



CODE ENFORCEMENT REPORT

December 2020 – Nothing to Report.

PLANNING AND ZONING COMMISSION

December 2020 – Draft Minutes Attached.

CERTIFICATE OF APPROPRIATENESS

Applicant: Huli Huli
Location: 26 W. Olentangy Street
Zoning: (DB) Downtown Business District
Request: To review a proposal for patio improvements at the back of the existing building.

MAJOR AMENDMENT TO AN APPROVED DEVELOPMENT PLAN

Applicant: Sandra LaFontaine, LaFontaine Architecture & Design, Inc.
Location: 265 N. Liberty Street
Existing Zoning: (PC) Planned Commercial District
Request: To review a plan for a proposed building addition and site improvements on a 1.056 acre site.

SKETCH PLAN

Applicant: Liberty Reserve LLC, c/o Aaron L. Underhill, Esq.
Location: 4026 Home 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 residential subdivision of 21 buildings containing 42 twin-single residential units on approximately 8.601 acres.

HISTORIC DOWNTOWN ADVISORY COMMISSION

December 2020 – No Meeting Held.

BOARD OF ZONING APPEALS

December 2020 – No Meeting Held.



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

Shawn Boysko

Ed Cooper

Trent Hartranft

Shaun Simpson

Elizabeth Bailik

MEETING MINUTES December 9, 2020

Chairman Donald Emerick called a meeting of the Powell Planning & Zoning Commission to order on Wednesday, December 9, 2020 at 7:00 p.m. via Zoom. Commissioners present included Elizabeth Bailik, Shawn Boysko, Ed Cooper, Donald Emerick, Bill Little, Trent Hartranft and Shaun Simpson (arrived after approval of minutes). Also present Megan Canavan – Assistant City Manager/Communications Director, Jeffrey Tyler – Community Development Director, Elise Schellin – Development Planner, Pam Friend – Planning & Zoning Clerk and interested parties.

STAFF ITEMS

Ms. Schellin: I would like to remind members to check their spam/junk email folders, packets are sent out the Friday before each meeting by Pam Friend or in her absence, Karen Mitchell.

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 November 11, 2020 as written. Commissioner Cooper seconded the motion. By unanimous consent of all Commission members present, the minutes were approved as written.

VOTE: Y - 6 N - 0 (Commissioner Simpson arrived after approval of minutes)

CERTIFICATE OF APPROPRIATENESS

Applicant: Huli Huli
Location: 26 W. Olentangy Street
Zoning: (DB) Downtown Business District
Request: To review a proposal for patio improvements at the back of the existing building.

Chairman Emerick: We are reviewing a Certificate of Appropriateness for Huli Huli. We will hear from Dustin and then have Elise give the Staff Report.

Dustin Sun, Owner, Huli Huli, 26 W. Olentangy Street, Powell: The blueprints have been completed and I wanted to share them with the Commission to make sure we are compliant. Hopefully you received the plans and had a chance to look at them already. We would like to submit to the building department as soon as possible so that we can hopefully get some bids and start the renovations.

Elise Schellin: Dustin came forward back in July with a Minor Amendment to his plan, to create a permanent patio space. The work that he is proposing would include demolishing existing fencing, steps, ramp, railing and a screen wall to create room for a redesigned space with a covered patio and outdoor bar. Lighting is also proposed to be added to the parking lot and the lot will be restriped to accommodate six parking spaces, which is one thing to note because I believe in the Minor Amendment there were supposed to be seven parking spaces and with parking always being brought up as an issue on this property I just wanted that noted. Originally the patio was supposed to be

dimensioned 43 x 15 feet and this submission illustrates 43 X 28 feet, which leaves room for six parking spaces. Material samplings and renderings were not provided in this submission so that is something we will still need to take a look at. Overall staff comments largely remain consistent with the previous review. We believe the outdoor space is a good investment for the city and the business owner. Staff believes that allowing this business to add an outdoor seating area, which they did not have and with Covid, will help the business and create a more vibrant downtown.

Steve Reynolds, Architectural Advisor - Shyft Collective: We certainly understand and support the need for outdoor space, particularly with the pandemic, or even just to have a change of ambiance for any of our businesses in the City of Powell. We do have some comments and/or concerns perhaps with the style or constructability items as it would relate to this being in the Historic District. There is a note about social distance occupancy, which from our standpoint we want to make sure we keep following the code required occupancy for review but we do understand the social distancing component will change with what we can do and what we can change. In relationship to the parking spots, we recommend perhaps revisiting any off-site parking. The additional diagrams are very helpful and we appreciate the detail. I think that in detail #4, the structural framing accent kind of tells a little bit of the story about how the roof geometry kind of attaches to the back of the current building and/or doesn't attach. It's actually structurally independent of the current structure if I am correct. It's just so detached, it would be nice if there is a way to perhaps mimic the shed roof of the current building, but it's definitely completely new massing being added. On the left, you will see where there is an existing electrical aerial, this will come into play later when we look at the floor plan and where you kind of have to try to deal with this interstitial space. The electric panel and aerial that is being connected to it we are just trying to make sure there is not a conflict with the existing roof structure and where the weather head is and how the electrical comes into the building. There is a lot going on in some of these plans and we appreciate the detailing but what you can tell from this plan is here where the existing walk-in cooler is and correct me if I am wrong but you sort of have this outdoor space that's open to the elements but it is sort of within these walls. Am I correct that door 100 on the left is actually taking you into a space that is not covered?

Mr. Sun: Right Steve.

Mr. Reynolds: I am going to guess that some of that has to do with where the cooler is, the condensing unit and where that electrical feed also comes in the building, correct?

Mr. Sun: I would imagine so, but that's probably a GC question, because the AC unit and everything else being right there.

Mr. Reynolds: I want to make sure if this does end up like this, that there is some sort of adequate drainage, because it is going to be open to the elements. It's not a very big space and I think it opens you up to exposing the building to the elements, which it doesn't really need to and it's kind of an odd interstitial indoor/outdoor space.

Mr. Sun: Do you suggest just covering it up?

Mr. Reynolds: If you could find a way to make that all enclosed I think you will be dealing with a lot fewer issues. In the winter it's going to have snow in it, you are going to have rain in there and I can just see it being problematic. It does however mean that the existing electrical recede, where that weather head is could be an issue, so it may be advantageous for you to relocate where the electrical is coming into the building.

Mr. Sun: I am definitely looking at covering it up because it doesn't make a lot of sense to have that being open.

Mr. Reynolds: I don't know if the committee has gone through the plan before but the dark grey at the bottom obviously is the existing building and the walk-in cooler is existing. Those dark hashed walls are now new basically floor to I'll call it new covering type of walls that are creating a full enclosed area. The bar is out and beyond that so the outdoor space is beyond those new floor to ceiling walls. Then you have the new seating area and the pillars there are for the structure of the new covering. The roof return on the left tells a story and again, I really appreciate the additional detail because it helps, but it's a very complex flashing and structural connection type of component to the design and it gives me pause to think about how that is going to be treated. I am just concerned about how it might wear over time and how far away is it from the building. There is a part of me that wonders if this wants to be structurally connected to the building and actually flashed into the existing roof. Our recommendation is that the thatched roofing would be perhaps on the underside as more of a decorative piece. In the Historical District, I am not sure we should be having a thatched roof as part of a new facility.

Mr. Sun: No, that is definitely the plan to have the thatch underneath not over the top.

Mr. Reynolds: The gutter and downspouts should match the existing, which are typically a round gutter that aligns with historical guidelines. Again, regarding the roof, it's close enough that it wants to be connected but it doesn't feel like it's far enough away to help you alleviate issues. In our recommendation we would like to see this somehow being revisited by it either be completely disconnected from the building or actually connected.

Mr. Sun: I think our goal is to really replace our existing building's roof top because it is dated.

Mr. Reynolds: Also, as noted, we would appreciate being provided some of the materiality, such as the lights or what color the posts are going to be, so some of those materials and finishes would be appreciated. The fence is a pretty major visual component so we are going to need to know what that is.

Mr. Sun: I am thinking wood or bamboo but again I am not sure what the historical guidelines are especially when it is in the back of the building where people really can't see it from the front. Is there a certain type of fence that is required for the back of the building?

Mr. Reynolds: The historical guidelines have very specific types of fencing that we would want to see on a facility. I am happy to sit down and walk through this with you in more detail if you have time. As far as the visibility, certainly this is on the rear of the building but there are residents that do see it and not knowing what the future may hold for that northwest quadrant. There could be additional development down the road and this could be a front door. We just need to make sure we are adhering to what those regulations are.

Mr. Sun: Sure, our goal is to be following whatever guidelines are required. I hope we have done a good job so far following the rules and regulations. Whatever the materials, color, etc. we will make sure we select from the historical recommendations.

Mr. Reynolds: Those are the overall comments, if I was going to put larger bullet points on it. Just concerns about the weather tightness of the structure, massing, materials and how that aligns with that existing building. I appreciate your time and thank you for your submission. It's a very thorough set of documents that allowed us to really see what you are trying to do here.

Commissioner Simpson: The roof is my only concern with drainage and visibility, but overall I love the idea. Any kind of exterior gathering space is good, especially with what we have seen lately. I just think back to what this building was in the past and what it has done to sort of revitalize that area. I'm good with it as long as the parking is taken care of; but it looks good and I love the concept.

Commissioner Bailik: I don't really have any other comments with regard to what has already been said. I think it is a great idea and is going to be a great addition to downtown Powell. I don't think you will have any trouble getting people to come.

Commissioner Boysko: I agree with many of the comments that Steve has brought up. I do have concerns about the structure, not so much structurally but whether is it structurally independent or connected to the building. I am thinking more about the aesthetics and this large mass especially with the roof pitch and what kind of visibility you're going to have from the street. It appears that the top of the new roof is going to be higher than the existing roof. I feel like it is going to be more visible from the street but it is hard to tell.

