



City of Powell, Ohio

Planning & Zoning Commission

Donald Emerick, Chairman

Richard Fusch, Vice Chairman

Joe Jester

Chris Meyers, AIA, Architectural Advisor

Shawn Boysko

Trent Hartranft

Bill Little

Erin Wesson

MEETING MINUTES

MAY 14, 2014

A meeting of the Powell Planning & Zoning Commission was called to order by Chairman Donald Emerick on Wednesday, May 14, 2014 at 7:00 p.m. Commissioners present included Shawn Boysko, Richard Fusch, Trent Hartranft, Joe Jester, Bill Little and Erin Wesson. Also present were Rocky Kambo, GIS/Planner; Chris Meyers, Architectural Advisor; Susie Ross, City Clerk; and interested parties.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Emerick opened the public comment session.

Vincent Margello, 1900 W. Powell Road, said he has been here several times asking for the same information and has not received anything. He needs to go to City Council because he received a call from the builder/owner of Prohibition Lounge because Easy Street Café sold and a new restaurant is going in without going through zoning. This person said they are using his parking spaces for a count for the seating. He considers himself somewhat of a visionary and he sees what is happening. The new restaurant going in is in violation because they have no parking. Prohibition Lounge is going in and they are using the municipal lot for their parking. He is trying to understand how they use public parking spaces that are not designated for restaurant seating. They have now sold the Jeni's Ice Cream building and when that business leaves they will see another restaurant in that building that has no parking. The owner of Local Roots, one of his tenants, is now paying \$300/weekend to have supervision in their parking lot so she can have parking for her customers; he and his tenant are being considered the bad guys. In 1987 he put \$500k in the land and parking lot to create 130 parking spaces for what was then the Saturday's Sports Club. He chose not to build other buildings on that land because they need those parking spaces. He is going to City Council but would like to have the parking plan for the downtown so he knows where the parking spaces exist for the businesses and buildings. He does not have a problem with these businesses coming downtown; he does not want his tenants to be burdened. He needs a legitimate count and not phantom parking spaces. There are businesses downtown that he believes are in violation of zoning codes.

Hearing no further comments, Chairman Emerick closed the public comment session.

APPROVAL OF MINUTES

MOTION: Commissioner Little moved to approve the minutes of April 23, 2014. Commissioner Boysko seconded the motion. By unanimous consent, the minutes were approved.

ADMINISTRATIVE REVIEW

Applicant:	Mt. Carmel Health
Location:	10330 Sawmill Parkway
Existing Zoning:	Liberty Township PC, Planned Commercial District
Request:	Administrative review to revise signage.

Bruce Sommerfelt, Signcom, on behalf of Mt. Carmel, 527 W. Rich Street, Columbus, presented plans for new signage for the Mt. Carmel Health facility on Sawmill Parkway (Exhibit A). He said this upgrade to signage is long overdue compared to their other facilities. They re-branded about three-four years ago and are slowly moving to satellite locations to update signage. The new graphics use the new standards in logo, colors, style and design. They intend to utilize as much of the existing conditions (structural support and monument bases) as they can. The proposed changes are within the Township regulations in place before they annexed to the City.

The main monument sign will be replaced at a size of 74 sq. ft. versus the existing of size of 102 sq. ft. The background is totally opaque and the only part illuminated is the copy and graphics. The subsequent signage for vehicular directional monument signs replaces the two existing signs in like-for-like square footage and support. They are also opaque backgrounds with illuminated copy and graphics. The new campus way-finding structures are designed to help traffic flow through the site. One current illuminated wall sign will be replaced with like-for-like signage.

Rocky Kambo, GIS/Planner, reviewed the Staff Report (Exhibit 1). This property recently annexed into Powell from the Township and as such it is subject to the Liberty Township PC, Planned Commercial zoning regulations. All signage concerns are looked upon in Article 22 of the Township code. He reviewed the text and said Staff found this proposal is generally in line with the requirements. Staff would like to know exactly where the light box signage is located on the front of the building and a rendering would be helpful. Article 22, Section 2205 (C) says all new illuminated signs shall use halo/halo-like illumination so Staff recommends this fascia light box be redesigned to halo so it will meet code. They also recommend they use LED or similar low energy consumption bulbs in the signs. The new branding looks fine and the other signs are completely in line with the zoning requirements.

Chris Meyers, AIA, Architectural Advisor, said the intention of the halo effect on signage was for retail branded elements. An Urgent Care serves another purpose and is meant to clearly indicate where one needs to go in the event of an emergency. He would bend the rule for this type of signage. The rest of the signage as proposed is very well done and constructed, especially with it being along Sawmill Parkway among so many other signs of the same size; this proposal is perfectly acceptable.

Chairman Emerick opened this issue to public comment. Hearing none, he closed the public comment session.

