

**MINUTES
PLANNING AND ZONING COMMISSION
JANUARY 9, 2002**

A regular meeting of the City of Powell Planning and Zoning Commission was held on January 9, 2002, and called to order at 7:31 p.m. by Chairman Don Emerick. Other Planning and Zoning Commissioners present were Tom Counts, Dan Wiencek, Roger Coville, Rob Cohen (7:40 p.m.), Don Emerick, and Dave Lackey. Also present were Shawn Leininger, Development Planner; residents; and representatives of the press.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

David Lackey nominated Don Emerick to serve as Chairman. Commissioner Wiencek seconded the nomination. Yes: Lackey, Coville, Counts, Emerick, and Wiencek. No: (none). Don Emerick elected Chairman.

Dan Wiencek nominated Tom Counts to serve as Vice-Chairman. Dave Lackey seconded the nomination. Yes: Lackey, Coville, Counts, Emerick, and Wiencek. No: (none). Tom Counts elected Vice-Chairman.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Bob Carpenter, 772 Bovee Lane, questioned the transfer of Powell Place Phase IV into the Homeowners Association. Specifically, he questioned who pays the dues now, how do their deed restrictions read and who approved them.

Don Emerick stated the deed restrictions are something that the Commission will be discussing later on the agenda. He added that he believes they will be requesting the deed restrictions to read the same as Powell Place Phase III. Shawn Leininger stated that he is not sure who is paying the dues, it is probably addressed in the deed restrictions. Mr. Leininger commented that typically fees are paid by the homeowner or builder who purchases the lot from the developer following the subdivision of the property.

APPROVAL OF MINUTES

The minutes of December 12, 2001 were approved as printed.

ROLL CALL OF HISTORIC DISTRICT COMMISSIONERS FOR ITEM 6 ON THE AGENDA

Historic District Commissioners present were Chairman Jerry Keyser, Garry Swackhamer, Tom Coffey, Richard Fusch, Marge Bennett, Larry Coolidge, and Kevin Knight, Architectural Advisor.

SKETCH PLAN REVIEW (Combined Review with the Historic District Commission)

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

Burt Crimmel, Jim Fallerias, and Larry Crimmel were present to discuss to the application. Burt Crimmel distributed a revised copy of the plan. Mr. Crimmel discussed the changes that are shown on the revised plan compared to the sketch submitted in the packets and those presented previously. Jim Fallerias stated the buildings sketched on Vince Margello's property to the east are shown as an example. Currently, there is no agreement between Powell Realty and Mr. Margello. He asked that the comments only be directed to the Masteller property to the west.

Shawn Leininger presented the Staff Report and discussed the reasoning for both Commissions to meet regarding this application. He reviewed the previous site plans and stated the changes made to this point. Mr. Leininger stated the buildings proposed are four unit buildings and should be broken down into two and three unit buildings. He added that this development will create two new curb cuts along Liberty Street. These curb cuts are next to existing curb cuts and should be shared or reduced to one central access point. Mr. Leininger commented that the most inhibiting factor of the proposal has been stormwater retention. In this application two retention areas have been identified. He indicated the pond in the central green will require a significant loss in trees, however there are tree planting requirements that will have to be met. Also, Mr. Leininger discussed the addition of the loop street in front of the residential units. He stated that Staff did see the need for the street other than for additional parking; it does lessen the green space width by approximately 44 feet. Mr. Leininger added that if the street is to remain, Staff recommends the buildings be pushed backed to eliminate the rear driveways. This will recover a majority of the lost open space.

Chairman Don Emerick opened this item to public comment.

Larry Coolidge, 78 West Olentangy Street, removed himself from the deliberations of the Commission as he is an adjoining property owner. Mr. Coolidge questioned the density and square footage of the site. He added that the residential density is being calculated with the commercial area included. He would like to see the two areas separated for density calculations. Mr. Coolidge stated there are not many large buildings downtown and these commercial buildings seem to be very large.

Larry Crimmel said the commercial square footage is 2,000 to 5,000 square feet with a total 13,500 square feet. Jim Fallieras added the commercial site could be split into separate parcels with each owner having a review with the Commission.

Larry Coolidge stated he is also concerned with a parking problem created with this density and square footage.

Jim Fallieras indicated that both Commissions had agreed that 19 residential units was OK. Larry Coolidge stated the concern is the size of the buildings being used to reach that number.

Chairman Emerick asked if there was any further public comment. Hearing none, he closed the meeting to public comment.