Mr. Sun: The front of the building has that area that kind of covers the roof line. I'm not sure what is called but it maybe five or six feet over the front so from the street you probably are not going to be able to see it. I am not sure how many feet above the existing roof line it is but we can adjust that if we need to. Our goal from the street is to have it covered so people can't see.

Commissioner Boysko: I like the concept and I like the idea. I know sometimes when I go to outdoor patio areas the nice part is to go there to kind of people watch, to see and be seen. So maybe the opacity of the fence could be more open, but granted you are looking back into the parking lot. I am not sure what kind of fencing you are thinking about?

Mr. Sun: I am looking at wood, tropical, bamboo type of paneling to go with the theme. Again, if it is not in line with the guidelines we can definitely look at other materials.

Ms. Schellin: I believe the guidelines for fences in the Historic District are fifty percent open.

Commissioner Boysko: We talked about the roof structure and you said it is not going to be the thatched roof but do you know what kind of material it is going to be?

Mr. Sun: That is a good question and is something I have to talk to the GC about to see what my options are. Right now it has the existing metal roof and I will do my best to match it. Chances are it is going to be metal and it's going to be costly but, again, it depends on what everything comes in at, what we are allowed to do and not do. The goal is to have some type of structure that is going to stay and we can actually fit the thatch roofing underneath to give it a different feel.

Commissioner Boysko: I think that's going to be your challenge to try to meet some of the historic guidelines for the exterior fencing and roof to try to keep a very different theme on the inside that matches the Huli Huli concept. It seems like you have got a great start. Does the outdoor area being enclosed need to be gated because you are serving alcohol?

Mr. Sun: I don't believe it has to be gated all the way for what the Liquor Department requires because right now it has an opening. So you don't need a gate but you can actually have two ropes or some type of divider to close it off. Whatever it is has to be ADA accessible but if it requires a fence we can definitely put a fence or gate right there. Right now on the existing drawings we do not have a gate but if it is required by law we can definitely put one in, but so far they have not required one.

Commissioner Boysko: My personal preference would be to keep it more open back there. If that mean the opening is wider, but still provides a level of safety. I don't know if that means a ballast or post to give people a comfort level that they're not going to get hit by a car. I don't know if Elise or others can speak to potential development of that alley and the Keep Powell Moving initiative to open that up and increase traffic flow. I think it's going to be a more accessed path through the backside of downtown, but the more you can open up that back part with the potential development the better.

Jeffrey Tyler: I think the owner is right, because of liquor control rules it cannot be accessible from the outside. I am not quite sure of the ropes, I think that is an acceptable solution, but it has to be enclosed.

Commissioner Boysko: One of the first comments that Steve brought up was about the occupancy and I know that we are taking some liberties on how we are calculating occupancy based on Covid but hopefully a year from now we'll forget that Covid ever existed and be back to normal. You are obviously increasing the footprint of your establishment and increasing the seating. I would like some confirmation that you are also increasing the capacity in regards to additional bathrooms to handle that occupancy. Not a Covid occupancy, but a building code occupancy. I like the idea, but I guess I would be cautious about making it so big that you do not have capacity to handle it.

Mr. Sun: I definitely don't want to make it too big because it is harder to manage. I want to make sure we are giving service to the people that are there. As far as occupancy, we are going to maintain the same as far as seating. We would rather have less high tops with everything spread out more versus everybody bunched up like pre-Covid. We have three wells inside right now and our goal is to have one outside and eliminate one inside so we can spread it out more.

Commissioner Boysko: I think that's great. Are you only eliminating one or two parking spaces?

Mr. Sun: Actually, only one.

Commissioner Boysko: You've got some off-site parking down the alley, is that correct?

Mr. Sun: Yes, we lease five spaces from Dr. Waddell down the street and that's been there since we got approval to start renovations. That is where our staff parks.

Commissioner Boysko: Elise, I guess as a matter of procedure we are only approving a Certificate of Appropriateness or is this going to go to HDAC?

Ms. Schellin: No, this is only coming before Planning & Zoning because it was actually conditioned with the Minor Amendment in July that it came back for approval of these drawings for a Certificate of Appropriateness. We are just following through with the conditions of the last approval at this point.

Commissioner Little: I think we can go to the Historic Commission, in fact my strong recommendation is that we would.

Commissioner Boysko: I guess with all these comments, is there a follow up meeting or does this go to HDAC and they refine it or is it more of something we have staff work through the details on?

Ms. Schellin: I think it is up to the Planning & Zoning Commission. If you would like to see it go back to HDAC once the massing, roof material, and fencing materials are picked out that is up to this commission. I think that would be a good idea. We have in the staff report a recommendation that materials would be approved by Jeff Tyler when they come through with the permits application so we could go that route and have staff approve through permitting or we could send it to the Historic District.

Commissioner Hartranft: I appreciate you coming back in front of us Dustin and it is always good to see you. Thank you again for being part of the downtown area and I think you are growing, which is good to see. I just have a couple of questions. You went from a square foot of 4315 to 4328, can you give me the main reason for that increase?

Mr. Sun: I honestly did not know there was an increase because we used the boundary where the handicap space is and I don't know if we measured wrong, but initially wherever the handicap space is we do not want to go over it. You are saying there is 5 feet difference?

Commissioner Hartranft: The difference is actually 13 feet.

Mr. Sun: I do apologize, I am not sure where the 13 feet came from. Looking at this I don't think there is 13 feet to expand to from before. I wonder if it was the measurement from the garage door versus the actual building.

Commissioner Hartranft: That is what I was wondering, if it was including that garage door.

Mr. Sun: It could be from the garage door. I measured it from where the existing ramp is or where the existing fence is above the walk-in. I don't know if that is close to 13 feet or not but this has been the plan as far as space goes.

Commissioner Hartranft: I was just curious to whether the size difference of the expansion is due to social distancing, but it doesn't sound like that was the case. Is the use of the space going to be feasible during the winter months?

Mr. Sun: We would definitely like to utilize it as long as possible since we are investing a lot of money. We plan to have heaters above the bar so yes we definitely would like to utilize it weather permitting. If there is a way to enclose the sides temporarily whether its vinyl or anything like that for temporary use I don't know. That is something the GC and I will discuss and really up to your discretion to say if we can actually use it in January, but it would be great if we can.

Commissioner Hartranft: I think that would be something interesting to see if it could be done and obviously you have thought about it before so that is good. The last comment I have is the open roof. I know when we were talking with the architect you said you might want to just close that up, but the way it is designed now looks like everything kind of goes up to the peak there and then levels off to create that opening so there is going to have to be some thought as to whether you are just going to flatten that off and enclose it or if you are going to continue up the peak. The peak would obviously create a height issue as well. Just curious on how you are going to cover that in. You will obviously talk to us about that next time.

Mr. Sun: I apologize, I thought my GC was going to be on the call with us tonight to answer those questions.

Commissioner Cooper: Good evening Dustin, nice seeing you back again. I like this idea a lot and I do have some of the same concerns that the others have talked about so I am not going to spend a lot of time on them. I know you rent the parking spaces from the doctor out back, but do you still have the couple down the alley that you used to have? I think you were getting those from Larry Coolidge?

Mr. Sun: No, I only rent the spaces in the gravel lot from Dr. Waddell on Scioto.

Commissioner Cooper: I have the same concerns for the roof that you are hearing from everyone else including the enclosed part of it and connection to the existing roof. I highly agree with Bill that this needs to go back to HDAC and get their comments, particularly because of the massing of the roof. At the same time maybe you can query them about any sides that you may want to put on it for use in January, whether they would allow the vinyl. I would sure like to hear what they have to say about it.

Commissioner Little: I can't even fathom or appreciate the difficult times you are having during Covid. I appreciate the fact that you are able to stay open and we actually have places where we can go. That being said I do think we need to balance trying to keep everyone afloat, but to the point that Shaun made earlier, I do think we also have to realize when we get through Covid we are hopefully going to return to a new normal. As you know, I think we have had a long history of getting to where we are now and I think we can collectively build on it. I think going into this and the discussion even further that because it is in the Historic District it sounds like you have a lot of unknowns as it relates to

materials, etc. I think by practical nature we do need to ask you to go to the Historical Commission. I also think with what may potentially go in at the carryout property this may become more of a second front door, which becomes relevant as well. We can query the Commission at the end on whether they want to make a motion to move forward or table it so that it can go to the Historical Commission.

Mr. Sun: I have no problem going to HDAC, however, the reason we did not pick out the materials is because of pricing and HDAC, those are my concerns. I knew we were going to have to do some of it, but I am also wanting to see about the timing. I don't know if in terms of structure perspective we can get the ball rolling so I can at least get to the building department. I don't want to wait another month to get to HDAC and then another month to get to the building department then we can't start work until March or April. By the time it is complete we will be hitting winter. I would really like to start maybe in February and be complete by March or April so we can utilize it in the summer. Is there a way we can expedite this and I will definitely follow whatever guidelines they give me?

Commissioner Little: I think we can all work together collectively there though I think you have to understand what those requirements are and then try to creatively make your theme work within the Historical District expectations. Personally, I do believe this is a good use for this location, but that being said and you know I'm a stickler here, I do think we need to discuss and address the parking. I think we agreed that you would have a maximum of maybe 44 seats and I know in tonight's discussion you kind of implied that wasn't going to change, but it seems to me that you would want it to change after we get past Covid. I think the first thing collectively we should do is identify are you going to go with 44 patrons or since you have added the seating area in the summer are you going to have more than 44 because ultimately that leads us to parking.

Mr. Sun: Honestly, we would obviously like to maximize the space as we can or at least have the option to utilize it. That does not mean that we will because staffing is always an issue, especially here with the service industry. I would rather have steady nights where everyone is being taken care of but as far as special events like the Powell Festival obviously we would want to accommodate as many people as we can to maximize the event. If it was up to me, yes I would definitely like to increase capacity or at least have that option but if I am limited then I would have to abide by it.

