



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

Shawn Boysko

Ed Cooper

Shaun Simpson

Elizabeth Bailik

## MEETING MINUTES

May 12, 2021

Chairman Don Emerick called a meeting of the Powell Planning & Zoning Commission to order on Wednesday, May 12, 2021 at 7:00 p.m. Commissioners present included Bill Little, Shawn Boysko, Ed Cooper, Trent Hartranft, Shaun Simpson and Don Emerick. Elizabeth Bailik was absent. Also present were: Jeffrey Tyler, Community Development Director; Claudia Husak, Planning Director; Elise Schellin, Development Planner; Aaron Scott, Assistant City Engineer; Steve Reynolds, Architectural Advisor; Karen J. Mitchell, City Clerk; and interested parties.

## STAFF ITEMS

There were none.

MOTION: Commissioner Hartranft moved to accept all the documents into the record. Commissioner Simpson seconded the motion. By unanimous consent of the remaining Commission members present, the documents were accepted.

## HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

There were none.

## APPROVAL OF MINUTES – March 24, 2021 and April 14, 2021.

MOTION: Commissioner Little moved to approve the minutes of March 24, 2021. Commissioner Hartranft seconded the motion. By unanimous consent of all other Commission members present, the minutes were approved.

MOTION: Commissioner Little moved to approve the minutes of April 14, 2021. Commissioner Hartranft seconded the motion. By unanimous consent of all other Commission members present, the minutes were approved.

## SUBDIVISION WITHOUT PLAT REVIEW (Case 2021-23\_SR)

Applicant: Terry Andrews  
Location: 660 Woods Hollow Lane  
Zoning: PR – Planned Residence District  
Request: Review and approval of a Subdivision Without a Plat for the Deer Run lots 970, 971, and 972, to add a small portion of a driveway from lot 970 to lot 971.

Terry Andrews, 507 Executive Campus Drive, Westerville, Applicant and Representative of the Johns Family Trust: This particular subdivision was developed in the 1980s. It is a beautiful subdivision with lots of trees, a lot of ravines, and a lot of topography. The Johns family lives in the home and originally that home was served from Powell Road so there was a 2,000 or so foot driveway to serve that property. When the property was developed, we did it in one large section, over 90 lots. When they put their new driveway in coming off of Woods Hollow Drive, they tried to avoid some topo conditions – there were a lot of trees – so they tried to meander it in there. So part of the driveway was on the property to the north and they own all three lots. Back then they did a driveway easement. The attorney that put all that together back then has since passed away. Now the Johns family wants to sell their home and the other two vacant lots, and they are trying to do a realignment of the property line so the drive is actually on the lot instead of being an easement.

In many municipalities, this would be a staff procedure; however, in Powell's Code, we needed to be here tonight to get your acceptance. I am happy to answer any questions.

Elise Schellin, Development Planner, presented the Staff Report. (Exhibit 1)

Chairman Emerick opened the matter up for public comments. Hearing none, Chairman Emerick closed the public comment session and opened the floor for comments and questions from the Commission.

Commissioner Simpson: Will those lots will be an adequate size for whatever the zoning is there?

Ms. Schellin: Correct.

Commissioner Hartranft: I am fine with it.

Commissioner Cooper: No problems.

Commissioner Boysko: Move to approve.

Commissioner Little: It is a great street and it is good that now more residents will be able to enjoy it. My only question is if anyone expressed any concerns, such as the HOA or neighbors?

Mr. Andrews: Not that I am aware of. I know Jeff Johns knocked on several doors to tell people what was going on and then the sign has been posted out front for about 12 days.

Chairman Emerick: I am happy with it as well.

MOTION: Commissioner Little moved to approve a Subdivision Without a Plat review for the properties located at 970, 971, and 972, within the Deer Run subdivision, as represented by Terry Andrews, to add a small portion of an existing driveway from lot 970 to lot 971. Commissioner Cooper seconded the motion.

VOTE: Y-6      N-0      (Bailik absent)

#### **REZONING & PRELIMINARY DEVELOPMENT PLAN (Case 2021-05Z/PDP)**

Applicant:	Redwood USA, LLC
Location:	3041 Home Road.
Existing Zoning:	PI – Planned Industrial, City of Powell, and I – Liberty Township Industrial District
Proposed Zoning:	PC – Planned Commercial District, City of Powell
Request:	Review and recommendation of approval to City Council of a Zoning Map Amendment with Preliminary Development Plan from Liberty Township Industrial District & City of Powell Industrial District to Planned Commercial District for a mixed-use development on +/- 70 acres.

Steve Martin, 50 N Sandusky St., Delaware, Attorney for Applicant: Last time we were here there was a motion to table the Preliminary Development Plan based on about a dozen conditions or concerns. Before we filed revisions, we addressed each of them in a memorandum in response and sent it to the City.

