

**MINUTES
PLANNING AND ZONING COMMISSION
SEPTEMBER 12, 2001**

A regular meeting of the Village of Powell Planning and Zoning Commission was held on September 12, 2001, and called to order at 7:30 p.m. by Chairman Don Emerick. Other Planning and Zoning Commissioners present were Dave Lackey, Dan Wiencek, Kelvin Trefz, Tom Counts, and Roger Coville. Robert Cohen was absent. Also present were David Betz, Director of Development; Dawn Nauman, Planning and Zoning Clerk; Shawn Leininger, Development Planner, residents and representatives of the press.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

There were no visitors for items not on the agenda.

APPROVAL OF MINUTES

The minutes of August 8, 2001 were amended and approved.

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN

Applicant: HER REALTORS
Location: Murphy Property Commercial, West Olentangy Street, West of Murphy Parkway
Zoning: PC, Planned Commercial District
Request: Approval Of Combined Preliminary And Final Development Plan For an 11,000 Sq. Ft. Office Building on .99 Acres.

David Betz, Director of Development, said that the applicant has asked that this item be tabled until the September 26 meeting. Commissioner Wiencek suggested that members of the Commission drive to Dublin to see the size of the finished building.

MOTION: Commissioner Wiencek moved to table this application until September 26. Commissioner Lackey seconded the motion. The motion was approved. Yes: Lackey, Counts, Trefz, Wiencek, Emerick.

PRELIMINARY DEVELOPMENT PLAN

Applicant: Ruhl Properties, Inc.
Location: East Side of Village Park Drive, South of Wolf Commerce Park
Zoning: PI, Planned Industrial District
Request: Approval of Preliminary Development Plan for 4 Office/Warehouse Buildings at 9,000 sq. ft. each on 4.15 acres.

Jim Harkin, Lusk & Harkin Architects, was present to discuss this plan. He said that significant changes have been made to this since the sketch plan. He said the four-building layout is designed for maximum efficiency, and that 50% of the site will be green space. He said they are trying to keep most of the existing trees and vegetation on the south side of the property (adjacent to the condominium development). He reviewed their plan for stormwater retention. He said that each building footprint is approximately 9,000 sq. ft. He said they are proposing flat roofs to keep the profile as low as possible to lessen the impact of the site on residential development nearby. He said that regarding materials, they are proposing block on four sides with Dryvet or metal siding. He said they have addressed Staff's comments from the Staff Report.

Shawn Leininger, Development Planner, gave his Staff Report on this issue (Exhibit 1). He reviewed both the revised and the previous layout.

Commissioner Emerick opened this item to public comment. Hearing none, he closed the public comment session.

Commissioner Trefz expressed concern that the applicant wants to reduce the amount of screening from that required in the code on the east side where this property borders land zoned residentially. Mr. Betz said that the area to the east is presently zoned for residential use, but the Comprehensive Plan identifies it as Planned Office in the future. Commissioner Trefz asked if the proposed buffer would be sufficient for commercial uses. Mr. Betz said it is, as there would be none required for a Planned Commercial and Planned Office use. He said that Staff is more concerned about the condominiums to the south and an existing tree row in that area. He noted that the applicant will have to replace quite a bit of trees. Mr. Leininger identified areas where it is desirable to plant trees. Mr. Betz noted trees on the east end of this site that were planted as a buffer in anticipation of this development.

Commissioner Trefz asked if the retention on the south side will take care of most of the runoff from the parking lot. Mr. Harkin said they are planning for no active retention, but rather keeping the natural drainage pattern, with drainage flowing into the large green space to the south of the property. Commissioner Trefz expressed concerns about chemicals from cars in the parking lot poisoning the ground. Mr. Harkin said they anticipate a normal office parking lot, and he knows of no requirement regarding such concerns. Commissioner Trefz asked about the facilities for disposal of chemicals from the cars parked in these structures. Mr. Harkin said that since they will be stored indoors, the Ohio plumbing code would have requirements for drainage. He said drainage from the cars would go into the sanitary sewer rather than the storm sewer. Mr. Betz said they will have grease and oil traps. He noted that this is a less intense use than a repair garage, and that it is more for storage and personal office space. He said it is much like the barn on Post Road.

Commissioner Trefz asked about the requirement for parking lot islands. Mr. Harkin said they have removed some to address the turning radii for trucks. He said that they have considered adding islands that won't upset interior truck traffic. Mr. Betz said that Staff's opinion is that the islands need to go in because they will have no different impact than a car parked in the space where the island should be. Mr. Harkin said there has been discussion regarding the center spacing between buildings 2 and 4. The largest vehicle carrier will need a 110 foot turning diameter, and that would infringe upon the proposed parking spaces. The idea was to keep the radius at 100 feet so that trucks can back into the space. He said they have changed the layout so that the dumpsters are in the center, and the parking spaces are outside. He said that the owners of this property aren't commercial drivers, but "weekend racers," and a 55-foot rig is not easy to turn. He said the only other parking alternative is to push the buildings toward the residential development and the road. After further discussion, Mr. Betz suggested that the applicant identify how trucks will maneuver during the Final Development Plan process.