Commissioner Little: I would recommend that you go through the exercise of finalizing your materials and working with the Historic Commission. Concurrently, I would suggest you take a hard look at maybe not going to maximum capacity after listening to you talk about being able to manage your situation, however you may want to go from 44 to 56 and that does change the parking requirement. The last time we met we had a different city code than what we currently have, so the code used to be in the Historic District you could take the required amount of parking and divide by two and that was sufficient. When we rewrote the code we said we have to be able to have something that is manageable and sustainable so if we get to a restaurant situation we have to be careful. We have to be careful from the standpoint of all the other merchants in the area. If you take a hard look at what is the reasonable amount of patrons and then figure out what that means from a parking standpoint and then where are those spots located. I think when we did this before we thought some people would be able to park in the public parking down by the railroad but I am pretty sure that Nocterra is taking that almost every day. There is still the city parking lot and Olentangy Street and we have historically talked about assigning virtual parking spots to the different businesses in the community so that we don't over allocate parking, where to make it all work, two cars had to park in the same spot. My personal opinion for this would be to table it because there is not multiple readings here, this is a one-reading type of event, therefore we either vote go or no tonight or table it. I would recommend you go to the Historic Commission and address all the architectural issues and concurrently look at parking and make sure we do our due diligence to make sure that we are not going to be dealing with another problem down the road.

Mr. Sun: If I may ask, I have talked with Dave in the past about this being for a restaurant, but if it were a carryout and could have a big patio, I would not have to meet the parking requirement correct? Like if I shut down my kitchen and just be a bar then I don't have to meet the requirement?

Commissioner Little: No, I think it's however the property is being used and how many patrons you are going to have. We have to do our due diligence to make sure that it's sustainable and manageable. Just as an example, I believe we allocated X amount of parking spots possibly 10 to Jenny's for the city lot by the city incubator but with Jenny's no longer being there those spots may be available.

Mr. Sun: Great, you know me, I have tried to work with people downtown to network and get leases in place to make the parking work. Again, how many spots are we looking at? It seems like we are going back to the same thing from a few years ago, which I understand, but I want to make sure that everybody is being treated fairly. I thought we had that discussion the last time and that is why we spent a lot of money to draw up this plan and it is somewhat frustrating to hear that we have to tackle the same thing again.

Commissioner Little: I appreciate that but this commission has an obligation to the entire business community that people cannot hypothetically go to their businesses because you are using their parking locations in a city that struggles with that issue at times. My personal opinion is that we should just show that we have done our due diligence, I personally believe you will be ok, but we have to have a history of this because if someone comes along and wants to put a big restaurant in that open lot that Kevin Knight has, we need to be able to show that we have got a precedence.

Mr. Sun: I understand what your challenges are and that is why I am doing my best to make sure I follow all the rules and regulations dealing with this properly, but sometimes it just gets a little frustrating.

Commissioner Little: Dustin, I understand that.

Chairman Emerick: As Bill has said, the crux of the questions is are you increasing your seating capacity or not?

Mr. Sun: If I have to go through what I did before, I would rather not increase because that is less of a headache for me. I would rather just keep what I have and not mess with anything else and that is kind of like what I agreed to the last time was not to increase seating, then parking would not be an issue.

Commissioner Little: Understand that is in theory and enforceable, so if one of your neighbors complains about how many people are in there it becomes an enforcement issue unless we allocate a higher number and make sure that we have shown we have done our due diligence and that you have adequate parking to support it. Right now you are limited to 44 patrons based on previous agreements. Again, I personally would like to table it for the architectural review from the Historical District and I do think as a commission we need to do some due diligence for parking but we can make a motion to pass or not pass if the commission as a whole prefers to do that.

Commissioner Simpson: What is the HDAC schedule?

Ms. Schellin: We usually only meet when needed but I think our standing date is the third Thursday of each month so we would be looking at the January date at the earliest.

Commissioner Simpson: Were they already meeting for something else this month?

Ms. Schellin: The 80 E. Olentangy Street property was, however, the applicant wants to hold off. I am not sure if they will come back in January or not. I believe the deadline to submit applications is usually two weeks before the next meeting, which would be January 8, 2021.

Mr. Tyler: I am only going to speak in relationship to the request for tabling. If it is the board's pleasure at this point, might I also recommend that the owner, and city staff along with our consultant, sit down before this goes back to any board so that we can potentially hash out some of the issues? For example, it seems as if most of the board members are in agreement with the concept, but the details, the massing, some of the occupancy issues, which by the way are regulated by the building code really need to be addressed in a format that becomes understandable to all parties and really informs what the design can potentially be in the future. I would recommend that if it is the board's pleasure to table, and I am not suggesting it is, but if you do go that route that there also be a meeting with myself, Elise, Steve, Dustin and any representative that he might bring to the table from a design standpoint. I think this would begin to deal with the issues that have been spoken about tonight.

Chairman Emerick: Thank you Jeff. I think that would be a great idea. Elise are you saying that there is no possibility of the HDAC meeting in December?

Ms. Schellin: The submittal deadline has already passed so we would not have time to send out the public notices that are necessary per charter because that would be in eight days and we need ten days for public notice.

Commissioner Cooper: Is there a chance they could hold the meeting earlier in January rather than the third week?

Ms. Schellin: That might be a possibility. I will have to get with the commission members and poll them to see when their availability is to make sure we would have a quorum to change the date.

Commissioner Simpson: I would love for them to meet before our meeting next month.

Commissioner Little: Dustin in theory you should probably have those materials nailed down for them to actually do what they are supposed to do. Obviously they will have some input, which I think Jeff's recommendation that you have a pre-meeting and go forward makes sense as well.

Commissioner Cooper: I agree.

Chairman Emerick: Bill are you ready with the motion then?

Commissioner Little: Well is it the desire of the commission to table this or to vote to approve or disapprove?

Commissioner Cooper: I would table.

Commissioner Bailik: I think we should approve or disapprove.

Chairman Emerick: I would be in favor of tabling because there are still details to be worked out and to settle on the question of maximum occupancy in order to determine the parking requirements. Those to me would warrant tabling it and letting it go to HDAC.

Commissioner Hartranft: Elise, what would an approval start tonight?

Commissioner Little: Its final approval.

Ms. Schellin: If you approve it tonight then Dustin could go ahead and get his building permits without us seeing any materials until the permit comes through and Jeff please speak to that if I am incorrect or missing anything.

Mr. Tyler: Yes you are correct. The only other option I think you would have is to approve with conditions and then you would have to put some pretty tight conditions on this particular plan and possibly defer the approvals of those conditions to staff.

Commissioner Bailik: My only concern with tabling is that Dustin has already agreed to do whatever he needs to do with regard to the Historical District. Number two from the occupant load standpoint, I realize Powell is not the same as the state of Ohio, but the building official has the final say on the occupant load. I know you are talking about arbitrarily between forty-four and fifty-six people but you also want to make sure you don't put the owner in a position of violating the Certificate of Occupancy all the time so there are some things to consider from an operational standpoint. Also, with the occupant load the local fire official is required to enforce all of that so I just want to put that out there that it can make it very difficult on the owner. From my standpoint I usually recommend that with the occupant load you don't undercut yourself because you do not want to be in violation of the COO and there are insurance reasons for that as well as liability.

Mr. Sun: I have shown over the years that if there is anything you want me to do, let me know and I will do my best to make sure we follow it. I am not saying that every single minor detail is done, however if you mention it, I will definitely try to do it. It has been a struggle this year. It is so tough to deal with the staff not knowing if they can or can't work, if they can't pay their bills. I deal with this every single day at my coffee shop and the restaurant. It is very tough for everybody in this industry and for me to invest money already into this plan and you guys tabling it. I really don't have anything else to say.

Commissioner Cooper: Dustin, I don't think anybody is trying to give you a rough way to go here, we just want to do this right. In addition to HDAC we have to investigate this parking a little more. We have loved working with you all this time and we appreciate what you have done for the building and the aesthetics downtown, but I think we have to do this right and if there is anything that we can do to make this go faster for you I think we would all agree to do that.

Commissioner Little: Dustin, I think everybody has said they agree with the concept, but the other side of that is you don't want to put a whole lot of money into a structure and then find out you've got all these violations of the Historical District and be required to remove them.

Mr. Sun: We definitely won't do that without HDAC approval. I don't want to spend the money and have to tear it out because that is not our game plan. Just like before we want to make sure we follow the same guidelines.

Commissioner Little: You are an existing business, you are a valuable member of the community, and you've got other businesses as well. We can work in an expeditious manner, but we have to do things based on code and we have to do things step by step because it is all about precedent when the next one comes in that nobody wants.

Mr. Sun: I am just trying to figure it out, but this feels like déjà vu unfortunately. I am trying and I know you guys are too but I feel like there are certain things we have already talked about or decided on and we are going back to it. I don't know if that is true or not but again that is your decision; that is why we are here.

Chairman Emerick: Let's poll the rest of the commission. Shaun Simpson are you in favor of tabling or proceeding?

Commissioner Simpson: I would be in favor of proceeding with the condition of staff approval of materials, as well as HDAC approval of materials. From a conceptual standpoint I am good with it and would be in favor of proceeding.

Commissioner Boysko: I would recommend tabling, but Dustin to help expedite things we will do our best on P&Z and HDAC to expedite that review. One thing I think he can do, is to proceed with submitting for a building permit because he has a fairly complete set of documents. At his risk, with the understanding that HDAC and P&Z could come back and ask you to change some materials, which are minor. We know going through the building department is going to be at least thirty days for the first review and probably another thirty days or less for the second review so he could get started on that process so that by the time we go through HDAC and P&Z he could be close to having the first round of building permits reviewed so all those things could happen simultaneously.

