

**MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 24, 2001**

A regular meeting of the City of Powell Planning and Zoning Commission was held on October 24, 2001, and called to order at 7:30 p.m. by Chairman Don Emerick. Other Planning and Zoning Commissioners present were Roger Coville, Tom Counts, Dave Lackey, and Kelvin Trefz. Dan Wiencek was absent. Robert Cohen arrived at 7:40 p.m. Also present were Shawn Leininger, Development Planner; Dawn Nauman, Planning and Zoning Clerk; residents and representatives of the press.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

There was none.

APPROVAL OF MINUTES

The minutes of October 10, 2001 were approved as printed.

FINAL DEVELOPMENT PLAN

Applicant: John Messmore
Location: South side of West Olentangy Street just west of the CSX Railroad
Zoning: PC, Planned Commercial District
HD, Historic District Overlay
Request: Approval of Final Development Plan for Powell Junction, a mixed use, office retail and residential development.

Forrest Gibson, Schmidt Land Design, was present to discuss this plan. He first reviewed this property in relationship to the Sketch Plan that was originally submitted:

- There were originally 16 buildings, and now there are 15 on just over 5 acres.
- The access point would be provided via an adjoining property owner to push the access away from the railroad.
- A streetscape appearance similar to Old Powell is proposed, with on-street parking, and pedestrian crossing leading to accesses to adjoining properties with parking off those accesses.
- The originally proposed one-way traffic movement has been changed. The circulation loop has been moved to have less of an impact on adjoining properties, and it will complete with a connection of what initially was going to be a 7,000-sq. ft. restaurant.
- This will now be a condominium development rather than one with a homeowners' association.

Mr. Gibson then reviewed the current proposal (Exhibit 1):

- A left turn lane is provided onto the site with a left and right turn lane out of the site to improve circulation. A deceleration lane is proposed that they need to work with the adjoining property owner to acquire additional right of way to build.
- They have shifted the lots around to create a larger, more centralized parking area.
- From the intersection point south, they have gone to a two-way circulation pattern. To maximize parking, they have flipped the angled parking to the opposite side and put the parallel parking in the opposite direction.
- The retention and detention basin is much larger due to review with the City Engineer. The large nature of this retention area is the main reason that this has become a condominium development. It became difficult to create the lots that would mimic the old village. However, it gives the opportunity to create building pads that reflect the same character. He noted that each individual building will come before the Planning and Zoning Commission and Historic District Commission (HDC).
- The circulation has been modified but provides the same amount of parking as before. He noted that the Staff Report indicates additional parking spaces, but that is incorrect, as the parking has just been moved from another area.

Mr. Gibson reviewed that there are outstanding items that need to be resolved. He said the first is the access agreement to the property. He said there was initially a design for an access easement for this property that was never recorded. That easement will need to be recorded as part of this project. He said that another item that will need to be addressed before the HDC is the actual layout of the parking area. He said that with the constraints of the site and the location of several of the existing buildings, it is questionable whether parking in front of the building is the right choice. He said that their concern is that people clearly understand the primary entry as they enter the site.

Mr. Gibson reviewed the items identified in the Staff Report (Exhibit 2). He said they had no problem with condition 3, regarding the setback for lots 1 and 2.

Mr. Gibson reviewed that the tree survey completed for this project is extensive, and it is their desire to maintain as many of the existing trees as possible, recognizing the "stormwater challenge" on this site, because the entire property drains from northwest to southeast. This will require them to raise the grade in the southeastern corner, which could impact drainage and the number of trees that can be saved.

Mr. Gibson said they will come back before the Commission to discuss lighting and signage once the use is more clearly determined. He said that Staff has also noted that there needs to be a bikepath connection in the southeast corner of the site, and they will cooperate with that request.

Shawn Leininger, Development Planner, gave his Staff Report on this issue (Exhibit 2). He agreed that Staff is recommending that the bikepath on the Murphy property tie with this project's walkway and street network to connect through to Olentangy Street. He said that Staff also met with Mr. Gibson and Traffic Engineering Services (TES) to discuss access at the northwest corner of this site. He said that Rob Rice, City Engineer, felt there was a concern with the right turn lane, which will fit right along the edge of the right of way line. Mr. Rice would prefer 10 feet in between, and he has suggested that an easement be established until future development provides more right of way. Mr. Leininger agreed that there are engineering issues regarding the southeast corner and southwest corner of this development that will impact how many trees can be saved.