HDC Chairman Jerry Keyser questioned the use of the loop drive in the residential area. Specifically he wanted to know the need for the street. Jim Fallieras stated that it is simply for convenience and re-sale value. He added guests would have to enter through the rear of the house or walk around to the front.

Chairman Keyser stated the four unit buildings are not appropriate in the Historic District and suggested they look to use two and three unit buildings. He added the front loop street is not appropriate either.

Commission Dave Lackey, for the sake of time, narrowed down the issues to the use of four unit buildings, garage locations, loop street, and style of buildings. He stated that he agrees the buildings are too large and need to be broken down and he is indifferent on the loop street.

Kevin Knight stated he is not concerned with parking being a problem. Parking problems exist in all the great neighborhoods of Columbus. He added our goal is not for parking but rather for people. Mr. Knight would like to see one or both of the curb cuts be eliminated or shared. He is also concerned with the size and potential similarity of style in the buildings, although he understands the cost effectiveness of doing it this way. Mr. Knight commented that he is not concerned with the loop street and encouraged the applicant to use something different than asphalt for its surface. In terms of density, the issue may be more of architecture and the use of variety. He also asked the applicant to open the green space to Liberty Street.

HDC Commissioner Garry Swackhamer questioned whether emergency vehicles would be able to utilize the front loop. Jim Fallieras stated they would. Commissioner Swackhamer stated since there is going to be significant tree loss, he would prefer to see larger caliper trees be replaced than the minimum. He requested the applicant revise the phasing to build the commercial first and residential second. This will solidify the streetscape and provide an attractiveness to the site from the street.

Commissioner Dan Wiencek stated he is concerned with pushing the buildings back to eliminate the rear driveways in favor of the loop street. He added that there will be an overall loss of 10 parking spaces in the residential area.

Commissioner Lackey agreed with Commissioner Swackhamer's comment regarding using larger caliper trees to replace those lost.

Commissioner Roger Coville questioned where the service access was located for the commercial units. Burt Crimmel stated the loading zone will be at the rear.

Commissioner Wiencek requested a density calculation be done with the commercial area subtracted from the equation. He stated he feels the 19 units stated in previous meetings is driving the use of four unit buildings, which is not appropriate.

Jim Fallieras stated that as a resident he is concerned with the fact that downtown is all lazy-L's. He added there is no way to attract a larger business that needs the square footage without allowing larger buildings. Mr. Fallieras also stated he thought the Commission agreed that the density was OK. Commissioner Wiencek said a majority of the Commissions did. Mr. Fallieras stated that both Commissions were brought here to answer questions and he feels they have gotten no where this evening.

Commissioner Lackey polled the Commissions on their thoughts on the loop street, number of units, and density. The Commissions were OK with the loop street however more work needed to be done on the units and density. Kevin Knight stated the project is too structured, too apartment like.

Commissioner Lackey asked if Mr. Knight would be willing to work with the applicant on these issues. Mr. Knight said that he would. Commissioner Lackey asked the applicant to work with Kevin Knight on these issues.

HDC Chairman Keyser questioned Staff as to whether there was a split on the density issue and with that split it would depend on the architectural detail of the buildings. Shawn Leininger said that was correct.

A discussion ensued regarding the size of the commercial buildings and the space needs of tenants. It was determined that architecturally the commercial buildings are headed in the right direction however density calculations need to be shown to determine the scale relative to the rest of downtown.

Commissioner Wiencek discussed garage locations and the fact that Planning and Zoning was going to allow a limited number of garages with front access and the Historic District Commission did not want any front parking. Mr. Leininger stated that was correct and showed the previous plan. He then presented an option Staff developed using a similar layout to that presented tonight but with two and three unit buildings with a net loss of two units.

Mr. Leininger addressed the concerns of curb cuts and density. He stated the stormwater issue appears to be handled but will need engineering. The architecture proposed for this density does not work. He added that a few units may have to be lost for the density and architecture to work together.

Kevin Knight stated he would be happy to work with Burt, Jim, and Larry regarding these issues, especially the density.

Chairman Emerick asked if there was any further comment from the Commissions. Hearing none, he thanked the applicant and Historic District Commission for coming.

SUBDIVISION PLAT

Applicant: T&R Properties, Powell Place Section 4
Location: NW Corner of Village Park Drive and Seldom Seen Road
Zoning: PR, Planned Residence District
Request: Approval of Subdivision Plat for Powell Place Section 4

Shawn Leininger stated the applicant would not be attending the meeting this evening.