Commissioner Hartranft: I know an approval with conditions is available to us, but I think having HDAC look at it is needed. I guess I would be open to just voting on it tonight for approval or disapproval.

Commissioner Little: Don, what is the tally?

Chairman Emerick: We have four table and three proceed.

MOTION: Commissioner Little moved to table a request for a Certificate of Appropriateness for the Huli Huli property located at 26 W. Olentangy Street, as represented by Dustin Sun. Commissioner Boysko seconded the motion.

(Note: Before the vote, Commissioner Simpson asked for a clarification that if he votes no and the vote goes against tabling would that terminate the application. Chairman Emerick said that it would not.)

VOTE: Y – 4 N – 3

Commissioner Little: Dustin I am available to help you with the items related to parking or working with the Historical Committee.

Mr. Sun: So I have to go to HDAC and then come back to Planning and Zoning?

Chairman Emerick: Elise how soon can you set up a meeting between Dustin, yourself, Jeff and Steve?

Ms. Schellin: I think we are definitely willing to work with you to get things expedited and see when HDAC can meet. We want to make sure you meet with staff first to help you walk through the architectural guidelines in the Historical District. We can probably meet next week, if you send me your availability, I will work on getting something schedule.

Mr. Sun: So are we tabling for HDAC materials or are we dealing with seating and parking issues?

Mr. Tyler: The process at this point is to set up this internal meeting with staff so we can go through the issues presented this evening. The next step would be an HDAC hearing to make sure they would approve not only the materiality but the massing and some of the questions about whether the structure is enclosed or not enclosed, fencing requirements, etc. The third step would be to come back to P&Z for a formal approval. What I would like to do with the staff meeting is to go through all the issues including the building code issues so we can nail down what the occupant load is and how that impacts some of the issues we talked about including parking. It appears to me the board has made the decision to table so these are just issues we have to get hashed out. I think with Steve and Elise's help, we can sit down with your design professional and come up with a path moving forward. I believe there is not a person listening that doesn't want you to succeed, but I agree with the statements that we want you to succeed in the right way so you have no problems down the road. I will commit to you that we will meet as many times as we need.

Mr. Sun: Thank you.

Chairman Emerick: Thank you Jeff. We will look forward to Dustin getting these issues resolved.

MAJOR AMENDMENT TO AN APPROVED DEVELOPMENT PLAN

Applicant: Sandra LaFontaine, LaFontaine Architecture & Design, Inc.
Location: 265 N. Liberty Street
Existing: (PC) Planned Commercial District
Request: To review a plan for a proposed building addition and site improvements on a 1.056 acre site.

Chairman Emerick: Sandra LaFontaine go ahead and tell us about the project.

Sandra LaFontaine, President, LaFontaine Architecture & Design, Inc., 5844 N. High Street, Worthington: The project is right on Liberty Road across from Gallo's where Grace Drive comes into Liberty. It is an existing building formerly owned by Eyethink, a graphic design firm that has sold the building to Eye Care Professionals, which is currently housed in a strip center off of Sawmill Parkway. They would like to relocate their practice and sales to this location. What we would like to do at this site to accommodate their business is to add a one story addition onto the existing building of approximately sixteen hundred square feet. If you have ever been in the building it is kind of open inside and is a beautiful space. The addition we would be adding would be primarily the exam room offices, a very utilitarian addition to the building in order to utilize the open space for the waiting and retail areas. The second thing we would like to do is remove the existing curb cut, which is down at the south east corner of the lot and is a little risky, especially if you have to turn left, because there is a stoplight immediately to the left at Grace Drive. We are proposing to put a new curb cut at the intersection directly across from Grace Drive and add the fourth part to the stoplight, then curb in front of the building and utilize part of the existing drive to get back to the parking spaces. We looked at some other options to try and come straight through there and because of the way the building is set up and the entrance there is no good way to make that work for the functionality of the building. The current parking lot is small. They don't have a lot of spaces, so based on my calculations we need thirty-three spaces with two handicap spots. With the site plan that we did, we can achieve thirty-two spaces with two handicap spaces. If you look at the site plan you can see what we are proposing in grey is new, although some is existing paving that we would just be resurfacing. There are actually two lots and the owners currently own both lots, but the other lot we are not doing a lot of work to other than to share the driveway and extend the driveway so that they can use it for overflow parking. I am assuming that eventually the other lot will get developed. We have accommodated 32 spots but because of the grading and other issues on the lot I am not sure how we would get another space, we really pushed it to get to 32. The civil engineer has looked at a lot of options and if you are comfortable with it being one space short I think we can make this work. We have asked Columbus Sign to put together some renderings of what we would like to do for signage. Right now there is a ground sign out front, if we get approval for a ground sign it would need to be relocated no matter what. I don't think the ground sign is all that advantageous for wayfinding or for recognition of the building and what it is so we are proposing is to put a wall sign, which would be illuminated from within. The two existing ground lights would be removed. We would also like to have a secondary sign on the back, which is where people will enter the building for identification and wayfinding. That sign would also be illuminated but only during hours of operations, which typically would be 5 p.m. with an occasional 7 p.m. during the week. The signs as shown are about fifty square feet if you put a box around the entire sign so we are exceeding what is allowed in the code. This is the existing building, there is siding on the two long sides and then brick on the front and back with the stucco on the top area. On the left bottom is the entrance side and what we plan to do there is to expand those windows in each bay to make them a little bit larger in order to get more light in the space and for their retail display of glasses, etc. On the lower right side is where we will put that utilitarian addition on. My design team got a bit exuberant on the elevation renderings and the top is not going to be brick. That area will be a stucco or ethos to match what is at the top of the existing building. We will have brick on the lower level and we are going to paint the entire existing building for cohesiveness between the addition and the existing building. We are going to put a canopy over the new entrance on the back. I am not planning on doing the signage on the canopy because I would prefer to have it on the building but if the commission feels that is too much signage on the back if we could do it over the canopy as an alternative, but I would prefer to have it on the building if possible.

Chairman Emerick: I am going to ask Bill to take over and I am going to recuse myself from this application.

Commissioner Little: Ok, that being said, I will have Elise give the staff report on the project.

Ms. Schellin: This property already has a development plan for the Eyethink graphic designers approved in 1995. This project will allow Eye Care Professionals to move from Liberty Township into the City of Powell. The building has been sitting empty, it will be good to have new life in the building, especially in a walkable downtown location along collector streets and main arterial of Liberty Road and Grace Drive. Staff is supportive of this plan, which has two main divergences. One is signage, with an additional sign and a larger allowance for the square footage of the sign and reduction of a few parking spaces. Since they do own the property to the north, staff would recommend a formal parking agreement be created in case the building to the north was ever sold off the parking agreement would remain binding. Also, with this plan they are proposing realigning the entrance and the curb cut to where, intersection of Liberty Road and Grace Drive are located, which will make it safer for pedestrians and motorists. They would be responsible for the costs of the new arm at the traffic signal and the sign. It would need to be coordinated with the city.

Steve Reynolds: It is definitely a unique building, setting just outside the Historical District. We have just a couple general comments and some of these things have been pointed out. I did want to comment on the square footage guidelines for our first and secondary building signs and I wasn't aware there was a question of whether or not the ground sign would or would not happen. In my opinion I feel like the ground sign, because it is perpendicular to the flow of traffic would be more advantageous for wayfinding in lieu of the building sign which is parallel to traffic. Another

question I have relates to the realignment of the drive and making sure there is a plan for a light so that we don't have three ways of controlled traffic and one that is not. The last comment is a site component for the shared parking agreement knowing that in the future if things were to change we would want to make sure that they do have access to that and how they would be treating that common access that goes between the two properties. Also, I have a few architectural comments regarding the material pallet. Am I to understand that the top brick then is the existing building or is that one that gets replaced by a stucco color?

Ms. LaFontaine: The darker color on the top gets replaced by the stucco or ethos. The existing brick is red and we are planning on painting it.

Mr. Reynolds: And that is the grey city scape?

Ms. LaFontaine: Yes.

Mr. Reynolds: Ok, perfect. The stucco may help with the crown on the top of the addition. I think if it transitions to a stucco it is going to help with that implied weight overtop of what appears to be more of a delicate lighter brick so I think that helps there. The view of the front façade feels like there is a lot going on with the glass and the bottom kind of water-table of brick block, the printed brick, the stucco on the top cap, then the structural feel on the left. I guess my initial thought was just looking for some kind of a simplification because there are a lot of materials here. Understanding that some of that is stucco will alleviate some of my concern.

Ms. LaFontaine: All the materials on the building are existing, we are not changing any materials or adding materials. As a matter of fact by painting it, I think it is going to make it more cohesive. I don't think if you look at the building now it doesn't jump out at you as a bunch of different materials shoved together. The brick at the top of the addition was not what we talked about, so that was just a rendering issue.

Mr. Reynolds: I completely agree and this was just sort of my first time seeing it, so some of my thoughts are just looking at a way to simplify it. As an example, the large front plane is brick, stucco and block and I am not saying this is a solution but I was just curious if that top cap was painted to match the brick would it help alleviate some of the multiple materials. I think the overall scale and massing of it works, but I would be curious to know what that stucco color ends up being because I think that could help tie into that current paint color of the city scape. The original building at least in shape is pretty simple and you end up with this piece of the massing where the question is do you want this to assimilate to the existing structure or is this trying to be different? So just trying to make sure we have the right application. I love the light brick and the corbeling. There is not a whole lot you can do with that siding on the current facility, but I think the brick corbeling is a nice way to add some detail to that addition.

Ms. LaFontaine: We are also planning on putting a panel in the bottom part of those windows because it's utilitarian for exam rooms and having windows down that far is not going to do anything for us.

Mr. Reynolds: Could it be spandrel so that it all looks like glass?

