very disappointing to me to know that whether or not you received an email you had indicated that you would reach out and you would meet with them. The homes look like they are going to be very nice but they are going to be neighbors. I realize they might not agree with everything that comes forward if you annex into Powell. It changes a lot of the equations. I do not like how this process has proceeded and I do not personally like being ignored if we do ask for mitigated measures to be produced.

Mr. Smith: If I could just respond briefly, I certainly do understand that and I have heard the conversations between Chris and the neighbor out in the hall. I have actually seen the emails that Chris sent the neighbor and the neighbor mentioned the HOA sent several emails. Obviously, we have sort of a perfect storm with Covid, which makes it hard to meet, but it is easy to pick up the phone. I think part of the problem there was that everybody just assumed they sent an email that was received. Apparently, neither one was receiving the emails. I have no reason to doubt the HOA when they said they sent emails to Chris but I have no reason to doubt him either. It is our fault for not following up with a phone call and we are certainly willing to remedy that as we move forward. We apologize for that and it was not our intent to ignore that request and I think as you can see we have really complied with everything else the commission has asked us to do.

Commissioner Bailik: I would appreciate it. They are very passionate and I think that they have many valid points, which may or may not be part of the end equation if this property is annexed into Powell. I do not think that discounting those feelings as neighbors is not productive.

Mr. Smith: We are certainly not trying to discount them. We have added additional landscaping, we have tried to screen them and we have tried to address the storm water concerns. I know Chris emailed the storm water report out to the neighbor and again he did not receive it. We are trying to address some of those concerns and we will continue to do so. I certainly appreciate the way you feel.

Commissioner Bailik: This dialogue is helpful. I do not think we would be doing our job if we did not explain that because we do want to be one big community. Maybe it is Liberty Township and the City of Powell but I do not think their opinions or feelings or their passion is any less valuable than anybody else. I would appreciate if you could extend that olive branch and hear them out. You may actually be able to come to some sort of agreement or compromise or at least a better understanding. If you do not present that to them they are left with what I was left with, which is just being ignored. The residents also asked for a traffic study for that road and whether or not that traffic study of counting cars would support or not support the development, I think you owe that to them and at least follow through. They asked for it and I think it is important that we do it. We asked for it and it was not done. I am going towards credibility here and that is what is important for everyone here. That is weakened when you do not follow through. Those are my two big issues but another side bar comment is that a gentleman asked about additional buffering or screening on the east side. If you can just meet with these people and see if there is anything that you can do to bridge the gap, I know I would appreciate it. I think it would do wonders for not only your firm, but the builder and the developer.

Mr. Smith: Chris is it true to say that you have had direct contact with the next-door neighbor.

Chris Bradley: Yes, I have met with them and Powell. Actually, it was two doors down and the other person was supposed to come but he did not make it. If you look at the Preliminary Development Plan to the Final Development Plan today, we have added way more buffering. We mounded it up and added more landscaping since we were here the first time and there has been a big shift to the east. The other thing on the traffic study I guess I was not clear that we were asked to do a traffic study beyond the study we already provided. I have talked to the County many times about this intersection and they have done traffic studies. There are thousands of cars that go through this intersection so to some degree it is the tail wagging the dog. I appreciate what you are saying but relative to the actual traffic on the street, I mean this is a negligible addition not to mention when you net out what goes with the property today between student riders, trainers and things of that nature. I think we have invested with the traffic study and a professional engineer that has given you the data.

Commissioner Bailik: That is not what we agreed upon at the last meeting. We did ask for a secondary study.

Commissioner Emerick: I will interrupt at this point Beth. I was just reviewing the minutes from the last meeting and the commission did not ask for an additional traffic study.

Commissioner Bailik: I know I did.

Commissioner Emerick: It was not part of the official motion. In other words, there was no official motion by the commission asking for an additional traffic study.

Mr. Betz: We can get you information from the traffic engineer. Are you looking for the impact on Carriage Road as you go east with the distribution of traffic coming in and out of the subdivision from the east and west based on what the traffic engineer's professional guidelines would show us?