Commissioner Wesson said they should follow Staff's guidance and she has no concerns. Commissioner Jester said this upgrade is needed and he is happy to see it. Commissioner Boysko said he agrees with Mr. Meyers' comments about the signage. He asked if the representative can respond to Staff's comment about the box sign. Mr. Sommerfelt said this is not a new sign; it is a like-for-like signage that is the same size in almost the exact same location on the fascia. They can use halo but is necessary to be able to illuminate the entire background of the Urgent Care signage. There will be a new box and it will be illuminated with LED lighting. Commissioner Boysko had no objections to the signage proposed.

Commissioner Fusch asked Mr. Meyers for clarification about halo signage. Mr. Meyers described the way halo letters are mounted and illuminated. He said in this case a sign of this type for an Urgent Care should have boldness and clarity to show people where to go; that outweighs the aesthetic of the sign. Commissioner Fusch asked if this requires a variance. Mr. Kambo said it does not. Commissioner Fusch said he has no problem with this proposal. Commissioner Hartranft had no comments. Commissioner Little asked if they need to note that this is a variance from their sign policy. Mr. Kambo said this was unclear on the rendering and if they are just replacing the current sign the code says any replacement may be illuminated in the same manner as the current sign provided it is in compliance with code. The proposal does not need a variance.

Chairman Emerick said the applicant said several of the signs need upgrading because they were not maintained; what type of maintenance plan will there be for the future? Mr. Sommerfelt said this is far better materials and usage of technology than in 1998 when the current signs were installed. They are under contract with Mt. Carmel so they will be used to keep the signs looking new and it is normally done every 24-36 months. LED illumination instead of fluorescent has fewer service issues and the exterior quality and materials stand a better test of time.

MOTION: Commissioner Little moved for approval of the replacement signage package for the property at 10330 Sawmill Parkway, represented by Mt. Carmel Health, subject to the following conditions:

1. That the applicant shall apply LED-like lighting where appropriate.

Commissioner Fusch seconded the motion.

VOTE: Y 7 N 0

PRELIMINARY DEVELOPMENT PLAN

Applicant: Santer Communities, Ltd.

Location: 110 South Liberty Street

Zoning: DB, Downtown Business District within the Downtown Historic District

Request: To review a Preliminary Development Plan for a proposed for sale townhome development of 22 units and commercial building on 3.688 acres.

Chip Santer, Santer Communities, reviewed the Preliminary Development Plan before the Commission (Exhibit B). They made significant changes as noted in the Staff report:

- A buffer on east that is way beyond typical setback requirements.
- The density is just over 6 du/acre versus 7 du/acre.
- The elevations have been provided and their opinions are welcome.
- The commercial building was pushed forward to Liberty Street and the size was increased to as large as they can relative to the parking required.
- They reached out to the neighborhood group to the east to set up a meeting prior to this meeting but they did not schedule that with them.

John Eymann, MA Architects, said in regard to the architectural design, they worked within the character of what they interpreted the Historic District guidelines to be. It is very consistent with some of the newer buildings in the downtown core area. The buildings are primarily wood trim and siding. The commercial building is designed with the ground floor for commercial uses and the second floor for office uses. The residential buildings are a design scenario where the residences work in pairs that can be flipped or altered. There are two different pairing types so they can have up to eight different designs. The colors can also be altered so they create versatility but also maintain control in the program. They used some of the details in the Historic District design guidelines in these products; this has been refined throughout the process.

Mr. Kambo reviewed the Staff Report for this application (Exhibit 1) and each of the changes on the revised site plan:

- Unlike the March 26th site layout, where the north/south connector continues to the site edge, this site layout has stubbed roads.
- The back portion of the site has seen a complete realignment of units. The units are now arranged with units facing the north/south connector street. In addition, a lane with parking has been put behind the four back units.
- This new arrangement of the back four units has increased the buffer from the existing residential area.
- The walkways between the seven units in the middle of the site have been separated to create a loop.
- North/south walkways have been added to the site.
- The parking lot at the front of the site, behind the two buildings, has been connected and the parking on the southern portion shifted from the west side of the lot to the east.
- A waste area has been added to the south east of the parking located at the front of the site.
- The site layout now shows vegetation.
- The commercial building at the front of the site has been brought closer to the street.
- The units/acre is calculated incorrectly – it now includes the commercial building. The correct density should only include the residential units, which is 6.19 residential units/acre.

Mr. Kambo said Staff outlined the following recommendations at the last meeting and the applicant has done the following:

- *Staff suggestion:* That the applicant submit architectural details (that comply with the Powell Historic District Architectural Guidelines) for the residential and commercial buildings, and a Preliminary Landscape Plan PRIOR to submittal of the Final Development Plan.
- *Applicant response:* The applicant has provided aerial, streetscape, and elevation renderings that include architectural details that are in line with the Powell Historic District Architectural Guidelines. The applicant has also provided a landscape and tree preservation plan of the site. Note that these additions will require further review in the following stages of plan review.
- *Staff suggestion:* That the commercial building placement on the site be brought forward to better create an extension of the commercial district, and placed at an angle more parallel to Liberty Street.
- *Applicant response:* #9 in the map shown.
- *Staff suggestion:* That the sidewalk along the frontage be pavers in the manner and design of the downtown and be extended north to the 50 South Liberty St. driveway.
- *Applicant response:* Paver sidewalk is not shown in any of the renderings. This request would be a part of the final agreement with the City.
- *Staff suggestion:* That the commercial parking area behind the existing 110 building be flipped and connected to the other parking area.
- *Applicant response:* #6 in the map shown.