*Concern 1. That the Applicant work with the Liberty Township Fire Department to address concerns regarding the geometry of the private drives and gain assurance the site can be sufficiently served in case of an emergency; That was started in the fall of 2018 and has been ongoing. They have seen the site plan, and there have been numerous conversations.*

*Concern 2. That a phasing plan be provided that aligns with the subarea boundaries, including identifying the proposed offsite improvements and the schedule/phasing of construction and implementation. We have been a little more specific on it in the subdivision areas so there are now phasing exhibits. We gave you the detail of the offsite improvements. Most of those are also set forth in the Pre-Annexation Agreement because they are going to be handled through a TIF.*

*Concern 3. That the Applicant provide a sketch/concept plan to indicate how a commercial component would be laid out on Lot 3. We are providing a sketch concept plan for Lot 3. That is the third lot of the commercial that we do not have anybody for. Please understand that we are looking into the future and guessing who might want it. We have a user for Lots 1 and 2, but this is just a guess.*

*Concern 4. That a storm water feasibility study demonstrating proper storm water availability is provided as part of the Final Development Plan. The storm water feasibility plan is due at Final Development Plan.*

*Concern 5. That the Applicant agree, as part of the Final Development Plan, to submit a revised Traffic Impact*



*Study in coordination Delaware County.* Again, this is to be included at the Final Development Plan, but Shawn will also be addressing that this evening because there have been communications back and forth with the City's review of the traffic impact study.

*Concern 6. That the Applicant work with Staff and Liberty Township to provide a dedicated public pathway system connecting the eastern property boundary to the Woods of Powell neighborhood.* This was mentioned in both Concern Nos. 6 and 9 of the motion. We are not proposing putting a separate public pathway along the eastern boundary because for a good portion of that way, it would be about 100 feet from the public pathway into Liberty Park, which we are proposing to connect to those two with the emergency access in Phase 3 of the apartments. Also where there is the mail center and a parking lot there with a path of about 100 feet if Liberty Township will permit it, we will connect there. Then you will be tied in. We can tie in and go to The Woods of Powell pathway with the secondary access pathway and get on that pathway. We cannot go south. When I started talking to Dave Betz (former Development Director, retired) more than two years ago, it was indicated that this was simply not feasible because of the woods and wetlands, and in our southern 5 acres, there is also remediated brown field from the railroad. But we can connect in and there are quite a number of pathways other than the sidewalk along the street within the apartment areas.

*Concern 7. That the Applicant demonstrate the proposed private roadway and sidewalk combination has been implemented in other projects.* The contiguous sidewalk and private streets are on the same level and there are pictures of it in the plan. That was done in response to FHA. We do not recommend rumble strips because someone will eventually drive on the sidewalk to avoid part of it. If you put in any other barriers, you defeat the accessibility.

*Concern 8. That the Applicant provide, at the Final Development Plan step, adequate information to demonstrate a one year pre-developed storm will be detained for the 100 year post-developed event.*

*Concern 9. That the Applicant work with Staff to identify opportunities for a shared-use path along the east side of the development.*

*Concern 10. That the Applicant investigate potentially paving a short section of gravel path in the Township to make a path connection.* We were asked to investigate paving a short section of gravel path in the Township to make a path connection. I don't know exactly that is referring to, but if you look at the fiscal impact study attached, there is about \$12.8 million in TIF dollars that will go to the City and we think it would simply be better for the City to work with the Township if you want to pave a section of a gravel path in Liberty Park.

Then it was indicated that Staff was concerned that there are no other service oriented business permitted such as a restaurant. The specific permitted use of the plan is service businesses. I intentionally put service businesses rather than personal service businesses so that it is broader and could cover a lot of things. Although I indicated that restaurant was not a viable use, in the revised plan we added restaurants.

*Concern 11. That the Applicant satisfactorily address all comments within the staff report in regard to the proposed development text, particularly pertaining to divergences, lot coverage, building materials and architecture.* There was an error on the request for a divergence on the height limitation on the apartments and that has been remedied. With respect to the architecture, most of those things come at a later date and are not really items to be considered at this point.

As to the four proposed conditions on the Preliminary Development Plan, we will update it between now and going to Council regarding the sign setbacks. We will try with lot coverage. This is an apartment complex so you do not really have lots. We have a 25% green space, so there is not a ton of lot coverage. The density, instead of the permitted 9, is 5.5. Items 2, 3 and 4 are Final Development Plan issues as the motion indicates.

We think we have been responsive. We have a good plan that presents a lot of benefits to the City.

Todd Foley, POD Design, 100 Northwoods Blvd., Ste. A., Columbus: I have our full presentation that we provided last time but I do not intend to go through the entire thing again. We have added some things to it and it is there for reference as we answer any questions you may have moving forward. I will highlight a few things tonight.

*Phasing.* This graph shows how we will be phasing the project with Phase 1 closest to Home Road and including the commercial component. With respect to out lot 3, we looked at two different scenarios. One is for a multi-tenant approach and the other is an office building concept plan. We believe this demonstrates that we can create a concept that allows some flexibility.

*Architecture – Foundations.* We provided you a lot of conceptual information for the senior components up front and the



commercial area, as well as the Redwood units in the back. We previously provided the upgrade options. I spent some time with Steve Reynolds and talked about how we can look at the standard sets of buildings and start to address some of his concerns and Staff's concerns working with this kind of pallet of options. In our previous presentation, I talked about how in order to bring the scale down of this project we have the ability to create these smaller neighborhoods, each with their own character, within the larger site. Architecture, landscaping, and signage – we provided you with a lot of extra detail because we thought it was really important to understand the whole context of what our overall vision is. We know that we will be diving into this more fully through the Final Development Plan process. We are fully onboard with the comments in the Staff Report related to architecture and I think we have some options to help mitigate some of the concerns that Staff has presented.

*Landscape Plan– Open Space Plan.* We intend to have extensive connectivity. The emergency access path really affords a great opportunity to interface with the path network that goes to the south. It provides access to the YMCA, the school, and everything along Liberty Road. We feel that this has a great dual purpose for the project and will directly interact with our internal network system. While we do not have direct resolution yet, we intend to continue to have conversations with the park as another form of connectivity.