Mr. Leininger presented the Staff Report. He stated that this tract was included in the Final Development Plan for the property to the east, Villages at Powell condos. Overall a density of 84 units was finally awarded to the two sites, in which the condo site used all but 7 of those units. This plat reflects the approved Zoning Map Amendment and Final Development Plan. Mr. Leininger added that the Ordinance approving the Final Development Plan for this area required the adoption of Powell Place Phase 3 deed restrictions.

Commission Dave Lackey asked if this plat will dedicate the necessary right-of-way for the Seldom Seen Road widening. Mr. Leininger stated that it would not. The right-of-way is being purchased from the developer.

Commissioner Dan Wiencek questioned why the green space was not being dedicated with this plat. Mr. Leininger indicated the green space was never required to be dedicated. However, there is an option that should the developer dedicate the land to an entity the City has the first right of refusal. Commissioner Wiencek

questioned if the land would be maintained by the Homeowners Association. Mr. Leininger stated to his knowledge this property was to remain with the developer as open space.

Commissioner Roger Coville asked why the lots are so narrow in this phase compared to other. Shawn Leininger stated these lots are narrower than others however, this is what was approved in the Final Development Plan and therefore cannot be changed now. He added this property has a long history that which he does not fully understand but this plat as presented is what was approved.

Chairman Don Emerick opened this item to public comment.

Bob Carpenter, 772 Bovee Lane, questioned if the developer was to maintain the property. Mr. Leininger stated he would. Mr. Carpenter expressed concerns over the developer's willingness to maintain the property citing the fact the property has been posted already for failing to maintain the grass and weeds.

Shawn Leininger stated he is the one who posted the property. He explained the process outlined in the Weed Code and added that if a property owner does not comply it is the responsibility of the City to cut the grass. Mr. Leininger indicated this is a large piece of property for the City to mow, with limited resources. He stated the developer has been contacted by telephone and has agreed to cut the property within two weeks, weather permitting. If he fails to cut the grass, the matter would be passed on to the Law Director.

Mr. Carpenter asked what recourse the residents have if he fails to maintain the open space. Mr. Leininger indicated the recourse is the Weed Code.

Commissioner Coville asked if the maintenance could preclude the Commission from taking action on the plat tonight. Shawn Leininger stated that it could not; this is a zoning matter and can be handled through the zoning code.

Commissioner Dan Wiencek asked if it would be appropriate to table this matter until the Commission can consult with Ken Molnar as to if maintenance issues can be addressed before the approval of this plat.

Mr. Leininger stated the zoning can handle the maintenance issues. He added that Mr. Sabatino is on his final notice for compliance. The zoning provides the means to an end in this case.

Commissioner Lackey asked if Mr. Leininger could clean up the Weed Code and make it a "nastier" process. Mr. Leininger stated that he could.

Commissioner Tom Counts asked if there were similar properties in the area that are owned privately as open space. Mr. Leininger stated all the properties in Powell are subject to the zoning code. The only examples would be those areas owned by Homeowner's Associations.

Commissioner Wiencek stated that since the developer has made no effort to comply with the zoning code he sees no reason to remove an impediment from him complying.

MOTION: Commissioner Wiencek moved to table the application until the Commission consults with Ken Molnar as to the appropriateness of withholding approval until the landowner is in compliance with the requirements of the City. Commissioner Coville seconded the motion. The motion was approved. Yes: Lackey, Coville, Counts, Emerick, and Wiencek. No: (none). Abstain: Cohen.

AMENDMENT TO FINAL DEVELOPMENT PLAN

Applicant: Shepherd of Peace Lutheran Church

Location: 520 Village Park Drive

Zoning: PC, Planned Commercial District

Request: Approval of an Amendment to an Approved Final Development Plan for a Proposed School Addition, Expansion of Parking Area, and Delineation of Future Expansion

Jim Clarke, Architect, was present to discuss the application. Mr. Clarke discussed the areas shown on the approved Final Development Plan for future expansion and how they are changing with this application. He added that this school expansion will also require the addition of parking spaces.

Shawn Leininger presented the Staff Report. He indicated the dumpster is located along Village Park Drive and is not sure when it was approved as it does not appear on the original development plan. He suggested the dumpster be moved elsewhere on the site. Mr. Leininger asked that a parking space be removed to allow for a backing area along the east side of the property. He also requested the stucco mass of the addition be broken with a stone elements similar to the garage on the property. Mr. Leininger also requested a landscaping plan be submitted to show where the required plantings will be placed.

Commissioner Dave Lackey commented on the proposed additions shown on the application. He requested these lines and notations be removed since the applicant would need to obtain the approval of the Commission regardless of whether those lines are on the plan or not. He added that he does not want future Commissions to feel obligated to approve future plans solely on the fact that these lines exist.