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

Commissioner Lackey said that Commissioner Wiencek sent correspondence since he could not attend the meeting, and he is concerned about the size of the buildings up front. He said the plan indicates 2 buildings at 7,500-sq. ft., and the text indicates 5,000 sq. ft. buildings. Mr. Gibson said they are proposing that some lots, including 1 and 2, could be connected to maintain a larger building while still maintaining the architectural style of the existing village. He said that connection may take place by using a breezeway. He said they plan for an average of 3,000 sq. ft. buildings. He said the buildings up front will have the largest building pads and be the prime locations for the development. He said they are hoping for a restaurant, and said there has been significant interest by Maggie Moos for this site. Commissioner Lackey asked how large is the REMAX building located next to this. Mr. Leininger estimated it at 2,500 - 3,000 sq. ft.. Commissioner Lackey noted that is one of the biggest buildings in the area, and it "sits back pretty far." He said that Commissioner Wiencek is concerned about the size of the buildings in the front, and he tends to agree. Mr. Gibson said that issue may be addressed when the architectural plans come in. Mr. Leininger said that Staff is recommending that one buyer not be permitted to join more than 2 lots to keep the buildings smaller.

Commissioner Lackey said there are 871 caliper inches of trees that need to be replaced. He asked why some trees are exempt from the replacement requirements. Mr. Leininger said they are under the 6" caliper requirement, or within 12 feet of the envelope of the building. Commissioner Lackey asked how many will be replaced. Mr. Leininger said he is unsure at this time, but it will be as many as possible. He said at some point, Staff has to say "enough is enough," because there are thousands of inches of trees that could result in hundreds of thousands of dollars. Commissioner Lackey said he is sick about the fact that so many have to be removed, but he sees the benefit of developing this site right next to the railroad. Mr. Gibson said that he has discussed this issue with Staff, and they may consider looking into ordinances that other municipalities have passed to address developing lots such as this. Commissioner Lackey asked, if the trees can't be replaced on site, can the developer make a donation to replace them elsewhere. Mr. Leininger said that has been done in the past either through the Share the Cost tree program, or providing trees for parks in the City.

Commissioner Trefz asked if there will be a bikepath along the north side of this development also. Mr. Gibson said there will be an extension of the brick sidewalk from the railroad tracks to the inner curb line. Mr. Trefz noted an area where it seems there are not enough trees to screen headlights of those coming and going. Mr. Gibson said in that area, there is a significant stand of trees between this property and the railroad tracks.

Commissioner Trefz said he is still unclear about the parking lot on the adjoining property. Mr. Gibson said that from a circulation standpoint, they believe the best location is in the front, between the base of the building and the roadway. He said that he doesn't think the Zoning Code can be met based on the layout they have looked at with the existing buildings in their current location. He said they would like to review that with the Planning and

Zoning Commission and HDC, provided there is some leeway to the existing land conditions. He said they are concerned about safety. Unless there is a 90-degree turn, there will be a very confusing circulation pattern.

Commissioner Trefz said that he thought there was a plan to come from the south to the parking lot behind the development. Mr. Gibson said there was, but it would remove substantial trees. Commissioner Trefz said that it was very difficult to understand the tree survey in relationship to the outline of streets and buildings. Mr. Gibson said that Staff has requested an overlay, and they will provide that. He said that they will no more about grading and tree removal when the engineering moves further along, after the development plan process.

Commissioner Counts asked if the traffic engineer was concerned about how two parking areas don't align with each other. Mr. Gibson said that is an intentional design that is very common in Victorian and German Village in Columbus. He said these types of intersections are encouraged because they force the drivers to make a very deliberate movement. Commissioner Counts asked if these roads will be private since it is a condominium development. Mr. Leininger said they well.

Commissioner Coville said that he noticed that the Staff comments asked the applicant to consider moving lot #10 farther west. Mr. Leininger said that the HDC would ask that buildings be built at the setback line. Mr. Gibson suggested that they indicate build-to lines rather than setback lines to move those properties forward. Commissioner Coville asked if the square footage is for a single floor or both floors. Mr. Gibson said it is both.

Commissioner Trefz said that Commissioner Wiencek also suggested that the freeboard around the pond area have stone material or similar. Mr. Leininger said that one foot of freeboard is shown. Mr. Gibson said that they are proposing that plant material be used. He said that for the character they are trying to establish, "rip-rap" is not an appropriate landscape material. Commissioner Trefz said the goal is that it be well dressed.

Commissioner Lackey asked if there are any buildings that are 7,500-sq. ft. in the Old Village. Mr. Leininger said the old school building is about 6,000 sq. ft. Commissioner Lackey noted that it sits "way back." Mr. Gibson asked about an antique store on the northeast corner of Olentangy and Liberty Street. Mr. Leininger said that is much smaller. Mr. Gibson said the footprint will be similar. He said that can be addressed with the review of each building. Commissioner Lackey expressed concern about approving a plan that has in parenthesis "2 x 7,500." Mr. Gibson said the only reason for that was to calculate parking. Commissioner Lackey said he doesn't want anyone to assume that that would be approved. He said he doesn't want huge buildings up front.