Ms. LaFontaine: Yes, it could be. That is definitely an option.

Mr. Reynolds: I had walked through my site comments earlier and it sounds like most of those issues have already been resolved. Again, at the Grace Drive intersection, there are questions about whether this has been reviewed with the county engineer, but it does sound like there is a plan for an additional traffic signal to be added.

Commissioner Little: Thanks Steve.

Commissioner Cooper: I like this because this building has always been a little bit out of place in my opinion but I like what you are doing to it. I like the building. I just have never figured out how it got there. I like what you are doing with the addition and I agree with the comments that the architectural advisor made. I have concern about the size of the signs and I would prefer the sign on the front of the building if it was to code. As long as we get everything worked out with the traffic light and curb cut I think it would be a good addition for that site.

Commissioner Bailik: Is there any reason you why you would not want to do a ground sign in the back as opposed to the wall sign in the back? My only other comment about the size of the sign is, how is the square footage calculated? I am not sure if the building code actually defines it but how is the square footage calculated? I think it would have to depend on what the building official says but Sandra how did you calculate the square footage of the sign? Did you look at the actual footprint?

Ms. LaFontaine: The zoning code says it is one square foot of the linear of the elevation up to a maximum of 36 square feet and there is only consideration for one wall sign. So the one on the back would be considered extra. In terms of what we have now we did it based on what we felt was appropriate for the scale of the space. We are open to accommodating and coming to an agreement on that now. We just want to make sure people can see it.

Commissioner Bailik: I think it will be nice to have the building occupied again. I like your considerations for safety as far as how to enter and leave the site and the fact that you are doing your best to provide parking spaces. I don't really have any huge objections.

Commissioner Boysko: I agree with many of Steve's comments regarding the architecture and the addition. I agree it seems that addition either wants to assimilate to the existing building or be something very different. It looks like it is kind of something in between. Looking at slides 15 and 26 showed a good picture of that building addition. It looks like it is being tacked on and I understand that you are going to paint it to try to tie them together but there seems to be a lot of different pieces happening. I really love the existing building's architecture and the simple sleek modern look to it and I am not seeing that as much in the building addition. The existing building has the nice reliefs to the masonry and I am not seeing the same kind of vocabulary in the new addition. It just looks very different from the existing. It would be nice to match some of the existing brick reliefs and materials maybe a little bit better so it looks like it is part of the building not just an addition that was added later. Based on the location of the building and how prominent it is along Liberty Road and the visibility you are going to see from either Liberty Road or Grace Drive, that façade is the first thing you are going to see. I like the sign and the design of it but the sign shown is a very big sign. You are talking about nine feet wide and thirty-six square feet is still a fairly sizable sign. I think it would be different if you were set further back off the street and did not have the visibility. Is the monument sign within code?

Ms. LaFontaine: Yes, the existing one is four foot high by six foot wide, which I believe is within the current code. Unfortunately with the existing ground sign, I think we would have to relocate it based on where the new drive would come in. It sits perpendicular to the street so we would have to move it somewhere, which is not an issue.

Commissioner Boysko: Right, I understand and really I think because of the prominence of the building and the visibility I would even question the value of that monument sign. I would also question the value of the rear sign. I actually like the rendering that showed a minimal signage along the canopy. I would be more in favor of something more minimalistic because as you approach the site all you need is direction to the entrance and I think the architecture speaks to that. I was taught when I went to school that if you need a sign to say where your entrance is then it isn't a very good design.

Ms. LaFontaine: I would be comfortable with just doing it over the canopy, which would accentuate the entrance, which I think it will read entry very well with the canopy and the glass we are adding so I am not concerned about that but the front is a little different because you have got so much area so it would be nice to have a sign on there, but I don't have a problem reducing it down to the thirty-six square feet to make sure that we are within code. We would still have three signs because we would have one over the canopy in the back, one on the wall and then a ground sign.

Commissioner Boysko: I would be ok with that and I think the façade is really your billboard for the building. We talked about parking. You are only short one or two parking spaces and you are open to a parking agreement with the adjacent property?

Ms. LaFontaine: Correct.

Commissioner Boysko: Right now it is two properties, so is there any intention to do a lot combination to eliminate the lot line?

Ms. LaFontaine: We talked about that with Powell and just because of the logistics on how that would work it made more sense to keep them separate for now. There may be opportunity depending on what the future plans are for that other lot, but we wanted to make sure we have that shared agreement if it were to change hands.

Commissioner Boysko: Sure, understood. I guess with a lot combination it is a simple procedure that if the lot line goes away you would not need any agreement because it becomes one big property. You are making some dramatic impacts on the building and site. Is there a landscaping or site laying plan? Do we need to address any of those issues?

Ms. LaFontaine: We have not done a landscaping plan yet. Instead of doing an underground retention, I believe there are already some there that go out to the back because in the park there is a pond for retention, but we have provided a raingarden where the two properties come together because the grade just naturally falls to the center, which is why we did not want to put the new drive on that side and create a landscaping between the two buildings.

Commissioner Boysko: Even though this is an amendment to an application, I guess maybe some clarification from Elise or Jeff, are there landscaping requirements we need to comply with either current ones or do they fall under the original ones?

Ms. Schellin: That is a great question and I am not sure if I can answer that right now. Usually with new developments we do have landscape requirements but I don't know where those would fall since the original development plan was done twenty-five years ago.

Ms. LaFontaine: It has some landscaping now, but when I went through I didn't see anything that defined a certain percentage or calibers so I just left that as a future item. We would be more than happy to come back with our landscaping plan to get that as a separate approval.

Commissioner Simpson: I imagine you are going to lose all the screening you have now with the extension because there are those two big trees to the right in the front.

Ms. LaFontaine: Actually, I think those trees are already gone.

Commissioner Little: Shawn Boysko I have in the motion for staff to approve the landscaping. Is that good or would you rather have that brought back to us?

Commissioner Boysko: No, that is fine. I do think we need to address the landscaping and I assume you are going to supplement what you have now. The same thing with the lighting, do you plan to add light poles along that back?

Ms. LaFontaine: Yes, we do have a lighting plan. We are adding two poles and a couple of shorter lights to cover that area. Those would be on a timer and turn off after business hours so they wouldn't be on all night. With the park being behind there I don't see any reason to leave those on.

Commissioner Boysko: Agreed. What about dumpster and dumpster enclosures?

Ms. LaFontaine: There is a small enclosure now kind of in front of where the addition would go. We will expand that and redo that because it is kind of in disrepair and I don't think there is actually a dumpster there right now. We have not detailed that yet, but we would definitely put that in there.

Commissioner Boysko: I think it is a great improvement and like I have said I really love the architecture. It breaks from the Powell norm of this modern auguring architecture that we see all over Powell, which is great, but I love the very modern style and it would be great if the addition was an extension of that existing building because I think it is a very cool, interesting building.

Commissioner Hartranft: I like the plan and I am actually fine with the signage square feet on the front. I think the way it is designed it is not going to be a straight panel and you've got the curves, which will all be cut out right?

Ms. LaFontaine: Correct. We are calculating the square footage as if it was a big rectangle around it but in reality you've just got two lines and the piece in the middle so the actual square footage is less.

Commissioner Hartranft: That is why I am good with it because it's not really a fifty square foot sign when it comes down to it. I think everything else has been addressed. I appreciate you coming in front of us and I think it is going to be a great addition to the community. I know you have had success over on Sawmill Parkway and are ready to put a permanent spot here in the city.

Commissioner Simpson: I am happy they are looking to bring their business into the city especially into a building that is underused right now. I wish there was going to be a little bit more to the extension seeing as that is going to be right at that intersection and be very prominent. Assuming there is no site concerns with the drainage or changes that are going to affect the park agreement than I am good with it. Just wish there was more to the extension, but do feel it is an upgrade to the building.

Commissioner Little: Happy to welcome a new business into the city limits. I am basically ok with the proposal. Like Ed, I have always thought it was a unique building for Powell and I know Shawn likes the design of it but it's just a little bit interesting in Powell so that to me I think makes it important that it is cohesive and down play it as best as possible. I do appreciate addressing the parking issue by proposing sharing with 267 Liberty Road. I do have a question though, will that connection be made immediately?

Ms. LaFontaine: We are planning on doing up to where we have it shown on the site plan, but we will probably not do any improvements to that existing parking lot but we will connect to it.

Commissioner Little: So in terms of the parking we are basically complying with code so therefore we are not looking for a variance, that is the reason for the question. It sounds to me like the connections will be there but may not be cohesive with the adjoining surface, but if you have a parking issue, people will be able to park there?

Ms. LaFontaine: Yes.

Commissioner Little: Regarding the signs, I do believe signs should be to code. We can wiggle a little bit but we are trying to not be a city of signs and I would think the first time your people come to the eye doctor there they may have trouble finding it, but after they have perfect vision they will ask why the sign is so big.

Ms. LaFontaine: I appreciate your comments about the sign because I agree there is a lot of signs around Columbus.

MOTION: Commissioner Little moved to approve the Major Amendment to an Approved Development Plan for the property located at 265 N. Liberty Street as represented by LaFontaine Architecture & Design, Inc. subject to the following conditions:

1. Applicant shall work with the city engineer to resolve all engineering issues.
2. Architectural advisor comments and those of the commission shall be incorporated into the final plan.
3. Applicant shall be responsible to acquire the new traffic light and arm to serve the site from the new entry way at Grace Drive and N. Liberty Street.
4. Applicant shall work with city staff to coordinate installation of the traffic light.
5. Applicant shall create a shared parking agreement between the properties located at 265 and 267 N. Liberty Street, that content shall be verified by the City of Powell attorney.
6. Applicant will work with staff to finalize signage, taking into account the architectural advisor and commission comments.
7. A landscaping plan shall be approved by staff.
8. A lighting plan shall be approved by staff.
9. Staff shall approve the plan for the dumpster enclosure.