Shawn Leininger stated that parking area will be maximized on this site and any future expansion would require some scrutiny as to the whether the existing parking could handle such expansion or whether more land was needed. He added that a large part of this will be based on the timing of future uses, with a church needing a large amount of parking for Sundays and a pre-school needing minimal parking at different times of the day.

Commissioner Wiencek agreed with Commissioner Lackey's comment regarding removing future expansions from the plan. He also commented about the placement of the dumpster. Jim Clarke asked if beside the garage would be appropriate. The consensus was that it would be appropriate.

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

Chairman Emerick asked if there were any further comments from the Commission members.

MOTION: Commissioner Wiencek moved to approve the Amendment to the Final Development Plan for 520 Village Park Drive (Shepherd of Peace Lutheran Church), with the following conditions;

1. That a landscaping plan be submitted and approved by Staff.
2. That a stone wainscoting be applied to the addition on the north and south elevations.
3. That the dumpster be moved to the east side of the garage and the existing pad may be used as a parking space provided it meets the requirements of the Planning and Zoning Code.
4. That the northeast parking space be removed to allow for a backing area and one handicap space be added.
5. That the delineation of all future expansions be removed from the plans.

Commissioner Lackey seconded the motion. The motion was approved. Yes: Lackey, Coville, Counts, Emerick, Cohen, and Wiencek. No: (none).

CERTIFICATE OF APPROPRIATENESS

**Applicant: AVALONE SWIM CLUB
(ASK WATER SPORTS)**

Location: Murphy Property Commercial, West Olentangy street, West of Murphy Parkway

Zoning: PC, Planned Commercial District

Request: Review of Roof Material as Required per Conditions of Approved Final Development Plan

Jim Clarke, Architect, and Carol Kender, were present to discuss the application. Mr. Clarke stated that Ms. Kender has discussed the use of metal on a roof with a steeper pitch and a number of valleys and ridges with the architect for the state school board. He added that the architect has expressed concern over the use of the roof as it relates to water leaks and safety associated with snow slides. Mr. Clarke added that based on those comments they are proposing to use metal on the lower portions of the building.

Carol Kender stated the architect she spoke with is Franklin Brown. She discussed the problems of obtaining a proper weather seal with a large number of ridges and valleys. Ms. Kender indicated their proposal to place the metal on the lower portions of the roof removes a large number of the seams that would be required.

Shawn Leininger stated that Staff was able to contact Emil Slavik regarding this matter, he stated that he has already indicated the appropriate solution is the upper portions being metal regardless of cost issues. Mr. Leininger stated Emil is not aware of the leaking issues being demonstrated this evening. He added that the choice is up to the Commission. Mr. Leininger stated that if the leaking problems warrant a change in the Commission opinion there are two solutions; one being to move the metal to lower portions, as proposed, and the

other is to change the upper roof from a hip roof to a straight gable which would eliminate some of the ridges and valleys of a hip design.

Commissioner Tom Counts stated he supports the use of metal on the lower portions. He added that the Commission has accomplished many of the features that it sought so he is willing to compromise on this part.

Commissioner Rob Cohen stated that he was opposed to the development for other reasons at the Final Development approval, but is inclined to side with rest of the Commission on this matter.

Commissioner Wiencek stated he would like to table the application until Emil can comment on these issues.

Commissioner Counts indicated he would like to allow Council to make the decision since two members on the Commission are on Council. Commissioner Roger Coville agreed with Commissioner Counts.

The Commission discussed and decided to make a motion on the present proposal with the understanding that the applicant must demonstrate to Council that there are water leaking problems associated with metal on this type of roof.

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

MOTION: Commissioner Wiencek moved to approve the Certificate of Appropriateness for Avalon Swim Club (ASK Watersports) with the following conditions,

1. That standing seam metal be on the lower portions of the roof as proposed.

Commissioner Counts seconded the motion. The motion was approved. Yes: Lackey, Coville, Counts, Emerick, Cohen, and Wiencek. No: (none).