Mr. Kambo reviewed the items that have changed since the last review in regard to meeting the requirements in the code regarding approval of a preliminary development plan:

(1) If the proposed development is consistent with the intent and requirements of this Zoning Ordinance;

Staff believes that this plan is becoming more consistent with the requirements of the Zoning Ordinance as it relates to development plans being consistent with the Comprehensive Plan and the Downtown Revitalization Plan recommendations, the densities set forth within the Downtown Business District, and the mixed use nature of the proposal in relation to its location within the City.

(2) The appropriateness of the proposed land uses with regard to their type, location, amount, and intensity, where not specifically specified in this Zoning Ordinance;

Staff again believes that the land uses, their location, amount and intensity is consistent with the requirements of the Downtown Business District zoning of this property. The housing type is appropriate as a permitted use within this district and the mixed use nature of the proposal also meets the requirements.

(3) The relationships between uses, and between uses and public facilities, streets, and pathways;

The uses as proposed are being located on existing and future public street/private streets combined. Walkways are being provided along South Liberty Street tying into the existing walkway at 50 South Liberty Street and interior to the development, and along the proposed new public street.

(4) Adequacy of provisions for traffic and circulation, and the geometry and characteristics of street and pathway systems;

Provisions for traffic circulation and geometry of the streets and pathways are being met. The future will hold as to whether the street will be extended north or south, but it is provided for here if those properties will be developed. Staff believes that they will at some point in the future, but it is unclear as to when that may be. If the roadways are not extended and the City feels that it should go ahead and build them, at least this ground will be set aside and built according to plan. However, the pavement should extend to the property line and public right-of-way dedicated in the end.

(5) Adequacy of yard spaces and uses at the periphery of the development;

Yard spaces at the periphery are now adequate to meet requirements of the zoning code. The size of side yards and setbacks were calculated using the scale provided by the applicant on the landscape plan. The calculated rear yard setback is 47.5 feet to the pavement and 73 feet to the homes on the east. The south and north property lines have a 10 feet setback to the pavement. As such, building setbacks are met.

(6) Adequacy of open spaces and natural preserves and their relationships to land use areas and public access ways;

There is a new common open space proposed east of this small development. Walkways are also provided. As for the open space, Staff feels that this is an inadequate use of space. The open space in the back is to be used a detention basin. Staff was under the impression that a combined underground/bio swale system was to be used. Furthermore, with the addition of a detention basin, a number of trees have to be removed lessening the buffer to the homes east of the site.

(7) The order, or phases, in which the development will occur and the land uses and quantities to be developed at each phase;

No phasing plan has been submitted, however it is contemplated that the streets and infrastructure will be built first along with the housing. It is anticipated that the commercial building will be last.

(8) Estimates of the time required to complete the development and its various phases;

Staff estimates that the construction of site improvements will take place through the spring of 2015 with home construction beginning early 2015 through that year and even into 2016. The commercial in front will probably begin in 2015 or 2016.

(9) Improvements to be made by the Municipality, if any, and their cost;

The City of Powell does not anticipate any participation by the City for any infrastructure improvements.

(10) The community cost of providing public services to the development;

The cost of providing services to this development will be minimal. Everything anticipated is typical for any new development of this type, intensity or use.

(11) Impacts of the development on surrounding or adjacent areas.

This development should have a positive impact on the City overall. The creation of new downtown housing with an alternative housing unit type is a good thing. Directly adjacent parcels to the north and south will now have the ability to extend a new public street that provides good access to their property and makes it more developable and accessible. The adjacent area to the east as now proposed has a 47.5' to the pavement and 73' to the homes, which is more than our typical subdivision rear yard setback of 30', and only has two housing units adjacent to it.

Mr. Kambo said Staff, using the provided analysis, recommends approval of the Preliminary Development Plan, subject to the following conditions:

1. That the applicant shall implement the recommendations of the Architectural Advisor within the Final Development Plan; and
2. That the applicant shall re-examine the detention/retention of stormwater for this site, with the intention the least amount of space needed for this occur toward the east side of the site, and if needed, the applicant shall implement a more highly detailed buffer planting plan.