Commissioner Counts said the building area limits the square footage allowable. Commissioner Trefz said he is concerned about all of the lots, and that the build-to line and setbacks will determine the footprint. Commissioner Counts asked if it is appropriate to limit the square footage on the larger lots of the development. Mr. Leininger said that the building areas have been set based on old lot lines, and they don't take into consideration the required 25% maximum lot coverage.

Commissioner Cohen said if there is no maximum square footage, than the Planning and Zoning Commission may have the ability later on to determine that a particular use might be desirable enough to warrant a larger building. Mr. Gibson said he thinks that really boils down to the architectural character of the buildings. Commissioner Emerick agreed, and said that he thinks Staff can keep the developer in mind of what is allowable and what isn't as each building comes through. Commissioner Lackey asked that the notation be removed that assumes any square footage is acceptable.

Commissioner Trefz moved to approve the Final Development Plan with the following conditions:

- 1. An additional 10 feet of right-of-way or some type of easement be dedicated and approved by the City Engineer before the right-turn lane be built.**
- 2. The applicant receive approval from the Historic District Commission for the following items: REMAX access drive and parking area, demolition of the garage, street lighting fixtures and location, and signage.**
- 3. The setback of lots 1 and 2 from Olentangy Street be reduced to a minimum of 40 feet to reflect that of properties to the west and the Old Village.**
- 4. Work with Staff on tree preservation and replacement issues including the establishment of tree preservation areas.**
- 5. Submit a copy of the condominium text to Staff for approval.**
- 6. That an access agreement is presented to staff for approval.**
- 7. That there is a bikepath connection shown at the southeast corner of the development.**
- 8. That a tree survey overlay across the development is presented for Staff's approval.**

9. That the "setback" line is changed to "build-to" line.

10. That the parenthesis under "assumed building square footage" is removed from the site plan.

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

CERTIFICATE OF APPROPRIATENESS

Applicant: HER Realtors

Location: Murphy Property Commercial, south side of West Olentangy Street, West of Murphy Parkway

Zoning: PC, Planned Commercial District

Request: Approval Of Certificate of Appropriateness For an 11,000 Sq. Ft. Office Building on .99 Acres.

Larry Folk, Architect, was present to discuss this item. He reviewed that at the Commission's request, they have changed the hips on the side elevation back to gables, and added stone to the recessed areas. The projections of the gables have been increased to 16 inches, and all of the windows are now plain.

Mr. Leininger gave his Staff Report on this issue (Exhibit 2). He said that the applicant is to bring their sign and landscaping plan back. He said they are waiting for the engineering to be complete for the revised site plan to be submitted. Mr. Folk presented the Commission with a draft revised site plan.

Commissioner Emerick opened this item to public comment.

Don Meigel, 394 Manderly Court, read a letter concerning this property (Exhibit 3).

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

A brief discussion was held regarding the sign. Mr. Folk presented a sample drawing of a 25-foot sign with a brick base that white with red lettering and illuminated from within. Commissioner Lackey said that he would rather see a monument sign that is sandblasted and lit with spotlights. The other Commissioners agreed that is preferable.

Commissioner Trefz said the commission discussed increasing the landscape islands located in the middle of the development. Commissioner Wiencek suggested in his correspondence that trees larger 1 1/2-inch caliper be used to anchor the middle of the building. He said that Commissioner Wiencek also asked that the northwest corner of the parking area be rounded off.

Commissioner Coville asked if the Commission has the opportunity to reverse their position at this point to address Mr. Meigel's concerns. Mr. Leininger said they do not. Dawn Nauman, Planning and Zoning Commission Clerk, noted that this item will be before Council on November 6 with a public hearing advertised November 20.

MOTION: Commissioner Lackey moved to approve the Certificate of Appropriateness with the following conditions:

1. That the applicant round off the corner at the northwest entrance drive.
2. That the signs are brought to the Commission later for approval.
3. That the landscape islands identified by Staff be moved to the north and that trees of a minimum of 2" caliper be placed in those islands.

Commissioner Trefz seconded the motion. Yes: Counts, Trefz, Emerick, Lackey. Abstain: Cohen, Coville.

OTHER COMMISSION BUSINESS

Next Meeting: November 14, 2001

ADJOURNMENT

The Commission adjourned at 8:35 p.m.

DATE MINUTES APPROVED:

Don Emerick
Chairman

Date