ZONING MAP AMENDMENT/SKETCH PLAN REVIEW

Applicant: Church of Latter Day Saints
Location: East Side of Liberty Street between Ashmoore Drive and Liberty Ridge Avenue
Present Zoning: FR, Farm Residential (Liberty Township Zoning)
Proposed Zoning: PR, Planned Residence District
Request: Review of Sketch Plan for Proposed 16,559 sq. ft. Church on 5.01 Acres and Proposed Zoning Map Amendment

Michael Karpinski, FJM Architects and Jerry Goodson, representative of the church, were present to discuss the application. Mr. Karpinski addressed the Staff Report. He commented that they would prefer to keep the 20 feet deep parking stalls as shown. He stated they agree to shift the site to the south to maximize the green space on both sides of the development. Mr. Karpinski stated the sign will be removed from the building in favor of a freestanding sign. He addressed concerns regarding the height of the building which is 27 feet at the highest ridge and 18 feet at the midpoint; the spire is 64 feet.

Commissioner Dave Lackey questioned the use of the gym and classrooms. Mr. Karpinski stated those are to be used on Sundays for Sunday school.

Shawn Leininger presented the Staff Report. He stated there is an existing tree line along the Ashmoore subdivision and the remainder of the site is open land. Mr. Leininger discussed the site plan and stated three parking spaces are shown in the front setback, which need to be removed. Mr. Karpinski stated the entire development has been moved back to accommodate those spaces. Mr. Leininger stated there is an accessory building and a satellite dish on the property. He indicated the dish is used to receive a broadcast feed from Salt Lake City. The dish does meet the zoning code and Staff requests the dish be screened. Mr. Leininger stated that there are screening requirements associated with a non-residential use abutting residential districts. He indicated there is a required 40 feet buffer that can be reduced to 20 feet with proper landscaping techniques. Mr. Karpinski said a full scale landscape plan will be submitted as requested by Staff.

Mr. Leininger added that the item drawing the most attention is the size of the building. He stated the church needs 12,800 square feet of space however the issue is not the quantity of space but rather its massing. He indicated that some type of architectural elements need to be incorporated that break the massing of this building to hide as best as possible the 12,000 square feet. Mr. Karpinski stated this a five-acre site so the size has nothing to do with the relation to the site.

Commissioner Lackey commented that Mr. Karpinski is probably not familiar with the history of the area. He stated the Aeroflex building is across the street from residential and at 15,000 square feet it was highly contested to break the massing of the buildings. Commissioner Lackey cited other examples.

Mr. Leininger presented examples of other similar sized buildings in the area. He stated the Powell United Methodist Church is 25,000 square feet but is massed in such a way that one cannot see all 25,000 square feet from any angle. He indicated this building has the same, if not better, potential with some adjustments. Mr. Leininger stated Deer Run surrounds the United Methodist site just as Ashmoore and Liberty Ridge surround this site. He added that another element they did successfully at the request of the Commission was to use a combination of mounding and heavy landscaping to screen the site from the adjacent residential. Mr. Leininger showed pictures of the parking area screening. Mr. Leininger stated he would like to arrange a meeting with Emil Slavik, who is also a resident of Liberty Ridge, to discuss this application. He added Mr. Slavik was out of town for this meeting and has not seen this proposal.

Chairman Emerick opened this item to public comment.

John Woods, 80 Liberty Ridge Avenue, wanted to welcome and support the church. Would like to know if there will be screening around the dumpster, if there will be lighting, and if so what is the timing of that lighting?

Michael Karpinski stated there will be screening and landscaping around the dumpster and the lighting will be on timers and photocells. Shawn Leininger added that detailed items such as lighting and landscaping are typically handled at the Preliminary or Final Development Plan meeting.

Edward Premo, 58 Liberty Ridge Avenue, has an issue with the dumpster being located on the Liberty Ridge side of the site and would like to move it either to the other side or be centrally located.

Mr. Karpinski stated the problem with a centrally located dumpster is a truck will not be able to access it based on the current plan. He indicated they could increase the landscaping around the dumpster which would better hide the dumpster.

Mr. Leininger questioned the waste needs of the church and whether a dumpster would be needed or if they could manage with roll-out containers. Jerry Goodson stated the policy of the church is not to prepare any food however they do have a serving area where meals can be warmed. He added they do have buildings that do not have dumpsters but the ones that do have masonry fences. It may be a possibility to use roll-out containers.

Mr. Premo asked what the next step is so he doesn't have a dumpster there someday. Commissioner Dave Lackey said this is only the sketch plan so they will be back for at least one more Planning and Zoning Meeting before heading to City Council for at least two meetings. He added he will be notified if he signed in.

Mr. Premo also questioned the need for a permanent satellite dish if broadcasts were only going to be received twice a year; why not use a portable dish? Jerry Goodson stated the dish is dictated by the headquarters in Salt Lake City and does not know the technical information for it. He added it would be difficult to tear it down and put back up. Mr. Premo questioned the size of the dish. Mr. Karpinski said the dish was 12 feet in diameter and indicated he would investigate the sizes available and relocating the dish.