*Onstreet Sidewalk.* The sidewalk is a different color from the street. It is not common presently in other communities, but Redwood does it on all their communities and it is well received.

Shawn Goodwin, Engineer, American Structurepoint, 2550 Corporate Exchange Drive, Columbus: There really is no change from the last time we talked. We have been through a couple iterations with the City and County on the traffic study. The findings have not changed. We still have a right turn lane and left turn lane at our entry. The right turn lane is 225 feet. The left turn lane is 205 feet. We really only have to build the right turn lane because there is already a two-way left turn lane there. As you may recall, the County has a CIP project going on right now for all of Home Road and they are really mitigating all of our impacts if we had them because they are doing growth projections with their improvements and taking care of everything. The only other thing we had was we were required to put in an additional 200 feet of right turn lane at Liberty Street, but the County does not want that because it will interfere with a driveway, so they sent over a fee-in-lieu-of that we would be required to pay for not building that turn lane.

We have answered the City's questions with some intersection versus stopping sight distance. They had some questions on anticipated trucks based on different uses. We also answered a queuing question and we had a conversation with Chris [Huber, City Engineer] to resolve that. We just resubmitted to the City and County yesterday and have conditional approval from the County.

Claudia Husak, Planning Director, presented the Staff Report. (Exhibit 2)

Steve Reynolds, Architectural Advisor: We met last week to preview some of the items we had previously talked about. I understand that many of those items will become part of a later submission. However, we did share a real interest in reviewing the materials whether it be natural materials that is a little bit more in line with what we see in the City of Powell. Also trying to create some diversity within those communities. Right now it does appear that there is a homogenous sort of tone throughout all three phases so we are working to somehow separate those up to help create some identity for each one of those phases. We talked about some of the individual features that seem to repeat amongst a lot of the different models, so maybe again there is a way that some of those features can identify or anchor some of those communities. I don't believe I have any comments that would impact the approval today but rather my continued involvement as they develop the process and the plan.

Chairman Emerick opened the matter up for public comments. The Chairman acknowledged an email that came in from Michael & Randi Jones that mainly expressed concern about the impact of the increase of traffic on Home Road with this development as well as left turns out of the community. This email comment will be entered into the record. (Exhibit 3)

Mr. Goodwin: One reason we think this is a good fit for this type of development is with the Home Road overpass and the way it was designed, it is really only meant for primarily car access at the access point. When you bring truck access into play on a steeper slope like this, you actually increase your intersection sight distance by a calculation based on the fact that it is a truck and there is a slope. We submitted those during the traffic study and it is pretty clear that when it is vehicular traffic, mostly car, that there is not a sight distance issue. However, if you had something in there that was predominantly truck, such as a heavy manufacturer or industrial, then this could be a problem.

The second part of that is that we did a queuing analysis for the intersection to see how it was functioning with the stop-controlled only and it functions well. It seems small, but we are showing 10 and 30 foot stacking blinks in the am and the pm peak. That is a couple of cars or a half of car during worst case conditions, and those gaps are anywhere from 17 to 30 seconds or 20 to 40 seconds delay in making that left turn, if it were during peak hours. I do not anticipate any



issues. The County Engineer made it very clear that they do not want a signal there.

Commissioner Hartranft: Are the lights in sync on Home Road from Liberty Road down to Sawmill Parkway?

Mr. Goodwin: I assume so, but I do not know that answer. I know the County will be redoing all of that and that is a pretty standard design anymore.

Hearing nothing further, Chairman Emerick closed the public comment session and opened the floor for comments and questions from the Commission.

Commissioner Cooper: I think we are moving along quite well. All of our concerns from last time have been addressed. I see no reason not to approve both motions and move on to the next development stage.

Commissioner Boysko: I agree. I appreciate the effort that this team has put into this application. You talked a little bit about lot 3 and the potential development of that and you are speculating that it could be a strip center or office use. I do not think it is important to me on defining how that is developed, but I assume that there will be development standards that will guide that development in the future. I thought we had talked about the best use for lot 3 being an extension of the assisted care/memory care/assisted living facility. Is that no longer the case?

Mr. Martin: The skilled nursing facility and the assistant living facility are on lots 1 and 2. If we could get another user of that nature, yes we would put it on lot 3, but it will go to the first user that meets the requirements. Redwood does not like to sit on land.

Commissioner Boysko: As that space is developed, I assume that would come back to the Commission for approval?

Mr. Martin: We would probably be coming in piecemeal with Final Development Plans even for the various phases.

Commissioner Boysko: Two other items that we talked about was the use of vinyl siding. Steve, have you talked about the use of vinyl siding and going through the specs and quality of that?

Mr. Reynolds: Yes, we did talk about that last week, and it was encouraged. I know that this will be part of the upcoming final development components. I do not know if there has been any motion to change what those materials are, but it was discussed.

Commissioner Boysko: I think the Commission had some concerns about allowing vinyl materials and I think we are relying on you to help with that or for the Applicant to provide some material samples to help sell the quality of that vinyl material product.

Mr. Reynolds: It was recommended that material samples be provided at the next level of development.