Commissioner Cooper seconded the motion.

Vote: **Y – 6** **N- 0** **Commissioner Emerick - Abstained**

Dr. San-San Cooley, Partner, Eye Care Professionals of Powell, 9711 Sawmill Parkway, Powell: We have been on the call and wanted to introduce myself so you would have a face to put with the name. My partner Dr. Jason Miller is on here as well so thank you very much for your time and we are excited to join the City of Powell. We have been part of the community for a long time and even though we are not officially in the city we have been part of the various Powell Fests and the Turkey Trot.

Chairman Emerick: Most of you don't know this but they actually started within the city limits.

Dr. Cooley: Eye Care Professionals of Powell has actually been around for over 30 years. The original doctor has retired and I have purchased her practice. Dr. Miller has been there since 1999 I think?

Dr. Jason Miller, Partner, Eye Care Professionals of Powell, 9711 Sawmill Parkway, Powell: Yes, 1999, that is when I joined the practice.

SKETCH PLAN

Applicant: Liberty Reserve LLC, c/o Aaron L. Underhill, Esq.
Location: 4026 Home 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 residential subdivision of 21 buildings containing 42 twin-single residential units on approximately 8.601 acres.

Chairman Emerick: Aaron Underhill please tell us about your plan.

Aaron Underhill, Attorney, Underhill & Hodge, 8000 Wolten Parkway, New Albany: With me this evening is Todd Faris of Faris Planning & Design who planned the site. We also have our architect Tom Beery available and Tom Bell principle of Liberty Reserve, LLC, which is the applicant. The project we are bringing forth tonight is relatively small. It's a unique project that is residential in nature. You will notice on the slide presentation that I have prepared that we are not far from the future OSU medical facility at Home and Sawmill Roads. I think that this particular use here is going to be very complimentary to that facility. The site is 8.6 acres currently in Liberty Township, just east of the intersection of Home and Steitz Roads and just to the north of a portion of Golf Village. To the east are Liberty High School and Indian Springs Elementary. The next slide shows this in context of a project that was approved recently called Liberty Grand. This is a very significant project to the north of us that includes some 930+ homes and multi-family development as well. One of the reasons we like this location is we are next to an 11.8 acre future park and on the other side is an existing Lutheran Church. In the next slide is an example of a project that exists, that Mr. Bell has already developed called Olentangy Reserve in west Columbus. The concept here are twin single-family homes with finished basements, approximately 2145 square feet per unit so these are relatively sizeable. Two bedrooms and a den in each unit. Rent is relatively high at \$2,500 per month with an average tenant annual income of about \$110,000. We are going to show you some architecture that is geared towards the Powell community. I wanted to point out the typical resident here since they are rental units, but what Mr. Bell has found is there is a market for people at corporations that have been transferred for their jobs and need housing for a year or two and are trying to get their footing in the community. I raise this because I think with the 500+ jobs with the first phase of the OSU project that are hopefully coming soon that this would be in walking distance to the facility. We are going to have a number of new doctors in the community and what a great way to have them experience Powell to begin with and possibly transition ultimately to a home that they would purchase. We are in the process of annexation right now. We have been through the county process and waiting for the 60-day waiting period, for City Council to act to accept this, to expire. Per state law they have to wait that amount of time, but prior to filing that annexation we did meet with the council development committee and received feedback from them. They were supportive of the project, supportive of the annexation proceeding. One of the things they asked us to do was to introduce some variety in terms of the facades of these units and if you look at the slide we have worked with your architect Steve to come up with a number of design elements to create some variety and color schemes. If we are to move forward with the zoning, which we hope to do shortly, we would put together sort of a matrix program of how these would be located within the community so it doesn't feel like the same elevation over and over again. I think we will be able to create quite a variety here. The next slide is the site plan. We have just 42 units on this site, 21 buildings so obviously 2-units per building. You will notice on the southern portion of this property we do have a building that will serve a dual purpose of providing leasing office space. We have provided quite a bit of open space. I think 20% is required and we are at 24% plus. These streets will be private and maintained by the owner of the property, which will be Mr. Bell. We are providing for a right-in-right-out on Home Road with connectivity to the project to the north. We believe this whole corridor on the north side of Home Road, given what is going on to the north of it and the schools to the east provides an excellent location for a unique residential product that is different from what you typically see and I think does add diversity to the market. These are going to be very high-end units with rents that are well above what it would cost to rent a typical apartment in and around central Ohio. We believe this will be great for the community and frankly will be great for the hospital. With that I will open it up to questions and we have other consultants here that can answer specific questions.

Chairman Emerick: Elise please give us the staff report on the project.

Ms. Schellin: I do want to mention that we have residents with questions, so when that time comes, we will hear from them. As Aaron mentioned there are two properties, both currently located in Liberty Township and zoned as Farm Residence District. One has a home on it and the other is vacant. City Council approved the pre-annexation agreement with Liberty Reserve in October of this year. They are proposing to develop the site with 42 twin-single residential units to be contained within 21 buildings. All streets are proposed to be private with access off Home Road and a street connection with the township development to the north. Overall site acreage is 8.601 acres with a gross density of 4.88 dwelling units per acre. They are asking for two divergences: one is to reduce the distance between buildings from 30' to 25', and two is a divergence to reduce the rear yard setback from 40' to 25'. The City of Powell Comprehensive Plan calls for a strategic annexation policy and redevelopment along existing corridors. Development scenario 3 specifically focuses on a northward growth corridor. In this scenario, Powell takes an active role in growth policy north of Home Road. The Land Use Plan depicts this site as part of a conservation development area, which "balances development pressures with goals of preserving open space and responding to market demands for alternative types of neighborhoods." This development style calls for clustering homes together to preserve open space, and are most likely to be residential. The Liberty Reserve Sketch Plan proposes interconnectivity to other neighborhoods, no cul-de-sacs, multi-use paths, and a large scenic landscape setback from Home Road, which are all characteristics of this conservation development. The property where this proposal is located is situated between Golf Village and the Liberty Township proposal to the north, which is all residential, so this will add a variety to those areas with the twin single-family versus the larger single-family development. Staff likes the larger setback from Home Road, which enhances the areas rural charm, but we would like the applicant to focus on the architecture of homes. Specifically 8 through 12 and their four-sided architecture because they will be viewed from Home Road. We would

like more variety in the housing styles, but I will let Steve speak more to that item. We like that they incorporated a 10' bike path into this plan and I am sure that OPAL will be happy with that as well. One thing about conservation district neighborhoods in our Comprehensive Plan is that they should be 50% open space and this plan only proposes 24%. We do have some concerns about the traffic circulation and Chris Huber, our City Engineer recommends that the developer's traffic engineer coordinate a memorandum of understanding with the City for a traffic impact study to be done during this development process. Staff would recommend that this move forward through the formal process and incorporate all comments that are made tonight and with that I will refer all architectural comments to Steve Reynolds.

Mr. Reynolds: A couple things as an overview, one I appreciate the time that the applicant has spent speaking with me over the last seven months. There has certainly been strides made in creating variety in elevations. They have added a new floor plan for one of the side-load garages as an option where as previously there was just one plan. In regards to the site plan, just a few comments. As it relates to the retention based scenario, we suggest looking at fencing this area in, whether it be for safety or to add some additional detail to the site. There is this central open area, which I assume would be much appreciated for the residents, however I am looking at the way it is laid out thinking maybe there is a way to better leverage some of that open space. Maybe pulling some of those trees back for a slightly smaller scale of landscaping to open that space up more. I do appreciate the open space being available to the residents. I made a note in there that if there are any other amenities that may be available in the community space, such as benches to potentially activate that space. It feels like it's warranted and would be used, but right now it still feels under designated. We are at the minimum setback and while I would be in favor of vegetation and screening, I may defer to some additional landscape input on what age, caliper and species of said landscaping would be recommended because those items do take a long time to mature. There could be a period of time where there is not much privacy at all, especially those properties up against that property line. As Elise mentioned, building 8 through 12 have a high amount of visibility from Home Road and so particular attention being paid to those models so that as you are going down Home Road you are not just looking at the back of an item. Also, confirming that the right-in-right-out are all reviewed by engineering. I appreciate Aaron putting the models all on one slide, which helps show a little bit of the variety that they have arrived at. They have made some changes that I think once they are all together there is some diversity to the plans, although in massing and shape they are fairly similar. Again, they have made a lot of changes from the first review, some of the comments are pretty specific to whether or not these gables are sitting proud, perhaps of the area behind them. Basically, just additional comments here that would add variety, detail and interest to all these facades. One of the items we were looking at is materiality so that one facility has board and batten then a totally different building might have shaker style as its accent to have some sort of vernacular or language that goes with each one of the buildings. I don't know whether we have called out whether these will be vinyl or a cement board material but it would be my preference that it be more natural or cement board type material. I understand that economics play into these items as well. In relationship to the four-sided architecture, I know when we first looked at this it was just the back of the hip roof with no additional gables but they have since added the cornices over the windows and over the French doors as well, and added those gables with the shake inserts, which definitely has improved this elevation. I added some notes about seeing how that sits, maybe we can just make some moves here where we can just let shadow and light help add some detail. Is there a way to pull those two end pieces forward to add some detail and interest to the building? Once we understand what sites these are going to be on, whether it is building 11 or 12 understanding what the back façade will look like as it faces Home Road, this could become a little more in depth review. I also have mentioned the final physical material selection, the different tone colors on print could be ok but obviously we would want to review those material selections on physical samples to make sure they would align. On this specific façade I have a note that it looks a little flat, so requesting additional information regarding what the porch lighting, etc. would look like and how it would play into the overall package. There are two different garage door styles being offered here. One comment here is that at a pedestrian level this is 75% garage door because of how this lays out so you want to really pay attention to the materiality and quality of those doors and how they are selected would be very important to pull the neighborhood together. This back elevation almost feels like a saltbox type home and this is one where it would be nice to see additional detailing added. Perhaps changing the dormer because that is a lot of roof and if you imagine this being on the Home Road side maybe there are some things we can do to increase the entrance from Home Road. I get a little specific about the window sizes and placement. We have already gone through and moved some windows 8 to 10 inches. I really appreciate the attention to detail and picking up some of the comments I have made previously. Again as an overall statement, which Elise had talked about as well, is anything we can do to create additional variation through materiality or massing would be appreciated. I do applaud the applicant for continuing to make changes throughout the last few months to make changes to the façades. It has been much appreciated.