Commissioner Dan Wiencek indicated he thought in residential districts only an 18 inch dish was permitted. Shawn Leininger stated that there is difference based on use where this a non-residential use and the standard is different.

Bruce Thompson, 34 Liberty Ridge Avenue, stated he works for a company that does satellite broadcasting and a dish of this size is a dinosaur. He added that with some research with the folks in Salt Lake City he is confident they would find a 1.2 meter dish would work for this type of use.

Cheryl Premo, 58 Liberty Ridge Avenue, said her concern is both with the dumpster and the satellite dish and wondered what the screening would be.

Michael Karpinski stated it is proposed now as a fence with some type of landscaping that would consist of mounding and heavy plantings. Shawn Leininger indicated the landscaping shown tonight is for reference purposes only and at the next meeting the representatives of the church will submit a detailed landscaping plan that shows the location of trees and mounding, how big the trees and mounding are, and what types of trees are going to be planted.

Mrs. Premo would like to know what the timing would be on the lighting in the parking lot and indicated that 11pm is late since most of the bedrooms are located on the backside of the homes. Shawn Leininger stated he is unaware of any limitations in zoning or building code on site lighting timing. Chairman Emerick added the Commission has set time limits on site lighting before and could do the same here.

Commissioner Wiencek asked if the church could address their hours of operation. Jerry Goodson said on Sunday the day is from 6:30am until sometime in the afternoon and on weekdays the high school students come in from 6:00 until 7:00am for instruction. He added that on weekdays some events do take place, except Monday, but they are usually over by 9:00pm. Mr. Goodson said that there are 160 members today who all reside in their church boundaries of Home Road, Delaware/Franklin County line, I-71, and Riverside Drive. He added they are residents in this community so they want to be good neighbors.

Mrs. Premo indicated she bought her house because it was quiet and peaceful in the neighborhood and is concerned with the use and lighting. Mr. Goodson asked her to visit the site in Dublin and Delaware and she will find that actually the lighting is not very effective for the church since it is very low and dim.

Mrs. Premo questioned the educational room use and asked if it would ever be a private school. Mr. Goodson responded it would not be a classroom, daycare, or anything of that nature.

Mike Campbell, 435 Ridge View Place, asked if they would be allowed to expand to the rear of the site in the future. Mr. Karpinski stated they are showing a 4,000 square foot future addition at the rear of the proposed building. Mr. Campbell asked if in the future is there anything that prohibits them from expanding again. Shawn Leininger stated they could but would have to meet the zoning requirements and would have to appear before the Commission and City Council for approval. Mr. Karpinski indicated that once this site is maximized or no further expansion is approved the church typically moves to another site.

Commissioner Lackey asked what happens to the site when the church moves to another building. Mr. Karpinski said this building would remain as a congregation but the area is saturated so another building is built.

Chairman Emerick questioned what the church anticipated for a maximum membership at this location. Mr. Goodson said one congregation typically has about 225 to 250 members. He added that at times two congregations meet at one facility with one meeting in the morning and one in the afternoon. At that point is when the building is maxed out and a congregation needs to build a new church.

Michael Marchiando, 450 Keisel Court, questioned if there will be a traffic problem, similar to the Powell Road church, and is concerned about the size of the building, especially from the fact that this is already 12,800 square feet so the perception may be that what's another 4,000 or so square feet. He added he likes the roof lines of Powell and appreciates the photos that show other large buildings that do not look large and look like they fit.

Shawn Leininger stated the traffic problems associated with United Methodist are primarily due to the limited sight distance the hill down to 315 creates. He added he posed the same question to Rob Rice, City Engineer. Mr. Leininger indicated Mr. Rice does not see any traffic problem with this development due to good sight distance and low traffic volume on Liberty Street, especially on Sundays. Also, he said Staff requested the northern access drive to the church be aligned with Clairedan Drive to reduce potential traffic conflicts.

William Canfield, 488 Wooten Court South, stated that he feels the building should be architecturally designed so that it be more pleasing in relation with the residents. He also asked why turn lanes are not shown in the driveways like at the Methodist church. Shawn Leininger said the turn lanes could be required and probably will be following a review by the City Engineer.

Sonia Waugh, 475 Ridge View Place, would like to know what happens to the building in the future if it should no longer be a church. Mr. Goodson stated it could be converted.