Mr. Meyers said this Preliminary Development Plan has an enormous amount of detail provided, especially with the architecture and site plan. This is a very thorough submittal. The rendering of the site shows the commercial building as being very close and they should have caution to consider the character of the existing building. As one enters the north drive the side elevations of the two ends of the nearest residential building will be important. The plan shows these buildings as a repetitive model and they will alter the aesthetic of each of the façades to give variations in character. The two west-facing elevations are the front façades of the buildings because of the access for the site. Those two unit designs warrant some alterations or additions based on window treatment or aesthetics of the façade. They spoke about changing roof orientation to create alterations in the repetition of the units and variety of scale and size of architecture. These two side elevations have predominantly blank gable designs and the gable elevates the blankness. These may be the units that should have alteration of the gable, a different roof structure or supplemental windows.

The site layout of the commercial building may make it difficult to drive to the entry into the garage and turn back around. Visitors would have difficulty backing around. The dead-end condition and access for passenger vehicles, trash trucks and emergency vehicles should be evaluated. The landscape design for this type of project will be incredibly important because this sort of planning strategy is inwardly focused on the common/central space. The landscape design for the common lawn in the front and the treatment of plantings at the foundations will require far more details at the next submittal. Mr. Meyers suggested the landscape design be developed and then emulate it in the rendering and perspective to enhance the imagery.

The commercial building seems to follow a lot of the historic guidelines and looks as if it emulates 50 S. Liberty and that is a great model. Mr. Meyers made the following suggestions:

- The handicap ramp to the side may be able to be incorporated into the railing design.
- The hanger brackets for the cantilevered porch roofs on the back of the building look like it is just a thin cable; that detail will be important to look at.
- Graphics show the trim work as very slight rather than more robust and dimensional as in the guidelines.
- The cornice seems a little smaller than proportion would determine.
- The roof orientations are a way to articulate difference and variations in the residential units in the back portion.
- He would like to see the perspective down the drive of all of the garage doors. One of the most concerning things of a repetitive garage is having the aesthetic of eight garage doors in a row. It is something that warrants attention when they create variation in the façades.
- Locations for mechanical units, condensing units and electrical panels should be indicated. They need to show how those will be addressed on the residential buildings and commercial building.
- The shingled portion of the second floor of the residential buildings extends outward and that is a nice variation on the façade. That is the opportunity to add bracketing or support details or trim work to tie the commercial building character to that of the residential buildings.
- It is difficult to get layouts of the interior to work with the exterior of buildings, especially in the window locations. He noted that the side elevation with the dominance of the gable and the centerline it creates and the use of off-center windows can be considered. The window placement may be fine but it may drive them to change the roofline, add different trim details or break up the siding in a different composition. There is an understanding of how the conditions on the inside must telegraph to the outside but they should not neglect the outside based on that result. They can revisit the two components to see how they can mesh together.

Mr. Meyers said in general, the development and the efforts of the architect show they are listening to a lot of the requests about the needs of the folks in the community and the thoughts of the Commission. They are headed in the right direction but there is still more to develop in regard to the sophistication of this building. This should be scrutinized due to the location and newness; that is what makes this potentially such a successful development because it could be a model of how to do things the right way. They are headed in the right direction with a lot yet to review.

Chairman Emerick opened this issue to public comment.

Greg Britt, 135 Glen Abbey Court, said he lives right behind this development on the east side. He said he agrees they have come a long way from the first review but his objection is still the same: he does not want a parking lot or a road in back of his house. The setback of 47' is generous but a car parked in the rear would shine its lights right into his family and living rooms. He asked about street and parking lot light that would be installed; they would shine into his back yard as well. He does not object to building in that area but he does not want a parking lot or road so close to his home. It would be better to put that in front of the buildings. This sets a precedent of what they will build along this entire area. His neighbors next door put their house up for sale because of this and someone put an offer on the house but then withdrew their offer when they saw these plans. This has real consequences for the adjacent homeowners and that is something they should consider.

Mary Dielman, 115 S. Liberty Street, said the consequences of this development is what drove her to come forward to speak. She was going to house a \$5 million IT consulting business in her building and her clients and consultants would not come to meetings because of the Powell traffic. She moved her team to downtown Columbus to rent conference space because of the traffic. She welcomed the members of the Commission to come meet with her at 8-9 a.m. and 4-5 p.m. to see what it is like to get out of her place of business. This development is directly across from her building. Ms. Dielman was not going to attend this evening but her son urged her to attend because currently it takes them 15 minutes to get out of Village Academy where he goes to school. That drive is far south from the proposed development location and she doesn't understand why they would want to add another 50-100 cars to this area and the infrastructure. She said these buildings look beautiful and are similar to an area where she lived in Germantown, Maryland. In that community they made sure there were roads to handle the traffic and infrastructure in place. They made sure the people who had lived there their entire life did not suffer because of the development. She has been offered incentives to move her business from Powell to Columbus and they have helped her find space and develop. The Powell "anti-development" has to stop and she feels free to speak this way because so many people have pleaded with her to speak for them about how hard it is to bring profitable business into the City. Ms. Dielman said she will not be back to ask for anything because she is not leaving her business here. She is now having a hard time renting her building because people cannot get in and out. They can reduce the number of units or it may be that this is not the right time and place for this particular development. She understands the pressure but they need to fix the basic things before they add more congestion to the problem. She has lived in Powell for 15 years and owns five properties here and invested in this community but they should not add this type of density of 6 du/acre in the center of Powell.