Commissioner Wiencek asked where mechanicals will be located. Mr. Harkin said that the only exterior unit they anticipate will be residential in size. Commissioner Wiencek said he wants to make sure there will be no exposed ducting on the roof. Mr. Harkin described a metal roof with no penetrations, and said that anything in the roof would be hidden behind the parapet. Commissioner Wiencek asked if there is a way to create a false gabled look rather than a flat roof. He said this would be more residential in style. He said these are the "plainest buildings" in the area, and they are closest to residential development. He said that other buildings in the area have gabled roofs of standing seams or shingles, and brick siding rather than split-faced block. He said he would like to see the building broken up.

Commissioner Wiencek said he prefers "Option A" to "Option B." (Exhibits 2-3). He asked if base plantings will be required. Mr. Betz said they will. Mr. Harkin said that they can adjust the pavement to allow for a three-foot planting strip. Commissioner Wiencek said that he is also concerned with sound issues with this development, and he would like to see a restriction that requires that engines only be tested or run inside. Mr. Harkin said they will have an insulated door with exhaust tubes. He said the size of the engines on the vehicles that will be stored there is nothing like high-performance vehicles or those tested at Auto Assets. He said that they are trying to be good neighbors, and this is not an auto shop, but rather a storage facility. Commissioner Wiencek said he is concerned about the next tenant, "twenty years down the line."

Commissioner Wiencek asked, if this property is to be sold as condominiums that the restrictions be submitted for review. He suggested that the applicant consider evergreens rather than white pines on the east side of the development, as white pines do not provide sufficient screening.

Commissioner Lackey said that he is concerned with this use on this property, and "inviting tractor trailers into the city." He said there are access points to avoid turning at the four corners, but he has seen such trucks have difficulty turning at the four corners, and they are noisy, and potentially dangerous, due to their limited ability to stop. He noted that there is a daycare facility on Village Park Drive. He said he also prefers "Option A," and he would support Commissioner Wiencek's suggestion that the building be made to look more interesting than a big metal box. He said he is also concerned about noise and he would like to see restrictions to address those concerns. He said that since the bays will only be heated, when it is summer, the doors are likely to be open. He expressed concern that that could be annoying to nearby neighbors.

Commissioner Wiencek asked if there are existing ordinances regarding noise. Mr. Betz said they are very general, and leave the determination of a problem up to the Zoning Administrator. He said there are EPA standards, and that he and the Police Chief are looking into additional standards. Commissioner Wiencek said that there should be additional standards. Mr. Harkin said he will be happy to work with the Commission and

adjacent property owners to develop standards for noise. He said because the owners' offices will be in this building, they also do not want to have a problem with noise.

Commissioner Lackey asked if tree preservation is based on square footage or the number of trees removed. Mr. Betz said it is based on both.

Commissioner Coville asked that consideration be given to the impact of the lighting of this development on adjacent residences. Mr. Leininger said that Staff has requested a lighting plan. Mr. Harkin said their approach will be pretty minimal. He said that each building will be secured with an alarm system. Commissioner Coville asked if it would help traffic flow to reduce some parking spaces. Mr. Leininger said these offices will have visitors during business hours, and the applicant has indicated that 65 spaces is adequate.

Commissioner Coville agreed that the long term use of these buildings needs to be considered. He asked if the buildings have a second floor. Mr. Harkin said some will have a mezzanine, and some will not. Commissioner Coville asked, if there is a second floor, if the dimensions of the buildings could be reduced to accomplish turning radii. Mr. Harkin said that is an option, and that each owner will determine the space that they need. He said they need the footprint for the maximum space available, because some buildings won't have a mezzanine. He said the circulation works well as proposed. Commissioner Coville said the buildings are large and seem to be out of balance. Mr. Harkin said they are looking for the flexibility that this footprint provides.

Commissioner Counts said he would agree with comments about restrictions of future use, because everything done here has been predicated on this specific use. He suggested that the use for this facility be limited to the storage of vehicles and personal repair rather than any retail use. He said that exterior materials will be important, particularly to the residences on the southern side. He said he would like to see materials of a natural color. He said a great expanse of roof is undesirable. He asked if the fact that the pavement represents 33% of the lot coverage is average. Mr. Betz said it is probably less than the average in Wolf Commerce Park, which is probably 60 - 70%. Commissioner Wiencek asked if "Option A" with a partial roof would be acceptable. Commissioner Counts said it would be a compromise to a full gabled roof. Commissioner Trefz asked where the gables would be located. Mr. Harkin said that all of the fronts that face each other would have gables.