Commissioner Boysko: I still feel there is a strong need to interconnect this with Liberty Park. You mentioned that you already have the access drive to the east as one primary connection and then also at the mail center as a possible connection. I think we should discuss alternates if that is not acceptable to Liberty Park and they do not allow that for some other connection. In my opinion, I think there should be two in addition to the drive. We have the drive that is on Phase 3. Phase 1 is a logical place for the first connection to Liberty Park at that mail center. I also think there is an opportunity in Phase 2 with the trails that wind through the woods that are pretty well developed. Is it Liberty Park or Delaware County that is going to determine when or if that connection is possible?

Mr. Martin: If you look at the site's eastern boundary, except for two little lots fronting Home Road, you have land owned by Liberty Township or owned by the school district. We have already worked out the connection with the school district. We will continue to work with Liberty Township. Jim Frey with Redwood would tell you that we would like to have more than 3 or 4 connections because we consider that an amenity for the residents, but we have to deal with Liberty Township the entire length. Not all of it is the park, but it is all Liberty Township. It is really hard to have a fall back plan if Liberty Township does not cooperate.

Commissioner Boysko: Understood. I am concerned that if you are unable to negotiate this, then what is the option then? Without an official connection, people are going to make the connection no matter what – they will make their own connection and that is not a good solution. Is a future connection along Home Road a possibility by stubbing a sidewalk to the edge of your property for future connection across the other three residential properties and maybe connect to the park to the east?

Mr. Foley: We are already intending to extend our sidewalk all the way up to Home Road as a part of our improvement,



so we are showing a path connection that moves from the Redwood area along the shared private drive out to Home Road. I think that would be an option to consider. We can study whether or not a stub eastbound to the property line could give that some momentum. I think we can be prepared at the Final Development Plan stage to present that and I would also anticipate that we will have had some further discussions with Liberty Park as well.

Commissioner Simpson: Is there any way to get over there to the main path on the other side of the road without connecting to the park before or after Home Road becomes five lanes? Liberty Trace and all those communities have that path.

Mr. Foley: I don't know what kind of legs it gets going over Home Road, but I do not think that is what we are trying to accomplish. Perhaps there is an opportunity where we can stub it. I'm not sure how those three lots along Home Road play out in the future. But it would be great to have a place for our future residents to go once they get up to Home Road.

Commissioner Boysko: Other than that, I think it is a great development and solves a lot of problems. Jeff, with respect to the TIF money, do we need to define what that is and how that is used or is that just funds that City Council will appropriate appropriately?

Jeff Tyler, Community Development Director: That is correct. We are working with Engineering to develop our CIP program so eventually that will be programed into that program.

Commissioner Simpson: I was okay sending this on to the next stage last time, so I do not have many questions now. As mentioned before, this is a very difficult site without much use and I am always looking for the best possible of something. With the traffic, with industrial use with trucks going in and out of the overpass, this would not exactly be the best use there. I do love having the commercial in front. The only thing I mentioned before [as a concern], are the materials, mainly the vinyl. Traffic seems to be working its way through, the TIF use, and making sure we do see the out parcels coming back to us when those get developed. Outside of that, I look forward to seeing the Final Development Plan. We are sensitive to school occupancy right now. Are their occupancy limits on these units?

Jim Frey, Senior Vice President, Redwood Apartments: They are all 2 bedrooms, 2 bathrooms with a den. Our occupancy is 1.9 persons per unit. Over 100 units, it is typical to have 7-9 school age children. There is a limit of 4 people per unit.

Commissioner Hartranft: Thanks again for coming back and presenting to us again tonight. It seems like we have been at this for a while. I am supportive of the plan. We have come a long way from where it started in 2018. I like the use of it, especially the front use with the assisted living and skilled nursing. I like the utilization of the land itself. I think the way you tied in to three different sections is going to be a good utilization of the area. In particular, coming up with the emergency access that is utilizing some school property was a great move on your part. I look forward to you coming back in front of us.

Commissioner Little: I have some general comments that reaffirm what I have heard. I think it is really important to us that you follow our architectural guidelines and our deemed appropriate material choices at Final Development Plan timing. If you are suggesting something that is an alternative, we will need to understand why you are proposing that alternative. I also think what you call the architectural variety is also critical in my mind. We have a lot of units here and we need to have some sort of sense of differentiation.

Do you have a binding agreement in place for construction of the two elderly care facilities?

Mr. Martin: Yes, there is a firm contract with Foundation Health.

Commissioner Little: Given the long history of this property, do we have any site cleanup issues?

Mr. Martin: Environmental was done quite a long time ago. The only issues on the site were on the southern portion from the railroad and that was remediated before it went to the City.

Commissioner Little: We have talked about the two buildings up front and looked at some rough architecture renderings. I would compare this as apartments and the elderly buildings. A few years ago we worked with Spectrum on their elderly facility on Sawmill Parkway. The amount of attention to detail that we put into that review at the Final Development Plan should probably serve as a guide to how we handle this at the Final Development Plan stage so we are consistent with what we do.

Mr. Martin: Foundation Health has built in Southern Delaware County. One of their facilities is just to the east of, or



behind, the Mt. Carmel health facility that fronts on SR 23. It has been completed within the last 2 or 3 years.

Commissioner Little: The three small parcels along Home Road, who owns those?

Mr. Martin: Two are residential houses. One is in an LLC and the facility is just being used for some type of storage.