Janet Wartman, 130 S. Liberty Street, said at the last meeting her daughter spoke on her behalf to ask for equity in the setbacks for the building and parking lots but it was not addressed. She thinks the back four units on this site need to be reduced to three units because they are so close and they are right next to her pond. The residents in Bartholomew Run complained about the noise from Bennett's sheep and the people right next to her pond will complain about the loud noise from the frogs. The parking lot is too close to her silver maples and it is easy to see why someone should not park under them. She said she should not have to tear down her trees for their parking lot; they should move their parking lot so it is safe. She prefers that they put a fence along this development. There is a fence next to the preschool parking lot to keep the cars from shining their lights into the residences and she would like one like that for her property. There is already a problem with dogs and people trespassing on her property and she can see that this could be a greater problem. If they do make a stub road onto her property she would prefer that it be closer to her house line and the Joyce's house line so she can keep her "back forty" as a wooded area.

Ms. Wartman said the Commission represents the Powell people. Most of the people here want a road from her house to the park and no one in this community would want a road to the park. It would be impossible to have a road that goes through that area during the Powell Festival and they will never get a railroad crossing in that area. If they do not need a road through the park and across the railroad then they don't need a road through her house. The way to solve the traffic problem is to not build all of these houses but to take this opportunity to build the road they say they need from Olentangy to Liberty. They will destroy that opportunity with this development and they will choose not to solve the traffic problem and to create more traffic from this development. They have to determine what the community really needs.

Hearing no further comments, Chairman Emerick closed the public comment session.

Commissioner Fusch said he appreciates the design of the property, the residences and commercial building and their locations. The Architectural Advisor has a lot of good ideas for them to consider. He also appreciates the opinions of the people who live nearby. He said this property is zoned as Downtown Business District and some developer could come along and put one single building on this property. He asked Mr. Kambo how large a single building could be under that circumstance. Mr. Kambo said that would be determined by the zoning code; it would allow a building that is 45% (73k sq. ft. +/-) of the area of the property at a maximum of 35' in height (three stories). Commissioner Fusch said a single large building would generate a lot of traffic and assuming the design of the building met the architectural standards of the community and the design and location of the building met the zoning code restrictions, there could be a massive impact on the City and this body could not vote against it. Mr. Kambo said that is correct. Commissioner Fusch said in response to the people who live near this, his concern is that a developer will come along and put something on this property that will have a far greater disruptive effect on Powell than a development like this. The national data is clear that the fastest growing areas of American cities in terms of residential population are its downtowns. As a result of that, downtowns all over the country are booming and prosperous because of this kind of development and it is so important to Dublin that they just approved a 600-unit development right on the edge of their downtown. If anyone has tried to drive through the center of Dublin's downtown recently they know what the traffic is like and it will get worse before it gets better. He is very concerned about the traffic in downtown Powell but the City is currently addressing this problem: the engineering for the Murphy Parkway extension is being done and the funds are available to build it within the next year. That will have a major impact on the traffic in the downtown and will relieve some of the current disruptive effect of traffic. Commissioner Fusch said he is concerned about the traffic and the opinions of the nearby residents but he is also worried that if they reject this kind of development they will get something far more disruptive in the downtown. This design helps maintain the prosperity of the area and will allow its residents to walk instead of drive to the downtown. Mr. Kambo said their main concern tonight is putting something in place such as this use and scale that are in line with the Comprehensive Plan and the direction they would like to go.

Commissioner Hartranft said they have seen a big change in this plan from the start to where they are currently. He likes the changes presented and the density. Traffic is always a concern no matter where they put it in Powell because traffic will be generated. While they understand the traffic congestion in this area during certain times they have seen study after study that says the biggest factor on traffic is the zoo and pass-through traffic. That traffic is outside of their control. They have plans in place and the Murphy Parkway Extension in process and there is talk of changes to the Four Corners intersection in the future. They are trying to address the problem as best they can with the resources they have available. He asked the developer about the change from a bio-swale to a detention basin. Mr. Santer said there is a huge cost difference and because they have so much space they were able to accomplish the detention basin. They intend to have a dense tree line and landscaping to address screening.

Steve Fox, Civil Engineer, said a previous stormwater detention plan included underground detention with big pipes underground. If they do a bio-swale they need a lot of land to set aside. This is a dry detention basin that has a slight depression where they can plant trees. It is only in the 50 and 100-year events that the water gets high enough to fill the basin for 12 hours and those events have a 2% chance of happening every year. They can plant trees in it and line it with shrubs on both sides. The basin is only wet during significant rain events and it will fill and then drain.