Commissioner Lackey stated that is one of the issues he has with a large building such as this, however he does like the use. He added that Powell has been fortunate with the success of its churches, but this is always a concern and is not sure what would happen. Shawn Leininger indicated the biggest concern of a non-church user would be the conversion costs associated with changing the use from a church.

Mr. Goodson stated a church closing has never happened with the Church of Latter Day Saints. He added that with the church they are moving in with 160 members already and growing quickly so he is not concerned with ever leaving this building. Michael Karpinski indicated this building is designed for a 100 year life.

Sonny Randall, 102 Liberty Ridge Avenue, questioned whether this will be the largest structure in the area, if so what are the next largest, and if not where is the largest. Commissioner Lackey stated the Aeroflex building, across the street and slightly south, is the largest building at 15,000 square feet but if this building ever was expanded the 4,000 square feet shown, it would be the largest.

Shawn Leininger showed pictures of the Aeroflex building and discussed its massing.

Mr. Randall questioned the size of the church on Liberty to the north. Mr. Leininger stated the building is about 6,800 square feet per the County Auditor.

Marie Ward, 68 Liberty Ridge Avenue, stated the Aeroflex building has no residential property surrounding that building unlike this building, so that must be considered. Secondly, she questioned if there are any plans for summer programming where classes or something would be taking place everyday.

Commissioner Lackey asked if play structures would be located outside. Mr. Goodson said no play structures would be outside and there are summer camps but typically they are held off-site. However, he added that there may be a few days where a program is taking place.

A question from the audience (unknown) was the timetable for approvals to completion. Mr. Karpinski stated the construction takes about 240 days. Shawn Leininger indicated the approval process from the Commission and Council takes roughly 3 to 4 months depending on if a Combined Plan is permitted. He added there is typically additional time after that for building and zoning permits and engineering reviews.

Chairman Emerick asked if there were any additional comments from the public. Hearing none he closed the meeting to public comment.

Commissioner Rob Cohen questioned the current zoning of the property and what could be placed on the property with that zoning. Shawn Leininger stated the current zoning classification is FR, Farm Residential, which is a Liberty Township zoning classification. He indicated the property does not have any Powell zoning classification, therefore he is not sure what exactly FR zoning allows other than a very low density. The change to PR, Planned Residential would place the zoning into Powell jurisdiction. Mr. Leininger added the site is surrounded on three sides by PR zoning and the Comprehensive Plan calls for this property to be residential, in which a church is permitted.

Commissioner Cohen questioned if the Commission was to vote on the zoning change this evening. Mr. Leininger said no. He stated in the past where a zoning change was necessary, the development plan followed the zoning map amendment through the process so that at the end two votes would be taken, one on the zoning change and the other on the development plan.

Commissioner Lackey questioned if there was a zoning classification for Powell that is closer to the FR zoning of the township. Mr. Leininger indicated R, Residence District, was the closest zoning in Powell. He added that essentially it is the same as PR but with a maximum density of 1 unit per acre and churches are a conditionally permitted use.

Commissioner Cohen stated that he will not be here when the final approval is voted on but added that as long as the building is kept in character and looks attractive he doesn't argue much. He is concerned when a property goes from a residential zoning to something that is not residential.

Commissioner Lackey indicated he is concerned with the size of the building especially with a 4,000 square feet addition on the plan. He asked that the expansion be removed from the plan. Commissioner Cohen stated the he spoke with Shawn earlier about the size of the building and discussed alternatives. He added that the other issues can be worked out but the size of the building needs to be addressed first.

Commissioner Wiencek agreed with Commissioner Lackey that the other issues can be worked out but the size is the most important. He asked for the applicant to give him a feel for the interior space and whether things can be flipped around and moved to reduce the outside massing. Mr. Karpinski said that there may be some opportunities but he does not at this time. He added the building is all set-up for a future expansion down the line.

Commissioner Wiencek would like to know if the bikepath would be connected between Liberty Ridge and Ashmoore. Shawn Leininger said that it would, however, here it is actually a concrete sidewalk rather than the asphalt bikepath.

Commissioner Wiencek encouraged the applicant to work with 90 gallon rollouts and to explore alternatives with satellite dish. He also asked for the address of similar churches in the area.

Commissioner Tom Counts said he feels this an appropriate use for the land and to be used a residential would create an island separated from both subdivisions. He added that he is concerned with limiting the size of churches. Commissioner Counts indicated that churches are much larger than they use to be and by limiting the size of churches the Commission is effectively eliminating churches from the community.

Commissioner Coville questioned the use of the back portion of the site and whether it would remain open or be developed with playfields or equipment. Mr. Karpinski indicated the church does not get involved in building playgrounds or athletic fields.