Chairman Emerick: We will now have residents speak.

Donald Rankey, 2560 Woodland Glen Drive, Powell, Ohio: Thank you. This proposal was turned down by the Liberty Township Trustees. Even Trustee Gemperline voted against it. My first question is why in the world the City of Powell would want to annex this island, being the last property that is owned or will be owned by the Liberty Township Trustees? To the north is land owned by the Schottenstein Real Estate Group, which is under development with the

TIFF in place to pay for the improvements for 300 acres, is a very well designed project. Then obviously to the east is Our Beautiful Savior Church, which I am a founding member. My wife and I helped get the church up and running about two years ago. Why would you zone it multi-family versus commercial when all the other property in Liberty Township on the north side of Home Road between Sawmill and Steitz is? You have Liberty High School, the elementary school, soccer field, our church, this property then you have the Liberty Township property and then obviously you get to Steitz Road. Secondly, why wouldn't you require a wetlands study when the northeast area of the proposed site is full of cattails? It is not a small area it is a huge area of cattails. Why would the City of Powell allow a wetlands area to be filled in with a landscaping barrier without a wetlands study? My next question is why a traffic study wouldn't be required with a deceleration lane mandated considering this multi-family project will add 84 to 144 cars daily to this site? It's a circular vehicle traffic plan on site. It's a one way circular area. It's a one way in and a one way out, which I can't believe the fire department wouldn't have an issue providing services to this site. That is a 50 mph zone there and on Sundays getting in and out of church is crazy at 50 mph. There is no off-site parking in the plan meaning that you can park in the garage or driveway other than the little community building up front. That is kind of crazy for a multi-family project. There are no landscaping barriers at all between building 11 through 15 to our Beautiful Savior Lutheran Preschool. It's a major concern to have that many multi-family units basically on the property line without any barrier, which will probably cause our church significant dollars to improve the security, including probably a ten feet high fence on the top of it. Our toddlers' play area is a couple hundred feet from there. My last question is why doesn't the City of Powell require natural materials? I know that vinyl siding isn't considered to be a natural material but when you look at the 300 acre site that the Schottenstein Real Estate Group has put together it is an incredibly beautifully designed, well architectural plan with literally 75% of the materials are natural materials being used. The flip side is across the street in the City of Powell you have a single-family project where they built a 10 feet concrete barrier wall. It just feels out of place that this island would be brought in specifically to skirt what Liberty Township Trustees turned down and there is no additional annexation that can be done by the City of Powell. Why would you do multi-family on a commercial site in a 50 mph zone without a traffic study and deceleration lane or traffic light?

Mr. Underhill: Mr. Chairman, may I respond?

Chairman Emerick: Yes.

Mr. Underhill: I appreciate the comments and I would like to take them briefly one by one. I was not involved at the stage when the Trustees did vote down a similar proposal on this site. I think there is a lot more history there than they just did not like it. The Regional Planning and the Zoning Commission in the Township both approved the project. I know for a fact that the owners around us that are developing 900+ homes showed up at the last minute and would have liked to incorporate this property into their own plan.

Mr. Rankey: (In audible) Multiple speakers.

Chairman Emerick: Mr. Rankey you have had your time to speak, please let Mr. Underhill respond.

Mr. Underhill: I know that their attorney showed up to that meeting and we all know there is a long history between that group and the Township. To call this a commercial parcel in the uses that are near it in this corridor commercial is really a mischaracterization because those are institutional uses nearby. We are asking for residential next to residential to the south and north with institutional uses to the east. I think it is very often that you find churches and schools and homes near one another. As to wetlands, we don't have the right to go in and just fill in wetland or build over them, etc. This is a sketch plan so it is an informal review, so we have not gotten to the place yet where we have to provide that study, we will at the appropriate time. In addition, just in the last several days, I did speak with the City Engineer about the parameters for a traffic study and what that will entail so that when we file our zoning there will be an MOU that has been prepared and a study that will be under way before any approvals can be received.

Scott Keller 1856 Gallo Drive, Powell: I am the Chairman of Beautiful Savior Lutheran Church. There are a couple concerns that we have in the proximity of the landscaping and that it will not be fully developed at the time of implementation of the property. As Don mentioned we do have a Preschool with 3 and 4 year olds, so with the closeness of the property, we would hope that there would be some kind of fencing involved between us and the buildings. The other concern I have is the retention pond and how that impacts any future developments that we might want to do on the property heading north. I am not familiar with what all that entails and that is why I had Don speak because of his familiarity with the land. I don't know if the gentleman from the company can speak to the retention area.

Mr. Underhill: If I understand the question correctly will it negatively impact your ability on your site?

Mr. Keller: Yes, because we were required by Delaware County when we put in our facility to basically handle anything from Olenangy Schools as well. My concern is will there be additional dumping of water into the facility that would cause us to have any issues as we would look to develop north?

Mr. Underhill: Great question and state law is very clear that we not by developing a property increase or negatively impact the flow either in rate or volume onto your property as a result of this development. I find in areas where we have an undeveloped parcel that we often times find a betterment of the drainage situation because of the regulations that apply in incorporated areas can be much more stringent. We will be required to make sure we don't negatively impact your property.

Mr. Keller: I do have a concern about the traffic. We have been on the property now for five years and as Don mentioned even on Sundays 50 mph is pretty quick down that road, so the increase in traffic is a concern not only for our Preschool but in general. It gets really busy during school hours around there. I know if people are at the church around three o'clock they can't even turn left onto Home Road. They have to turn right to go up to Steitz to even get back into Powell. The fencing is definitely a big concern because you have landscaping listed there but that is going to take time to mature and we do plan sometime in the future to expand our preschool so safety is a big concern.

Mr. Underhill: I know we are living in strange times and it is difficult to meet in person but if you would like to get with Elise and get my information we would be happy to have a virtual meeting with you to discuss some of these items in more detail to see if we can accommodate some resolution to them.

Mr. Keller: Ok. Also, I do think it is odd that this property would be annexed between two pieces of Liberty Township.

Tim Burnham, 307 Bluff Ridge, Powell: There appears to be a number of divergences requested here of the zoning code and I am interested in understanding why from a layman's perspective, the commission would proceed with allowing those divergences when it's just solely to increase the density of the residences on that land. If someone could address that, as you discuss it, I would appreciate that from a resident's perspective in how the zoning code is being used and enforced.

Chairman Emerick: I think it would be good to understand that this is a Sketch Plan, as was mentioned earlier. A Sketch Plan is kind of our first look at a project where we are just looking at a concept. We are not looking at any of the details at this point. Those kind of things would all be discussed as we get further into the process. Right now we are just basically looking at an overview of the project and offering a few suggestions and the developer knows that as he goes through the process we will have a lot more questions.

Mr. Burnham: Thanks Don, I appreciate and understand that. I guess from my perspective again I would think that it would be something that would want to be addressed at this level because 25% versus 50% is going to impact the number of structures significantly.

Chairman Emerick: I appreciate that and I think you will see that as we get into the commission comments I am sure that particular point will be brought up.

Commissioner Boysko: I am not sure I have much to add. I think Steve's architectural review was spot on. He brought up a lot of very good comments. I do appreciate Tim, Don and Scott joining us today and sitting through the previous applicants and voicing your concerns. I think some of the concerns are valid. Tim asked a question about the divergences. Elise when you spoke about the two divergences you broke in and out so could you repeat those divergences?

Ms. Schellin: The first divergence would be to reduce the distance between buildings from 30' to 25' feet so a five foot difference. The second divergence would be to reduce the rear yard setback from 40' to 25'.

Commissioner Boysko: The other discrepancy was the open space requirements. Elise you mentioned 50% and on the drawing they show 20% required.

Ms. Schellin: So this current proposal contains 24% open space and the Comprehensive Plan for conservation development area, which is what this would be represented as in the Comprehensive Plan the guidelines are 50% open space. I would not say that is a code, it is just a guideline in the Comprehensive Plan for this area.

Mr. Underhill: Mr. Boysko, I would just add that we will go back and look at that 50% requirement. I don't want to be confused with pervious lot coverage. I think there is well less than that here. We will sharpen our calculations and be prepared to tell you more about it when we come back.

Commissioner Boysko: To address one of Tim's questions, why we would allow for divergences? It is because we allow some variations in the code based on these conditions and in some areas we don't meet and hope that in other areas we will exceed some of those requirements. Whether that is landscaping or the architectural features it gives us some flexibility to develop the design in a way that is beneficial for this site. One of the questions I had was did this come before us maybe a year or so ago? Elise maybe you can speak to this? How does the open space and density that is in this plan compare to what we saw?

Ms. Schellin: Unfortunately, this is the first time that I have seen it.

Mr. Underhill: Since I have been involved in the project, which was earlier this year, I wasn't aware of it but maybe Mr. Bell can speak to the history here. I am not sure this has been before this particular group. I know it has been in front some council members.

Todd Faris, President, Faris Planning & Design LLC, 243 N. 5th Street, Columbus: It hasn't been in front of you guys before other than the group that looks at projects before they come in.

Commissioner Boysko: It probably came before the development committee before and that's why it's familiar.