Commissioner Bailik: Yes and that is what the residents asked for and I had asked can you do a traffic study and I thought that was part of what you were going to do. A couple of gentleman showed up asking if they could do car counting or something just to be able to substantiate whether or not this development is going to have an impact. I think it goes to credibility. I thought I was asking for that, but it was not a motion.

Mr. Betz: When you say traffic study, you can look at many things. What they have given us is the impact coming to and from the subdivision during peak hours based on the international traffic engineer guidelines on this kind of development. They also looked at analysis of what this development would have compared to the current use. Now if you want to say what is the distribution of traffic going east to west during a typical day? This traffic engineer can tell us that. They will tell us the number of cars anticipated per day going east or west to and from the subdivision. You can get that information from Todd Stanholt the traffic engineer. If that is what you are looking for we will get you that information. However, when you say traffic study or counting cars it does not mean you are using a typical day. You have to use a typical day and do it over time to know what the impact is going to be.

Mr. Smith: Part of the challenge is many agencies are not allowing you to do car counts now because it is not a true reflection with Covid. There is just not as much traffic on the roads. We have run into this with other traffic studies where they have said after March 15th or whatever it was, we are not going to accept any new traffic counts so you have to use the historical data available. The County has all that information available for Liberty and Carriage that has been incorporated in the data and traffic study we have provided. What additional information would we need to provide to satisfy your needs and concerns for a traffic study because it is mostly in there. We could do another traffic study but the study will tell you the exact same thing that is already in the packet with the exception as Dave said maybe the distribution, number of people turning left or right, but all of the impact data is already there.

Commissioner Bailik: Ok, well it was my impression that we were going to help the residents understand whether this development was going to impact traffic as a whole. I think their biggest concern was that the study that was done was not done on a development just like this. To me if there is a very good answer to all of that it would be another good reason to be able to talk to the homeowners association to give them that answer.

Mr. Smith: If you understand how traffic studies are done, they are done based on a set of statistical manuals. They are not done based on the number of units that you have or the property itself and the background traffic. Yes, the traffic study was not done on the exact same development but somewhere else because that is not the way they are done. The Institute of Traffic Engineers has a uniform traffic manual that specifies for this type of development.

Mr. Bradley: Actually, in this case, if you look at what was presented, they did go to similar properties, capture traffic and that is what the use is based on, and he talks about what the manual says as well. I think the reality of this is we did go look at the exact same type to get our traffic analysis.

Mr. Betz: The only thing I can say is let's look at what the distribution projections would be and then we can get Beth a re-analysis of the traffic study by our City Engineer.

Mr. Smith: Sure, we can do that, we would be happy too.

Commissioner Bailik: Fair enough. I am good.

Commissioner Simpson: Rarely does anybody want development to happen in their community and I understand. I personally had Murphy Parkway added behind my home and a similar product at the beginning of Zion, which is my community as well, so I know the feeling. Columbus is growing, Powell is growing and obviously we are going to need more housing that goes with that and the key is to make the growth the highest and best use of the area.