Commissioner Little: We have two potential problems. If you look at the growth numbers we looked at during our Comprehensive Plan, the amount of traffic on Sawmill Parkway, Home Road, even Liberty are pretty scary. To push all this traffic and pedestrian traffic into this one pinch point, we may have some concerns. If you happen to drive along Home Road, the speed limit might be 50 mph, but there is a pretty wide range of speeds that are being driven. We may be potentially setting ourselves up for concern at some point down the road. From my perspective, it behooves us, at least for the pedestrian and the bicycle traffic, to push it to that intersection at the park where there is a signal and there is a safe way for people to cross Home Road. I would like to ask you to ask the Township for a collector road between your entry way road and the park entrance as a way to get to a signal. If the Township says no, can you get that in writing because there is a history of them not being afraid to put that in writing when things that seem to make that kind of sense are not accepted.

Mr. Martin: Before we came to the City, the very first meeting was with Liberty Township and [and we were told] the Fire Department does not want access through the park. That was the first place we were trying to get a second access. We tried. We went into contract and started talking about the secondary access in 2018 and we did not come in with having a secondary access and only an emergency access until we got the easement agreement with the schools.

Commissioner Little: I am actually talking about a third option.

Mr. Frye: We will talk to Liberty Township again and if that does not work, perhaps we can talk to the neighbors next door and see if we can get an easement across their property and put a bike path there.

Commissioner Little: Even a formal response would be nice to have as we move forward. Eventually when we talk about widening Home Road and the amount of traffic that is going to be generated there, it is probably worth revisiting this issue.

The integrated road and sidewalk concept. Can you give me the closest address to a place that I can go look at an example of it?

Mr. Foley: The project in Marysville, Milford Crossing, Phase 2 is where they started implementing this type of design. I think the Delaware project with some of the later phases would also be close.

Commissioner Little: Would these also be the sites to go to if I wanted to look at the vinyl siding and vinyl shakes you are proposing?

Mr. Foley: Any of the sites have it. I would encourage you to go to the Marysville project. Phase 2 is a relatively new design that has some upgraded elements to it. The Delaware project, on Routes 36/37 behind the Meijer and Kohls on Glen Road, called Quail Pass, in some of the later phases. They will all utilize the vinyl shake siding, vinyl horizontal siding, the stone water table, some of the different trim features, and some may have the dormers in them as well.

Commissioner Little: From a Staff standpoint regarding the discussion about the eastern most pathway, what's Staff's viewpoint on that? The Applicant identified that there was a pathway they felt was not needed because there was another pathway relatively close.

Ms. Husak: It has to do with all of those paths not being on the Applicant's site so having to cross property into the Township is the difficulty in connecting or building those connections.

Commissioner Little: Was the original requirement for a path to be along the border there?

Mr. Reynolds: Wasn't that connection at the southern end of the site? You were assuming the TIF dollars would be better spent by the Township working with the City?

Ms. Husak: I think that is true. On the original proposal in April we had not been able to identify that there was actually path connections through that emergency access, so that alleviated some of our concerns on that end of the site.

Commissioner Little: Perhaps at the Final Development Plan, if we can bring what is existing there, and where a pathway would make sense to put in there to make all this work right, then we will know what we should do and, if



nothing else, we can prepare for it moving forward. You are saying Liberty Township just will not agree, so just what you believe we should do in this situation. A simple rendering of what the right thing would be so that we have something to go from moving forward.

Mr. Martin: We will ask again because we want it as an amenity. It is just unfortunate that there is a political issue.

Chairman Emerick: I do not have much to add at this point. I too am concerned about architectural elements, particularly the planned use of vinyl siding. We have not traditionally allowed vinyl siding in Powell. In fact, our Code prohibits it. That is something that I will be looking at very closely. But I want to thank you for working with both Staff and the Commission to get us to this point and we look forward to continuing that.

MOTION: Commissioner Little moved to approve a Zoning Map Amendment for the property located at 3041 Home Road, as represented by Redwood USA, LLC, whereas the zoning shall be changed from existing zoning of PI – Planned Industrial District, City of Powell, and I – Liberty Township Industrial District to the proposed zoning of PC – Planned Commercial District, City of Powell, for the purpose of developing a mixed-use development on a combined +/- 70 acres, subject to the following condition:

1. City Council shall approve the Zoning Map Amendment.

Commissioner Cooper seconded the motion.

VOTE: Y-6 N-0 (Bailik absent)

MOTION: Commissioner Little moved to approve the Preliminary Development Plan for the property located at 3041 Home Road, as represented by Redwood USA, LLC, for the purpose of developing a mixed-use development on a combined +/- 70 acres, subject to the following conditions:

1. The development text shall be updated taking into account the comments from Staff, the Architectural Advisor, and the Commission consistent with the City of Powell expectations as it relates to issues such as sign setback, lot coverage, roof pitches, numbering and lettering, prior to Council review.
2. The Applicant shall work with Staff and the Architectural Advisor prior to submittal of the Final Development Plan so as to address items identified by Staff, the Architectural Advisor, and the Commission members, such as building architectural variety, garage door orientation, use of proper materials, etc., to ensure effective preparation for the Final Development Plan submission.
3. That a storm water feasibility study demonstrating proper storm water management shall be provided as a part of the Final Development Plan.
4. The Applicant shall provide adequate data to demonstrate that a one-year pre-developed storm will be detained for the 100-year post-developed event.

Commissioner Cooper seconded the motion.

VOTE: Y-6 N-0 (Bailik absent)

#### **FINAL DEVELOPMENT PLAN (Case 2021-22\_FDP)**

Applicant: Good Night Investments LLC  
Location: 80 E. Olentangy St.  
Existing Zoning: DB – Downtown Business District  
Request: Review and approval of a Final Development Plan for a proposed private social club on a 0.464 acre site.