Commissioner Hartranft asked about the mounding they are considering to deal with light pollution and other concerns. Mr. Santer said there is only one middle spot where there are cars heading that direction and then they turn so there is only a small area to densely landscape. Mr. Fox said they can put a little mounding (2') on the far east property line with trees on top of it. Mr. Kambo said they could instead consider building a brick wall that matches the design of the buildings that would block any light leaving the site. Dense vegetation could be added but during winter the foliage would be gone. Commissioner Hartranft said this can be addressed at the Final Development Plan. He asked what kind of landscaping/mounding/fence is proposed for the property to the south. Mr. Eymann said the code does not require any screening or fence in that area. They met the side yard setbacks for the drives. The plan only shows four streetlights with two on the north-south road and two on the east-west road. There are no lights proposed on the southern property line or behind the four units. The lights will be very small and of residential scale to minimize impact to any of the adjacent properties.

Commissioner Little asked if they have a rendering that shows the road connection. If they look at the traffic situation in Powell, specifically on Powell Road, they have found that in excess of 80% of the traffic on Powell Road is pass-through traffic. They can make it unattractive for those who want to cut through town but they will

continue to cut through. They should look for ways for the residents to get around so they do not get tied up in that traffic. The Murphy's Parkway extension should alleviate a lot of traffic off of Liberty Street, particularly the pass-through traffic. There are also connections that can be made crossing Powell Road at Murphy Parkway and continuing on up to a Sawmill connection to help alleviate some of the north-south traffic. The changes to the comprehensive plan envision that they create another street in this area and that is the reason for the easement requested through this property. This can provide another north-south connector grid system that allows local residents to get around town better without dealing with the pass-through traffic. This is a step in the direction of trying to address that situation. It makes sense that this road extends to the north to Powell Road and also to the south and turns to meet up with a turn in Murphy's Parkway, allowing residents on both sides of the railroad tracks to get around town and not have to go to the Four Corners or deal with the zoo/pass-through/Polaris traffic on Powell Road. As they look at the remaining parcels in the downtown area they are trying to address a solution that will help the local residents.

Commissioner Little said earlier they discussed what type of large building could go on this property and what is currently happening around the country. The upcoming generation wants to live in the downtown area of their community and walk to restaurants and shops, not using a car to get around. This is a development that attracts that demographic. There are not things that are attractive to those with children so it tends to attract a professional crowd that they hope will buy nearby homes when they decide to start a family in the future. They want to attract that next generation into the community. It is up to this Commission to allow a landowner to do what he is legally entitled to do with his/her property while making that solution attractive and in concert with the other properties in the area.

Commissioner Little said the current plan is much different than the initial layout shown and he is still interested in pursuing a front entry approach to the four buildings on the far eastern side of the site. Past experience in this community shows that when they allowed curb cuts on Presidential Parkway those folks said the City could not possible connect the parkways because they would never be able to get out of their driveways. The solution in this case tries to avoid that type of situation. If they stay with this site plan he would like to see them install the detention basin and add mounding and plantings on the far eastern boundary to give some screening for the adjacent homes. Where the access is to the back of those four units they should consider extending a nicely done brick and limestone wall to diffuse the initial headlights from traffic coming into the site. Once the traffic turns the lights will not shine into the properties. Commissioner Little asked about services such as mail and trash. Mr. Santer said there will be a trash pick-up area and a central mailbox unit behind the commercial building to serve the development. Residents will take their trash to that location. Commissioner Little said there may need to be more than one location because of the distance from the homes. He stated that the north-south road needs to be extended to the north and south property lines and signage about possible extension added that meets the City's criteria. Mr. Santer said if a road is put in they will have to tear out that area for stormwater, sewer, etc. Commissioner Little said it should be stubbed and the proper easements put in place to make sure the City will have access if they choose to make the grid connection. Mr. Fox said the roadway they will put in will not meet any City standards for a public roadway so adding pavement for the sake of adding it makes no sense. The easement width is per the advice of Mr. Betz; this roadway is designed as an internal roadway. Commissioner Little said if that is the case the extension will need to be disclosed in any property information they have for potential buyers and/or on some type of signage at those two areas. Mr. Eymann said they have looked at the front-load scenario before and a comment from the Commission was that there is a desire to see the fronts of those buildings when looking into the site from Liberty Street. That comment drove them to this solution.

Commissioner Little said the front elevations and the area of the garage doors needs some sort of variation to break up the areas. He said they mentioned at a previous meeting that residents would have some input into the elevation of their unit; would it be just input about materials and color? Mr. Eymann said the way these are designed they would not want the same units right next to each other so there will be some logic in terms of how the units are placed. They are not suggesting that every single unit will be different but there are four different options for the unit types and those can plugged together in different ways. As the area is developed and built out they will make sure they create diversity down the line in the façade and colors so they get the variation without customizing elevations. They want to give buyers flexibility but the bigger priority is to have control of what is built. Commissioner Little asked that they include wording that shows how their sales people will control it so there is not repetition in the façades and he would like some renderings of how the garage façades can be broken up. He asked that they add some sort of mounding and detailed landscaping to the southwest corner. He said they started with pavement 5' from the eastern boundary and have moved the buildings so they are 72' from that same boundary. Their work to make these changes is appreciated and he

hopes they will continue to work with the surrounding residents. He does not see the need for a fence or landscaping to the north boundary because it is currently undeveloped land with vegetation and trees.