In addition, we saw in many of the emails we received, people saying Powell is taking the land, Powell is not taking the land. It is a homeowner petitioning the City of Powell to annex the land. It is not as if Powell is coming in unwanted. It is someone petitioning us to annex to the city. When I look at these projects, I like to look at the alternatives and considering this is a little over 7 acres, at a minimum we are looking at (7) single-family homes. Obviously, we cannot predict the future but we are looking at two-bedroom homes, 2 car garages in this price point and in my professional opinion, we are going to have less of an impact to the schools. Less of an impact to the traffic than those single-family homes would provide. Meaning that currently I believe there are two entrances on to Carriage Road from the current property and (7) single-family homes would be (7) entrances and this is really giving us one entrance. So from a safety standpoint I believe the entrance is as far to the east as it can be. Maybe not from a true traffic standpoint but from safety standpoint this is going to be much more of a safe entry and exit than what (7) single-family homes would bring. In addition, I believe we have seen in previous traffic studies that empty nesters do typically have a lower and often off peak traffic flow. We may see more traffic throughout the day but in the peak hours, typically these products will have a lower traffic burden than most areas. Like Shawn said and I have learned this from him, projects like this do give us the opportunity to improve the area from a bike-path, roundabout or signal. I know it has been said but I just want to make sure that this project does not handcuff that ability, but the setbacks give us the opportunity to do that. Obviously, I know most people have heard 3 Pillars is a custom homebuilder with a fantastic reputation in our area. I can say fantastic reputation of cooperating with our communities as well, so it is more than just their product, it is their process as well. I did mention, currently we have under a month of inventory on products like this available in the 43065, so not just the city, so demand wise I think this is a strong product. The few things I would like to see with about 22 days until our next meeting, is I would like reassurance we are going to see four-sided architecture on at least exposed areas. The drainage, it sounds like that is good but I do want reassurance with that and 22 days to just reach out again, please, to make sure we can get some sort of communication.

Commissioner Emerick: Thank you Shaun.

Commissioner Hartranft: I want to thank the applicant as well as the community coming back in tonight. I know it is not the ideal situation to hold this meeting but I appreciate everybody that did attend and I do appreciate the emails that were forwarded and a lot of good information was shared with us and I appreciate that as well. It was brought up to us tonight Dave about the bridle path easement with the property. I know it was new to you too but can we look into that before the next meeting?

Mr. Betz: Yes, we will look into the bridle path easement.

Mr. Smith: The property owner owns the easement and has all rights to that easement including the right to vacate the easement.

Commissioner Hartranft: Ok, would the new property owner vacate that easement?

Mr. Bradley: I am not saying we will vacate it but we have no plans to activate it. It is historical in its use in terms of trail riding. It is one of those things that has been on the title and has for years and we do not plan to put a park scape or add a path to it.

Mr. Betz: Can you get that information to us?

Mr. Smith: Yes.

Commissioner Hartranft: It's been brought up and I am not going to rehash it but definitely the drainage. I know the two neighbors have had flooding before and I cannot remember if they are on the south side of Carriage Road. They are saying it washes across the road.

Mr. Betz: There is a stream where this outlets into and I think one person said there is a drain to the east side.

Commissioner Hartranft: Is it safe to say that the drainage accommodations made with this project being on it is better than what is currently there?

Mr. Betz: It will be because of our regulations.

Commissioner Boyasco: Absolutely, when you look at the existing property there is no storm water detention on that existing horse farm.

Commissioner Hartranft: I want to make sure everybody is comfortable with that.

Commissioner Little: Aren't they actually required to keep that drainage on their property?

Mr. Betz: Yes they keep it for a certain amount of time and then drain it out a little at a time.

Commissioner Little: So those peak times when the neighbor's basement is flooding it should actually help his situation?

Mr. Betz: Theoretically, yes but it depends on the situation on the drainage around his home.

Mr. Smith: It certainly will not make it worse.

Commissioner Hartranft: The annex situation with Liberty it was brought up in an email by Mrs. Leach that had some attachments with a previous meeting for Carriage Cove. It looks like a precedent was set by the Liberty Township Trustees at the meeting in 2012 where they had divided acres to 1.5 acres per house site. If this were denied by the City of Powell and it went back to Liberty Township would the Township be held to that precedent they already set?

Mr. Betz: I do not have any answer for that because of previous things they have done.

Commissioner Hartranft: That is what I am saying. Just because it was a precedent does not mean it is going to stay a precedent.

Mr. Betz: I am not going to answer for the Township. The one time I did there is a resolution on my wall.

Commissioner Hartranft: I just wanted to let everyone know we did get those emails and I do appreciate that information and it is something I am considering and looking at with great detail so thanks everybody.