Gretchen Bonasera, Owner of Good Night Investments, LLC, 80 E. Olentangy Street: This is the third time we have been here so some of this should be very familiar to you. The existing structure is not changing other than the paint colors. The main thing we changed was the connector between the two buildings. Steve Reynolds was very helpful with that. We pushed it back and really accentuated the delineation between the historic and the new.

Sarah Mackert, Architect, SJM Studio, LLC, 1254 Eastwood Ave., Columbus: We also pulled the north wall in by 6 feet since our last presentation with HDAC. That was really an internal decision to pull away from the ravine and have a more crested fall away there and to create a more intimate interior space. That reduced the mass of the addition. It is in square footage now just slightly less than the existing house.

On the west side of the original house there is a new garden access at the connector piece. The connector piece is a flat roof which somewhat mimics the historic front porch's flat roof. We then have a hipped roof with some dormers on the old house and a hipped roof with one dormer on the new addition. Many of the existing trees are being preserved.

I brought a sample of the glazing which will be in the addition only. The glazing in the house is all historic and original. All those windows will stay and be restored. This is solar band 60 clear glazing and, as with all clear glazing in the



United States, it has a tint to it due to the argon gas. We are using a timber tech English walnut for the decking, and slatestone gray asphalt shingle roof for the new addition. At some point in the future, we would put a new roof on the old house to match it. Right now there is an older, green asphalt shingle roof on the house. There are three paint colors. The darkest one is Inkwell and is the paint on the original foundation of the house. We will do a lot of tuck-pointing and repair, but that is more of an industrial block. Above that it is being restored as is, the glazed terra cotta. Dark Night paint will be on the entry door. Mount Aetna will be our primary color on anything that is a horizontal siding, as well as a refuse enclosure, with a little green roof detail and front porch.

Ms. Schellin presented the Staff Report. (Exhibit 4)

Mr. Reynolds: Some of my comments are just clarification of notes from the HDAC meeting and for confirmation on the existing facility. The intent is that the windows that are there are to remain. Any divided lights or items like that on that current structure will remain in place. There was some confusion with that during the HDAC meeting, but it was simply a misunderstanding of the graphics.

One of the other items discussed was the roof configuration and how the two buildings met. I think the Applicant did a great job simplifying that and working with the scale and massing of the existing building. I have looked at this building a few time and I am excited to see something stick that I think will be a great use. I am also excited to see architecture that is sensitive to the current structure, helps raise it up and exemplify it, and makes a good use of an existing structure.

The only other thing was there were a lot of comments about half round gutters. That is not in the HDAC guidelines. I feel that it has been discussed a lot. I know we did it when we were an Applicant, but it is not part of what is codified so there is no requirement here for this Applicant.

Lastly, we talked a little bit about the lighting. The simple globe lights are called out in the HDAC guidelines. I think the guidelines might contradict themselves a little bit. There is a comment in there about a turn of the century type of lighting or Art Deco, but then a paragraph later it comments on simple round globes. So per the guidelines, those exterior ensconces do align. The Applicant was great to work with and I am excited to see this building get a second life.

Chairman Emerick opened the matter up for public comments. Hearing none, Chairman Emerick closed the public comment session and opened the floor for comments and questions from the Commission.

Commissioner Simpson: We have looked at this a few times now. The great thing is that this is a focal point to our downtown that is not currently a strong focal point. The only concern I had with it was the colors of the roof and the lighting due to it being right at the corner there. I am in favor of a pork chop being there to try to prevent people from pulling half way out in that street and blocking traffic. I do not really have any questions on it. I think it is a great revitalization of a focal point of our City that we need.

Ms. Bonasera: We agree with not wanting to create a traffic issue. During peak hours I am in total agreement with you that we need to limit that right-in, right-out only. But what about after 7:00 p.m.? Why are we restricting traffic when it is empty? We will be doing half of our business, if not more so, after 7:00 p.m.

Commissioner Simpson: For me, with it being that close, just having a right turn only makes it much safer because you have people coming from the left...[Ms. Bonasera: Are you saying out of the property?] I am saying out of the property, right turn.

Ms. Bonasera: What about into the property? I believe that is also what the pork chop does.

Mr. Tyler: It alleviates the left hand turn into the facility.

Aaron Scott, Assistant City Engineer: Engineering is not thrilled with the idea of assigning it with hours and then allowing left turns into that property during certain times. Realistically, that just means people are going have the ability to turn there and they will do it when they are not supposed to. Based on the amount of traffic, we may or may not have in the evening, maybe it would be okay to allow left turns in the evening, but I do not know that this is necessarily true based on traffic patterns and how much flow we might have going that way. I do not see a way to allow left turns during a certain time frame but then prevent them during peak hours when it is a legitimate issue.

Commissioner Cooper: Did I read somewhere that the Fire Department made a comment about the pork chop and they did not want it?

Ms. Bonasera: The first request from Lt. Saunders was that it be removed. The second request was if it has to be



there, that it be mountable.

Commissioner Hartranft: Thanks again for coming back. The presentation was good and I love the animation. I am supportive of the plan and have been from the beginning. There is a lot riding on the parking agreements. Are you confident that this can happen?

Ms. Bonasera: Yes. We only need 8 more parking spots. We are talking with three separate groups about this.

Commissioner Hartranft: I love what you have done with the house, the addition, and colors. I appreciate you going in front of HDAC and learning more about that commission. I am excited to get this started.