Commissioner Emerick said that the applicant is asking for approval of a general layout that gives the maximum flexibility, yet Commissioner Coville has requested something more specific. Commissioner Coville said he is not entirely comfortable with 9,000 sq. ft. buildings. Commissioner Counts said that would be the maximum code requirement. Commissioner Emerick said he would feel more comfortable with more specifics on each building. He said this seems crowded. He agreed with comments made about landscaping, drainage, etc.

Commissioner Wiencek moved to approve the Preliminary Development Plan with the following conditions:

1. That the applicant submit a landscape plan with the final development plan.
2. That the Planning and Zoning Commission review the Deed Restrictions on this property that deal with use issues, specifically prohibiting the use of a *Dynamo* or similar testing device.
3. That there be no exterior testing of engines.
4. That the facility use be restricted to storage or repair of personal vehicles.
5. That the final development plan include landscape islands as approved by the Planning and Zoning Commission.
6. That a lighting plan be submitted and approved by Staff.
7. That the setbacks are acceptable as submitted.
8. That architectural details be reviewed with the final development plan.
9. That "Option B" or similar not be permitted.
10. That a traffic flow pattern be approved by Staff.

Commissioner Trefz seconded the motion. The motion was approved. Yes: Coville, Counts, Trefz, Wiencek, Emerick, Lackey.

SKETCH PLAN

Applicant: Powell Realty
Location: 50 South Liberty Street
Zoning: OPPCR, Old Powell Planned Commercial/Residential

Request: Review of Sketch Plan for Residential, Commercial, and Office Use Development on 3.82 acres just South of Delaware County Bank.

Jim Falieras, Applicant, was present to discuss this issue. He reviewed that the plan for this property mirrors the VillageScape Plan. He said the plan will include commercial and residential uses. He said they are trying to maintain the green space and the heavily wooded nature of this lot. He said they are also trying to mirror the Starbucks building in Dublin.

Shawn Leininger, City Planner, gave his Staff Report on this issue (Exhibit 1). Discussion was held regarding whether a connector from Olentangy to Liberty is appropriate through this site. Mr. Betz said that Staff feels the Olentangy connection is important, but the Liberty Road connection is not since the change in the traffic pattern leaving Liberty Street open.

Commissioner Wiencek asked if the residential development will include downstairs and upstairs units. Mr. Falieras said it will not, and they are proposing individual two-story condos.

Commissioner Lackey asked how many trees will be removed. Mr. Falieras said it will be a lot, but that many of them are not substantial. He said they will try to save the best. Janet Masteller, Property Owner, said many of the trees aren't worthy of keeping, and they are standing because they are holding each other up.

Commissioner Emerick opened this item to public comment.

Andrew Ottavio, 134 Glen Abbey Court, asked if this property includes Mr. Margello's land, which is adjacent to Bartholomew Run. Mr. Betz said it does not. He reviewed the 1995 Comprehensive Plan for a mixed use development in this area. Mr. Ottavio asked if multi-family development is planned here. Mr. Betz said that this developer is showing two-unit buildings, and that this is only a concept plan, where the applicant tries to find what would be acceptable. He said they are talking about owner-occupant condominiums rather than rentals. Mr. Ottavio asked about this type of zoning. Mr. Betz said that this is the Old Powell Planned Residential Commercial (OPPRC) district, which can be used for a mixed use of retail, office, and residential. The zoning requires its' own access off of Liberty or Olentangy Street, and a buffer of at least 75-foot wide for commercial development. He said this area is wooded, and Staff likes to preserve trees, so there will be a buffer in this area. Mr. Ottavio said a buffer is important. Mr. Betz noted that there is a "considerable distance" between Mr. Ottavio's property and the one under consideration.

Commissioner Wiencek said it is in the developers' best interest to maintain as many trees as possible. He said that if it is possible to miss a 24 inch oak by sliding a building over, it should be done. Mr. Ottavio agreed that it is not a dense forest. Mr. Ottavio said the property owners in Bartholomew Run are concerned about the property adjacent to theirs, and how close it will be to their property.

Lou Seich, 127 Kelly's Court, asked if the buffer zone will be on the developer's property or partially on the existing property. Mr. Betz said the 75-foot buffer zone would be on the developer's property, but that this property is not adjacent to residential development. Mr. Seich said he is still concerned about lighting, etc., but he is more concerned about that which is adjacent.

There being no further comment, Commissioner Emerick closed the public comment session.

Commissioner Coville asked if the access would be right in, right on Olentangy Street. Mr. Betz said that the existing signal will give more people the opportunity to turn left, but that traffic studies need to be completed. Commissioner Coville asked if a traffic signal is anticipated at Grace Drive. Mr. Betz said it is anticipated that it will be warranted when a study is completed later.