Commissioner Boysko asked if the trees along the southern boundary are proposed in response to the tree survey and replacement of trees removed. Mr. Fox said they are and their landscape plan is in excess of what is required by the City code. Commissioner Boysko said in response to concerns of the neighbor to the north, he does not see the value in having the three trees along that property line to provide a buffer; there would be more value in adding more dense, lower vegetation or shrubbery to compliment the higher canopy of the trees to the south. The same could be done along the drive that runs to the east to provide additional screening of lights. A wall could require more maintenance and denser landscaping can solve the problem. They talked about the design of the north-south road and he thought their section of the street would be designed to be large enough to be a connector. Mr. Santer said the road was designed so all of the easements were large enough to make the connection. Commissioner Boysko said he sees no need to stub it to the north and south and his point is more about the width of the easement. Mr. Fox said Mr. Betz gave them the easement dimensions for the right-of-way. Mr. Kambo said they calculated the dimensions by looking at standards for road widths and tried to take into consideration sidewalks, main road and a green strip up the middle or larger sidewalks; they provided the minimum size required to allow this to be built in the future. Mr. Fox said the easement would allow two lanes of traffic with a green strip in the middle and sidewalk. Commissioner Boysko said that sounds more than adequate. He sees no value in stubbing something that would better serve as green space or landscaping but there should be signage that clearly identifies that this could be a connection point in the future. He thanked the applicant for their patience and time to provide all of the different changes. This has come a long way and he looks forward to the final plans.

Commissioner Jester said a lot has been brought forward tonight and much of it has not been heard before. There is still a lot to do and he is concerned about the amount of items to be reviewed prior to a Final Development Plan. He asked if the Fire Department has approved this plan. Mr. Kambo said that information is usually provided as part of the Final Development Plan. It is an important factor but the applicant is waiting to hear more finalized comments from the Commission tonight before going to the Fire Department. Commissioner Jester said Mr. Meyers made some excellent points and he supports the points he made on this plan. He said he realizes there is more work to be done but the commercial building looks like a big box. He said he is disappointed with what it looks like and would like Mr. Meyers' opinion. Mr. Eymann said this is not different than the box-like buildings on the corners in the center of town; the architectural style of the historical district is very generic in terms of the shapes used and it is early American traditional that is based on wood frame construction. Mr. Betz gave him a picture of a building he would like to see on this site and they took that design and added trim work, details and windows so it is characterized to fit within the City guidelines.

Mr. Meyers said the architect is correct in saying that the vernacular of that style is much plainer in its geometry and they are usually seen adjacent to other buildings to create a streetscape rather than a stand-alone isolated building. The geometry of the building is fine but how it is articulated in the details and care and craft is what will make it an attractive façade. The streetscape beyond this development is important to consider and this building lends itself to mesh with others in the future. It will take time for all of the pieces to come together in this area to create a consistent aesthetic. Commissioner Jester said this is an important area of town and it should be something special. Mr. Eymann said many details have been added to do more with the building style provided. Commissioner Boysko said if one looks at the buildings to the north and south and across the street they are much more residential in scale and this building is more consistent with the building at 50 S. Liberty Street where there is a solid streetscape. This property is a different character than that and the buildings built in the past five years are residential-looking buildings. They have been given an accurate direction from Mr. Betz and it is appropriate but he and Commissioner Jester have seen that it is a bit out of context with those immediately to the north and south as well as across the street. Mr. Eymann disagreed. He said from a rentability viewpoint the ground floor needs to be wide open to maximize the uses and the same is true with the second floor. They have to consider placements of windows and other things in relation to how many offices will be in the space. Commissioner Jester said they have worked hard but he is not on board with the commercial building as it is designed. Mr. Meyers said Dave's direction to the applicants was to start pulling the historic district to the south rather than like the modified residential buildings and broaden the perspective of the district.

Commissioner Wesson said she is more comfortable about moving forward to a final review but they will need to see a lot more details in that submittal. She said it will be a lot to get through in one meeting. She appreciates the progress on this plan and the layout is a much better fit. This is coming together nicely. Her biggest concern is the north-south residential street and it has probably been addressed by the information about the easement.

She asked if the street will be narrower until it is made into a public street. Mr. Fox said that road would come out entirely for the new road to be built; the public sidewalks will be in the right-of-way. Commissioner Wesson asked if this will be reviewed by the HDAC. Mr. Kambo said it will only be reviewed by this Commission. Commissioner Wesson said it will be helpful for them to address the details of the trash/fire/mail at the next submittal. She said she always appreciates Staff comments and the Staff Report is thorough and concise.