Commissioner Cooper: The only comment I had was about the pork chop and, unfortunately, I agree that it probably needs to be there. Other than that, I think it is great and am looking forward to it.

Commissioner Boysko: I think it was a great presentation. It is a huge improvement over the original submittal from four or five years ago. I love the design and architecture. I only had a few detail questions. How does the trash enclosure work? From looking at the plans, it looks like there are doors into the trash enclosure, but I think those are the windows from above. How do you access the trash?

Ms. Mackert: It is basically concealed galvanized barn door hardware. There are three long panels that will slide out of the way. There is no swinging at all.

Commissioner Boysko: Above the doors, there is a green roof?

Ms. Mackert: Yes. We are going to do a shallow tray, probably something with sedum or something that does not get too big.

Commissioner Boysko: Looking at the renderings, it appears that there is a retaining wall. I think it just slopes, but is there a wall?

Ms. Mackert: I did not model that in the 3D model, but at the curb of the drive, specifically, there is a limited area retaining wall. It does show up on the civil site plan. We submitted some cut sheets for that. It is a modular, unilock block system. We would choose a color that is in keeping with the terra cotta colors from the house. It would not really be visible from the street. What we are proposing to do, which is similar to what was proposed by the prior Applicant, is that this retaining wall would stop just slightly above grade and then we would have the wooden crash barrier on top of that. That is the Powell standard.

Commissioner Boysko: You are only going to see that retaining wall if you are in the creek. There is no deeper reveal on the southern edge of the parking is there?

Ms. Mackert: No. The goal is for that to be graded and sloped – we are so tight to the sidewalk and street that we are trying to get as close as possible to matching our perimeter. The biggest challenge is against the house where we have that ramp coming down from the street level to the side entry.

Commissioner Boysko: I understand the desire for your branding to not have any signage although with the parking and the challenge with access in and out of the site, I think it could be somewhat problematic if cars are trying to pull in and the lot is full. Then they have to turn around and figure out how to navigate to a different site or location to park. We have talked about this with other applicants where there is a need for offsite parking or remote parking to have some kind of consistent signage. Has there been any thought about how you would add signage for remote parking?

Ms. Bonasera: The unique thing about this concept is we have a very captive audience. It is not the entire public. We literally have everyone on an email list that we can send a map to. We could put a sign out there, but I don't see a need for it. Also, the parking lot is very visible from the street because it is right on the corner and there are not obstructions from shrubbery. The greatest prospect is the Historical Center across the street and we are in the final phase of having a parking contract in place.

Commissioner Boysko: I agree and it sounds like their hours of operation would be very compatible with yours. Aaron, are you open to the demountable curbs for the pork chop?

Mr. Scott: Yes, we are open to that. Ultimately we have to work with the Fire Department to make sure they have the access they need and want. We have seen the mountable curb version of these pork chops elsewhere.



Commissioner Boysko: Do you still think that is going to be effective for stopping people even with demountable curbs to make a left out?

Mr. Scott: Yes. Mostly because even with a full size pork chop, you will eventually find someone who still wants to try to make that left and they will try. Even with a mountable version of one, the effect is still there. You might have a slightly reduced effect of people not wanting to turn left, but that is a balance you have to find between the traffic impact and the Fire Department getting access.

Commissioner Boysko: The Applicant has a great perspective about their hours of operation. If the bulk of your business is going to be after 7:00 p.m., I tend to agree that maybe the level of traffic won't be as great as during rush hour traffic when there will be heavy traffic on Grace Drive and Olentangy Street. The requirement for the pork chop, is that an ODOT requirement or is that a recommendation from Chris?

Mr. Scott: It is initially a recommendation of the City Engineer driving it because it is pretty clear it needs to be there. In an effort to make sure we are being fair, we did look through ODOT guidance and it is a recommendation within ODOT with the rules they layout for project design and driveway design in general.

Commissioner Boysko: I would agree and the location is problematic, but they are landlocked. They do not really have much of a choice. The access point is as far north as you can get. I agree during heavy traffic it is problematic. Other than that, I do not know that it is. So I am on the fence about the pork chop. What I was going to suggest is if not demountable, you stripe it and sign it. To your point, how effective is striping and signing going to be? I do not know.

Mr. Scott: I believe that will be the case. I can talk to Chris about it. The issue you run into is the risk of a car being stopped trying to turn left across there. We even looked at northbound traffic, on Grace Drive, both trying to cross it, potentially stacked queue turn lane, and a through lane that may or may not have traffic in it. That is a blind turn.

Commissioner Boysko: So your biggest concern is left in and left out or just left in?

Mr. Scott: Our primary concern is left in. Left out is going to be another issue as well for the same reason that you are crossing two different lanes of traffic. So trying to get through there you are constantly running into issues where people are trying to be nice and let you through and are presenting themselves and you with a potentially dangerous situation. So they are both a concern, but the left in is what we anticipate being the biggest issue.

Ms. Bonasera: The main reason we are talking about this is the whole concept of what we are selling and what we are developing is access. Access to this really cool space, access to rare and unique bourbons and cocktails, access to being a member. And it is really hard that the first thing they encounter when entering Powell is a no, even when there is no reason for it at 9:00 p.m. when there is not a car to be seen.

Commissioner Simpson: I think the first time someone has a problem they are going to cut into the strip mall anyway.

Commissioner Little: I appreciate everything you are doing in preserving the house that is there. For now, it does represent the entrance to Powell at the east end, so it is good to see.