Commissioner Little: Good evening. I came here really organized and I have taken a lot of notes so I am going to try to plow through them. I think from a product standpoint it is being billed as an empty nester community and it is in the Shanahan High School district. I do not think if people have kids they are going to target there as opposed to something closer to Shanahan. I think the use and the logic seems to make sense for me. I will try to paraphrase things I have said in previous meetings. Again, I want to emphasize I have been here for 33 years and I consider myself a resident of both Powell and Liberty Township. With all the growth coming to Columbus and all the things that are going on I think the sooner we all become one in at least spirit and desire we will all be better off. I do not like to differentiate the two. In this role I am a Powell commission representative but I am also a resident of Liberty Township. I have found myself at that intersection many times and I agree it is already broken. This type of development, based on past experience with traffic studies, will show very minimal impact. Dave mentioned the response on his wall from the Township when he recommended an east-west connector north of Carriage Road to take the pressure off of Carriage Road and the Township laughed at him. That was the opportunity we had to address the resident's concerns. From past traffic studies the single-family homes with kids will generate more traffic than the empty nester because just as when I had kids, I am taking them to school, I am taking them to practice, and I am going to parent teacher conferences, etc. If you talk to the schools they prefer the empty nester model as opposed to the big house on one acre with four or five kids. They prefer the empty nester from a revenue and cost standpoint. We as a city have put a lot of effort into a Comprehensive Plan a few years ago and we asked the Township to participate. We got done, felt good about it particularly with trying to manage growth north of Home Road. The Township issued the POD and thumbed their nose at us then started doing some things up there. One of the residents asked that we reference a document called the Ohio Heritage Corridor, which I am familiar with and I did review it. I think if you look at it and our Comprehensive Plan for the properties north of Home Road you will find they are very similar so we kind of had the same idea here. But when the Township did the POD they approved multiple heavy density developments north of Home Road and that is what is generating the traffic. The traffic studies which are attachments to our Comprehensive Plan, I encourage everybody to look at them. You will be overwhelmed by the amount of traffic that is projected in the future for Sawmill, Liberty and 315 if development north of Home Road is not managed differently than it has been. We tried to stop it with the Comprehensive Plan and now it is back. Again, a development like this has very little impact to the bigger picture of what we are really trying to deal with here. I think if you look at the Comprehensive Plan this intersection traffic study is probably in there. The reason I am bring this up is that if I look at history to determine future behavior for the 33 years that I have been here I have seen the schools go in, the YMCA go in and really no infrastructure improvement by the Township to address the impact of those decisions. I think the key point is that since the City is going to actually annex the intersection that gives us the opportunity to do what needs to be done there and it will not take 33 years to do it and for me that is what made me get off the fence. I am not going to repeat some of the items that have already been mentioned here but let's come back to the next meeting and see where we get. I will say, meet with the HOA. Schedule a meeting tonight.

Commission Cooper: Honestly, after all that I have no further questions that have not already been asked and no additional comments.

Commissioner Emerick: I would really like to see you get together with the HOA and we will be looking for that at the next meeting. I think Bill probably has a motion to continue this meeting.

Mr. Betz: I have items for the commission: reach out to the residents, provide a distribution analysis of the traffic, four-sided architecture and (in audible).

MOTION: Commissioner Little moved to table approval of final development plan for the property located at 2630 Carriage Road and 8061 Liberty Road as represented by the Camber Company for the purpose of building 23 lots on approximately 7.72 acres in order to continue public dialog on this matter. Commissioner Boysko seconded the motion. By unanimous consent of all Commission members present, the motion passed.

OTHER COMMISSION BUSINESS

Commissioner Emerick: I have in front of me a Certificate of Recognition honoring David Betz's tenure as Development Director for the City of Powell from 1992 to 2020.

MOTION: Commissioner Little moved to declare Thursday, June 25, 2020 officially as Dave Betz Day in the City of Powell. Commissioner Boysko seconded the motion. By unanimous consent of all commission members present, the motion passed.

ADJOURNMENT

MOTION: Chairman Emerick moved at 8:39 p.m. to adjourn the meeting. By unanimous consent, the meeting adjourned.

DATE MINUTES APPROVED:

Donald Emerick
Chairman

Date

Pam Friend
Planning & Zoning Clerk

Date