Mr. Faris: The density is the same and the layout is pretty much the same as what we had before. Just to go back to that open space number we were under generous to ourselves just by counting the large areas, but once you get into the other areas we would be well over 50% open space on this site. It is the same number we used for Liberty Township and they look at things a little differently.

Commissioner Boysko: Speaking of the open spaces you've got really two; you've got a new space that you started to develop between these units and then if you want to call it open space along Home Road, what is that space along Home Road? It looks like there is a lot of existing vegetation. What do you see happening there?

Mr. Faris: That is where the old homestead is and there are a lot of mature trees. Obviously back when that was a farm that is where they would plant the trees, so we wanted to preserve that so the frontage of Home Road still looked very similar to what is out there today and kept its historical nature. We will probably clean it up and get rid of the underbrush. I don't know if we can plant grass, but it could be a walking path or something. It is more of a passive area out front. Any active area would be in that central green space. I know at the development committee we talked about how to deal with it and I think Steve hinted on that as well. We wanted to get your input tonight what you might envision in there as well. We are using this as our sounding board.

Commissioner Boysko: Is there ability to connect to the park to the west more than just the trail along Home Road?

Mr. Faris: I don't think we know what is happening over there. I know the biggest concern is the continuation of the multi-use path along Home Road that actually opens up Concord Township to Sawmill Parkway as well. I think we have opportunities if something develops in there.

Commissioner Boysko: I think Don and Scott ask how we create a buffer between this development and the Beautiful Savior Church to the east. I don't know if you can speak to what the buffer requirements are between those two uses. Typically we like to have a healthy buffer, whether it is a fence or a dense landscaping or mounding between a commercial and residential space.

Mr. Faris: The zoning for the church is FR1 so technically it's residential. The schools probably are as well but that is the catch over with Liberty Township and a lot of things can go into FR1. The way that we are depicting it right now we want to buffer adjacent to that as well as the park because as Aaron pointed out earlier these people are paying a premium to live in these units. They don't want to be backed up to a field that may or may not be mowed. We are going to treat those spaces and it sounds like we are maybe going to do some fencing in talking with the church but we also want to provide the screening with evergreen trees, shade trees so we get the low level and high level as well. Again, if you look at the plan we have noted on east and west and north sides as well.

Commissioner Boysko: I have confidence in Aaron and your team as you go through this process that you will be working with Don and Scott. We will be looking to see that you had those conversations and have taken some of their concerns into consideration. I know Steve went over the architecture and maybe I missed this but are all the building footprints identical or is there ability to make some modifications?

Tom Beery, President, Thomas Beery Architects, Inc., 1890 Northwest Blvd., Columbus: The basic footprints of the buildings are all the same. We do have some variations where we have pulled some gables out and changed the massing somewhat and then the side-load garage on the one unit type.

Commissioner Boysko: I appreciate Steve's articulation of some of the concerns and I would almost take that a step further in some variations with the materials. Maybe introducing something other than siding, whether it's a vertical horizontal siding. Maybe it is bringing up stone or brick into one of those entry elements to better to break up all that horizontal siding. If I look at Olentangy Reserve it looks like there is a lot of brick on that building and it looks great. It would be nice to introduce some other variation of materials, but other than that I think it is a great start and looking forward to working through this process.

Commissioner Simpson: I have a question from a density standpoint. Is this roughly the same density as the area around it and the pond? I don't know if anyone knows that but I believe that was about 5.5 an acre as well. I think of the traffic impact and we are talking about 40 some doors here compared to 900+ doors just north so I don't know what kind of traffic impact we can get, but I do share some concerns with those who spoke. Also, from a design standpoint, I want to make sure we aren't seeing flat back homes from Home Road. I don't think that would be very appealing, so there would definitely have to be screening there. These seem to be a larger household design and it doesn't appear to have on street parking or excess parking lots, which would be a concern considering there would people visiting. The east units would be about 30 feet from the back of that unit to the houses being built behind them. The 25 feet from the church does bother me as well. It would need a good amount of screening there to be confident with those actual units.

Commissioner Bailik: I do think you will have a market with OSU down the road, but I do have a couple concerns. I am not a fan of one-way circular driving direction. You are talking about rental units with people not living there for a really long time and people get confused and go the wrong direction. People backing out of driveways, not familiar with the area, could back out and go in the wrong direction. I think the sidewalks do not compliment your open space and the sidewalks themselves are kind of disjointed and then you have this open space with the only way to get there is walking through the grass or that one entrance with no sidewalk on that side. If you are out walking your dog or kids it seems very disjointed to me for not providing a way for people to walk around the neighborhood or the center of the park. With the setbacks, a lot of times those are reduced when you are dealing with existing properties for instance and things that you can't change. I think when you are a new development coming in that those setbacks should be much closer to what the zoning and building codes require. I think that is kind of your olive branch to everyone around you so I am not a fan of reducing the setbacks by 15 feet. I do see an issue with this as far as traffic because in this particular situation there is only one in and one out. It would be different if there were different ways to get out of this development where they could get in off Steitz Road. I know there is a development right up the road that is similar, the Point at Scioto condos, and there was a really bad accident about a week ago because someone was turning right into the development and someone was going 50 mph and slammed into the back of them. I do think the church representatives raising the issue of 50 mph and safety without a turn lane is valid. Also, you have the high school and the teenagers driving through there as well, I see those points as valid. I think the bike path is great and I do appreciate you bringing the project to us and being open to our thoughts and suggestions.

Mr. Underhill: We appreciate that and we will be connecting to the north as well and I believe MI Homes has purchased that property. I happen to represent them, not on that particular project but on many others and I know they are going to be getting started on it. On the traffic study, one of the things your engineer is requiring of us for certain is to determine whether a deceleration lane, turn lane into the community is necessary.

Commissioner Cooper: Based on what I have heard, I don't have any other comments. I missed part of the staff report in the beginning of the public comments with a technical problem, but I have heard the rest and I don't think there is anything that I can add that hasn't been said. I look forward to the next step.

Commissioner Hartrant: I want to thank members of the community for sending in questions and speaking. I want to thank the developer for coming in front of us. I don't really have anything except the divergences, which I would ask you to work on those and narrow those down because 40' to 25' is pretty big. You have said the traffic study is in the works so that is good. The wetlands study in the northeast corner I know you will take a look at that as well if there is something that needs to be done. I am glad you mentioned the northern stub going into that neighborhood, which will be good instead of having a one-way in one-way out complex. I look forward to the new developments that come and the changes that you will make.

Commissioner Little: Thank you for bringing the proposal forward. A lot of things have been said that I tend to agree with so I will be brief. From a density standpoint, it works for me and this is the crux of the situation particularly with what is going in behind it. We talk about this being the conservation area and that is the vision we had as the City of Powell for the property north of Home Road but that all went out the door when the township put the overlay in. We are trying to make Powell work in the middle of what the township has already kind of stepped on so I think we have to be flexible and understand that and try to make things work. Then from a traffic standpoint I think we all know Home Road is going to be 5 lanes at a minimum and again I kind of struggle with taking this little piece of property with the limited number of cars that it will actually bring to the equation and somehow burdening them when the developments to the

north that the township has approved, for that matter the church or schools, they have all put a much bigger burden on the situation than you could ever imagine coming from here. I think we need to be cognizant of that as well. A comment I might have for the developer when you talk about private streets there is actually a condo development up in Scioto Reserve where they have private streets and it is back in the part where you could cut through the private condo property or you can take about 5 minutes to use the public streets. I wonder if you are concerned about cut through traffic in this situation from people in the development from the north and how you regulate that situation. I think we should probably think about that as well. I think the variation in architecture whatever we can do there is important. I think we will probably want to look at how you are handling mail delivery, trash and lighting. When we talk about setbacks, I don't know if the church was required to have a landscaping plan and they are still trying to put it in place, but it looks pretty thick over there. It is good that you are coming in here and acknowledging you want to put a good buffer in between the two properties. If the setbacks are against that proposed park to the west I don't know that it's a big concern and then again we probably need to talk about it on the church side but depending on what you do with landscaping that may be beneficial to the church. I think the bike path is important and good. We probably ought to have a conversation about whether we want a white vinyl fence in front of the property to be consistent with how we do things in Powell and should investigate the detention pond and whether it needs to be secured with things considered with liability, etc. Again we are in a Sketch Plan and I think you have actually got quite a bit more than what we would normally see and I am open to further discussion.

Commissioner Simpson: I did have one more question. Anybody wanting to turn left would have to go out on Steitz correct? If it is right-in and right-out it wouldn't be much of a cut through.

Mr. Underhill: I will let Todd weigh in on the cut through into our property and I think we certainly expect that but I think there is going to be an element that goes the other way from our development up through the public street system up there.

Mr. Faris: The County Engineer expects our folks to access through that subdivision to the north. They are actually encouraging that and they forced that stub road to come down to this parcel knowing that it would be developed at some point and time. They had to change their development plan before we ever came in. The county is looking out for everybody, which is good. Part of what we were talking about before is we might introduce some traffic calming, which will discourage some cut through and that might help with the pedestrian access that Elizabeth was talking about as well.

Commissioner Little: It does seem we have not done a real good job of explaining how right-in right-out traffic control works in the general community.

Chairman Emerick: I would have to agree with most of these comments and realizing what we have to work with here I would almost rather not call this a conservation area as we had proposed in our Comprehensive Plan but I think we are off to a good start. There are a lot of things to look at and we look forward to seeing how you resolve some of these issues.

Mr. Underhill: Thank you, this has been extremely helpful. We are taking your feedback into serious consideration and we will do what we can to address the comments.

Chairman Emerick: Thank you. Elise do we have any other business to discuss?

Ms. Schellin: We do not.

Commissioner Emerick: The next scheduled meeting is January 13, 2021.

ADJOURNMENT

MOTION: Chairman Emerick moved at 10:00 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