I did want to discuss parking. You took some space off the back of the building. Has the interior plan changed as well, and if so, how? I think the last time I counted 71 seats, 3 lounges, and a 400 square foot mezzanine. So have those changed?

Ms. Bonasera: Yes. It is not fixed seating.

Ms. Mackert: It is unconcentrated tables and chairs which is designed for 15 net. That means one person for every 15 square feet. We are not designing for standing room only. That is 5 net. There is no standing room for guests. This is by reservation and you must have a seat available. Our occupant load describes how that breaks down room by room. Everything is a booth, lounge seat, and 6 bar stools.

Commissioner Little: In the three lounges, if there is no standing...[Ms. Bonasera: Do you mean in the house?] Yes.

Ms. Bonasera: Yes. They will be like living rooms, set up as intimate seating corners and clusters where you can have a completely private conversation.

Commissioner Little: At the March 24 meeting of the Preliminary Development Plan, you said at that time you needed a 100 parking spots from the Powell Shopping Center.



Ms. Bonasera: There was no mention of need. I was just saying that Paul DiGeorgio's representative said we have up to that many spots available.

Commissioner Little: So now I think you are saying you are looking for about 35?

Ms. Bonasera: We are looking to fulfill the requirement of 20 spaces.

Commissioner Little: We have Code that says something and then we also have a need to be a good neighbor and be functional. I would encourage you to keep that in mind. Our zoning folks can help with that. I would suggest that we talk about a Certificate of Occupancy and making sure things were in place. Then I would suggest also that our Zoning Officer should monitor that this plan remains in effect and then if we have any changes in membership numbers, or a building use change, or parking agreements, that the Zoning Officer determines if an adequate parking plan exists.

Regarding the pork chop, I have mixed emotions on that. They do not tend to work in the City of Powell. Maybe people just do not know what they are, I am not really sure. That is one of our few traffic connectors that we have in town and we have some future traffic projections that are only going to get worse, so I defer to the Engineer's judgment. You talked about having a captive audience with your membership. One of the plans that we have discussed is to extend Susan Drive from Beechridge Drive over to the street that you are on which could give your membership an access in the future. Right now that that is the Powell resident speedway cut through where people just blast through that parking lot and avoid the intersection. So I would defer to the City Engineer and ODOT with the state highway in close proximity on what to do there.

Chairman Emerick: I would agree that with regard to the pork chop that your membership will quickly find the best route to get there, so I am not concerned with having a pork chop there. I would also defer to Engineering's decision on that. Like the rest of the Commission, I am excited about what you are doing with the building. I think it will be an improvement to what we have seen in the past.

MOTION: Commissioner Little moved to approve the Final Development Plan for the property located at 80 E. Olentangy St., as represented by Good Night Investments, LLC, for the purpose of developing a proposed private social club on a .464 acre site, with the following conditions:

1. The City Engineer shall review and approve how the final ingress/egress shall be managed at the site and the Applicant shall be required to implement the City Engineer's direction.
2. All engineering plans shall be approved by the City Engineer, not limited to, but including final storm water drainage plans and utility plans.
3. The Applicant shall acquire additional parking to meet the required number per the Zoning Code prior to requesting a Certificate of Occupancy.
4. The Zoning Officer shall be responsible to monitor whether valid parking plans remain in effect.
5. Should there be a change in membership numbers, a change in the use for the building, or a change in the parking agreements issued at the initial Certificate of Occupancy, the Zoning Officer shall determine whether an adequate parking plan exists based on the Powell City Ordinances in effect at that time.

Commissioner Cooper seconded the motion.

VOTE: Y-6 N-0 (Bailik absent)

#### OTHER BUSINESS

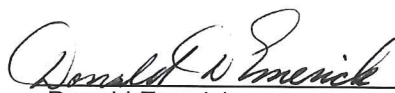
Ms. Husak discussed some upcoming training opportunities by the Ohio Chapter of American Planning Association for the end of May. It is over four consecutive nights from 5:30 p.m. to 7:00 p.m. and will provide a 1.5 credit. The topic is the Ohio Citizen Planner Training with four topics on the Role of the Citizen Planner, Site Plan Review; Ethics in Planning, and Law & Planning.

The May 26th meeting has one application so there will be a meeting. Yaz has also volunteered to do some training as part of that evening as well.

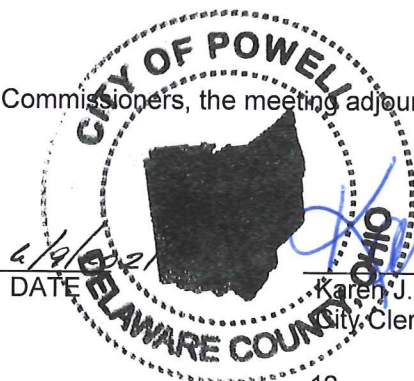
#### ADJOURNMENT

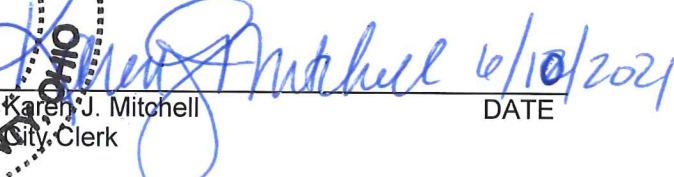
By unanimous consent of all the Commissioners, the meeting adjourned at 8:57 p.m.

DATE MINUTES APPROVED:

  
Donald Emerick  
Chairman

DATE



  
Karen J. Mitchell  
City Clerk

DATE