Commissioner Counts said that he thinks an access point that connects Liberty and Olentangy Streets with residences along it is inconsistent. Commissioner Lackey said that is especially true if Council restricts left turn movements. He said many people will be cutting through there. Mr. Falieras said they can leave an easement but leave the connection out.

Commissioner Lackey asked if there are any other buildings in old Powell that are connected as proposed in this plan. Mr. Betz said there is not, and that there is typically 10-20 feet between buildings, less around the four

corners. Commissioner Emerick noted that the renovations to Saturdays will result in a large building with several uses.

Commissioner Wiencek said that he thinks the Dublin building the applicant referred to is nice, but he has concerns about this building because things are of a smaller scale in Powell. He said this item will have to go before the Historic District Commission (HDC). Mr. Falieras said the HDC has reviewed the plan and responded positively.

Commissioner Wiencek asked about Staff's comments regarding rear-loading garages. Mr. Falieras said the biggest concern is that 30 feet are lost with adding an entrance to the back. Larry Crimmel, Architect, said that both parking and green space are lost with such a design. Commissioner Wiencek said that a typical problem with condos is that all one sees is garage doors. He said that is particularly inappropriate for the Historic District. Commissioner Trefz agreed. Mr. Betz said that the alley design could work with one central street going through and walkways in front of the houses instead of streets. The condominiums could face a green. Commissioner Counts said that would be more consistent with Old Powell. He said he feels the parking all the way around the development is inappropriate for the Historic District. Discussion ensued.

Commissioner Wiencek asked what is the estimated price range for the residences. Mr. Falieras estimated them at \$150-180,000. Commissioner Wiencek asked if the developer will continue VillageScape along their frontage. Mr. Betz said that because there would be other properties involved, that would be a Capital Improvement Project for the City. He said that Powell has never asked for developers to provide this amenity, and it should be a publicly funded property. Mr. Crimmel said that the Master Plan indicates that parallel parking is desirable along the road at a certain distance from the main intersection.

Mr. Betz identified a way to provide access to commercial properties and still have alleys and rear-load garages. Commissioner Lackey asked if the buffer on the west will be lost with that plan. Mr. Betz said it actually might provide alley access to future development on the adjacent parcel.

Mr. Falieras asked where there are alleys in downtown Powell. Mr. Betz said that there are alleys off of Hall Street and between Olentangy and Scioto Street. Commissioner Wiencek said the feedback this evening is that the developer consider alternative layouts.

ZONING CODE AMENDMENTS (Exhibits 4 – 7):

Section 1147.15 – Recreational Structures **Section 1145.06 (d) – Parking and Storing Vehicles**

Section 1147.13 – Seasonal Sales **Section 1147.11 B – Roadside Sales of Agricultural Products**

David Betz, Director of Development, said that changes have been made to these amendments based on discussion at the last meeting.

Commissioner Emerick opened this item to public comment.

Andrew Ottavio, 134 Glen Abbey Court, asked if these regulations would effect basketball structures. Mr. Betz said they would make sure that basketball goals would be set back from the property line so that they aren't too close to neighbors or obstructing streets and sidewalks. Mr. Ottavio said that his portable basketball goal has been permanently installed in the sidewalk at the end of a culdesac. Mr. Betz said that would be in the public right of way, and therefore prohibited. He said such placement is a liability for the City. Mr. Ottavio asked if there are any exceptions. Mr. Betz said he could apply for a variance, but Council would have to approve it since it deals with right of way. Commissioner Lackey said that numerous basketball goals on the sidewalks can become an eyesore. Mr. Betz suggested that Mr. Ottavio look into sinking a pole in the ground that the basketball goal can slid in and out of. Mr. Ottavio said he would hate to see the ban on this type of equipment.

There being no further public comment, the public hearing was closed.

Mr. Counts expressed concern that the definition of recreational structures is over-broad. Commissioner Wiencek suggested that the words "or type of equipment" be removed from Section B (Exhibit 4). Mr. Betz said that would be sufficient. Commissioner Counts suggested that trampolines be added to the recreational structures section.

MOTION: Commissioner Wiencek moved to approve the Zoning Code Amendments as discussed. Commissioner Trefz seconded the motion. The motion was approved. Commissioner Trefz seconded the motion. The motion was approved. Yes: Coville, Counts, Trefz, Wiencek, Emerick, Lackey.


OTHER COMMISSION BUSINESS

Next Meeting: September 26, 2001

ADJOURNMENT

The Commission adjourned at 9:30 p.m.

DATE MINUTES APPROVED: September 26, 2001

 10-10-01
Don Emerick Date
Chairman