Commissioner Coville stated he feels the front elevation breaks the mass considerably but the side elevations have the single long roofline. He would like to see it broken up some and made more interesting.

Chairman Emerick agreed with comments thus far and would also like to see the building mass broken up. He asked if the Commission has a problem with the applicant submitting a Combined Preliminary and Final Development Plan.

There was discussion regarding the next submission. There was concern with the change over in the Commission for the next meeting, however most felt the comments would remain the same.

MOTION: Commissioner Wiencek moved to allow for the submission of a Combined Preliminary and Final Development Plan. Commissioner Counts seconded the motion. The motion was approved. Yes: Coville, Counts, Emerick, and Wiencek. No: Lackey. Abstain: Cohen.

The Commission took a short recess. Rob Cohen left the meeting before the deliberation on the next item on the agenda took place.

FINAL 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 Final Development Plan for Four (4) 9,000 sq. ft. Office/Warehouse Buildings on 4.148 Acres

Jim Harkin, Lusk & Harkin Architects, was present to discuss the application. Mr. Harkin reviewed the architecture of the buildings. He stated the buildings have been kept low with the use of flat roofs and limited gables to lessen the impact on the condos to the south. He added that Ross Wright was in attendance for the condo development and had submitted a letter of recommendation for the development. Mr. Harkin discussed the site plan and stated they would be submitting a turning movement analysis to Staff with the engineering review. Mr. Harkin outlined the comments in the Staff Report.

Shawn Leininger reviewed the Staff Report. He outlined the outstanding issues from the Preliminary Development Plan approval. Mr. Leininger indicated Staff has concerns regarding the ability of tractor-trailer to make the

necessary turning movements to circulate the site. Mr. Harkin stated the trucks would not be required to enter buildings and would only be stored and loaded/unloaded outside.

Mr. Leininger indicated the Staff Report requested the dumpster be moved from the entry to the east side of building two. However, after visiting the site, there is a heavy tree line along Village Park Drive that should sufficiently screen the dumpster if left at the entry. Moving the dumpster to the east side of building two would place it closer to residential to the south and could require a tree to be removed. He indicated Staff would not have an objection to dumpster remaining as proposed but would still request the two parking spaces on the east side of building two be eliminated.

Mr. Leininger reviewed the building elevations and development text. He suggested changes based on the zoning code and added that the elevations presented are for illustrative purposes and each building will need to be reviewed separately.

Chairman Emerick asked if there was any public comment. Hearing none, he closed the meeting to public comment.

The Commission discussed the elevations presented and the development text. There was some disagreement as to whether the example presented is appropriate for the site but the Commission agreed to explore this further when a building was submitted for approval.

Commissioner Lackey stated he was concerned with the development bringing tractor-trailers down Village Park Drive past a daycare facility. Mr. Harkin indicated most of the use of the vehicles is on weekends, in which the daycare will not be operating at full capacity.

Commissioner Counts said he disagrees with the condition of the Preliminary Development Plan which asked for more gables. He added that more gables will increase the roof mass and make the development more intrusive for the neighbors to the south.

Commissioner Wiencek asked if the dumpster could be angled to push the dumpster back to bring it in line with the building. Mr. Harkin stated that it could be and he will look into it.

Chairman Emerick asked if there were any additional comments from the Commission. There were none.

MOTION: Commissioner Lackey moved to approve the Final Development Plan for Ruhl Properties with the following conditions,

1. That storage and repair of vehicles be limited to vehicles for a non-retail or non-commercial service.
2. That a lighting plan showing no lighting spill onto the residential property to the south be submitted and approved by Staff.
3. That a turning movement analysis showing the turning movements, with the standard identified, of an appropriate size tractor-trailer vehicle be submitted and approved by Staff.
4. That a landscape island be shown between buildings 1 and 3.
5. That each building be reviewed by the Planning and Zoning Commission.
6. That dryvit be replaced with stucco and the elevations facing the south be made to meet Section 1143.17(b)(7) of the Planning and Zoning Code.
7. That the Hickory tree located at the south end of the parking along the east side of building two be saved.

Commissioner Wiencek seconded the motion. The motion was approved. Yes: Coville, Counts, Emerick, Lackey, and Wiencek. No: (none).

OTHER COMMISSION BUSINESS

The Commission stated they would be willing to have a special meeting due to the postponement of their next regularly scheduled meeting.

Shawn Leininger stated there will be Council Goal Planning session on Saturday, January 12, 2002 and encouraged the Commissioners to attend.