Chairman Emerick asked if this Preliminary Plan, as presented this evening, meets all of the requirements for a Preliminary Development Plan. Mr. Kambo said it does. Chairman Emerick said he is still concerned with the screening on the east property line and he would like to see additional screening in the dumpster area on the south side. He said Commissioner Little's comments on the southwest corner are important to consider.

MOTION: Commissioner Little moved for approval of the Preliminary Development Plan for the property located at 110 South Liberty Street represented by Santer Communities Ltd., subject to the following conditions:

1. The applicant shall use deed restrictions and signage to communicate the possible future connection of a public road to the private road running north-south through the site;
2. As part of the Final Development Plan, the permanent easement for the future potential north-south road shall be drafted and shall require the review and approval of the City Law Director;
3. The Final Development Plan submittal shall include information defining the rules that will control the elevation variation so there is limited repeatability on all four sides and include the detailed landscape plan with special emphasis being placed on the eastern and southwestern property borders;
4. The comments of the Architectural Advisor and the Commission members shall be incorporated into the Final Development Plan;
5. The applicant shall identify at the Final Development Plan how the design of the commercial buildings extends the downtown to the south and ties the architectural transition into the area of "new/old" residential-like structures to the south.
6. The applicant shall work with the homeowner association to the east and the property owners adjacent on the south and the north to communicate and work together in good faith;
7. The applicant shall re-examine and provide the merits of an alternate engineering to the currently proposed detention basin on the eastern side of the site.

Mr. Eymann said they were given a direction by Staff on the commercial building and this is asking them to go to a more residential commercial building versus the current representation. Commissioner Little said they have heard that there were some differences of opinion about the commercial building design and he is asking in the condition to show how this is a solution that relates to the architecture of the buildings to the north, as Staff recommended, and how there is commonality with the residential scale commercial buildings in the area to make the two connect. Mr. Meyers and Commissioner Fusch both voiced concern with this condition. Mr. Meyers said he does not necessarily think this building should be the transition between the two contexts. Commissioner Little said they have heard comments that they should be more like one architecture than the other and what is depicted in the commercial building may very well do that if they link the story. Mr. Meyers said he would leave it to the architect to pose what they believe is the successful solution and bring it to the table for the Commission to evaluate. They are all seeking that they go beyond the elevation of their particular building and tie it into the bigger picture of the context within which they sit but it does not mean it has to look like one or another.

Mr. Fox said they originally utilized an underground stormwater storage system because the original plan was much denser in scale. They started at 30 units and are now down to 22 so in the additional open space they have the opportunity to design a much more cost-effective stormwater control/management system. Underground storage is extremely expensive; surface storage is an acceptable means. Commissioner Little said he would like if they use that engineering solution what can they do to from a landscaping standpoint to also honor a way to keep the light intrusion from their property from going into the properties on the eastern side. Mr. Santer said they agree with that and are not reengineering that notion. Mr. Fox said they do not have many opportunities because this is a long, narrow configuration and they must be able to store a certain amount of water and control the runoff. There are plant types that can be planted in detention basins that like water as well as dryness so by the vegetation chosen and location they can make it look like a random, unorganized natural area that is still a detention basin.

Commissioner Fusch said he is concerned about the motion that places a restriction on the design of the commercial building. He said if they look at a downtown in the US in the 1880's they would see buildings that are an eclectic mixture of designs. They would see commercial buildings designed just exactly like the proposed commercial building and next door to it would be a single family residential building. The photographs from

the 1880's through 1900 would show a mixture of these styles. This building fits the model perfectly and he has problems with the Commission charging this applicant to change the design of the commercial building.

Mr. Kambo said the design of the commercial building is very nice and it does a great job of pulling the downtown outward. He supports the design as it stands; it bodes well for where it is located.

Commissioner Little said he is in favor of that style of building as well but other members have voiced concerns. This condition requires the applicant to come forward to explain why this design makes sense in this location. Commissioner Boysko said he does not believe the wording is restrictive; it puts the responsibility back on the design professional to own the design and tell why they think it is the best design for this context.

Commissioner Jester seconded the motion.

VOTE: Y 7 N 0

OTHER COMMISSION BUSINESS

The Commission members discussed parking for the Prohibition Gastro Lounge, Elm & Iron and the Kraft House No. 5 restaurant that is moving into the Easy Street site.

Next Meeting: June 11, 2014

ADJOURNMENT

MOTION: Chairman Emerick moved at 9:26 p.m. to adjourn the meeting. Commissioner Boysko seconded the motion. By unanimous consent, the meeting was adjourned.

DATE MINUTES APPROVED: June 11, 2014

 7/9/14
Donald Emerick
Chairman
Date

 7/9/2014
Sue D. Ross
City Clerk
Date

