

**MINUTES
PLANNING AND ZONING COMMISSION
MARCH 13, 2002**

A regular meeting of the City of Powell Planning and Zoning Commission was held on March 13, 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, Donald De Palma, Brian Murphy, and Kevin Futryk. Also present were Shawn Leininger, Development Planner; David Betz, Director of Development, Dawn Nauman, Clerk to the Planning and Zoning Commission, residents; and representatives of the press.

OATH OF OFFICE

Dawn Nauman, Planning and Zoning Commission Clerk, swore in Don Emerick for his reappointed term, and Brian Murphy for his new term.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Emerick reminded the audience that the Planning and Zoning Commission rules allow those in attendance to address the Commission for 3 minutes. There was no comment on non-agenda items.

APPROVAL OF MINUTES

The minutes of February 14, 2002 were amended and approved.

ZONING MAP AMENDMENT/ PRELIMINARY DEVELOPMENT PLAN

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: Approval of a Preliminary Development Plan for Proposed 12,800 sq. ft. Church on 5.01 Acres and Proposed Zoning Map Amendment from FR, Farm Residential (Liberty Township Zoning) to PR, Planned Residence District

Michael Karpinski, Architect representing the applicant, was present to discuss this proposal. He reviewed that since the last meeting, they have centered this building between north and south property lines, and expanded the landscaping around the perimeter, foundation, and front of building. He said there were issues concerning the screen wall around the satellite dish. He said that Staff has indicated the building massing is acceptable, but the architectural details need to be considered. He said they have reviewed the need for a large satellite dish on this site, and they have found that they do in fact need the dish they are proposing because of the satellite feeds they are trying to receive. He said they can provide documentation when they get it from their engineers.

Mr. Karpinski reviewed the areas about which Staff is concerned (as identified in bold).

1. **That the applicant work with Staff and Emil Slavik to resolve any outstanding architectural issues.** *They have worked with Mr. Slavik, and will continue to do so. They said Mr. Slavik feels the design is suitable and of appropriate context for the neighborhood. He said they are proposing a brick building with gray shingles and white trim. He noted that architectural elements are often a matter of personal taste.*
2. **That materials and colors be approved by the Planning and Zoning Commission.** *They plan to be very sensitive to the colors and materials and will also work with Mr. Slavik on this issue.*
3. **That the HVAC vents be removed from the front elevation and the fence screen around the mechanicals be replaced with a brick wall.** *They do not have a lot of latitude to relocate these mechanicals, but they will try to paint them to match the roof, and "disappear" from view. They will work with Staff on this issue.*
4. **That the applicant investigate using a smaller satellite dish and better screen the dish on all four sides.** *They are unable to use a smaller dish.*
5. **That the applicant investigate using roll-out containers, including the possibility of enlarging the accessory building to allow for their storage.** *They will investigate whether this service is available, but they still need to provide an enclosure for such trash containers.*
6. **That mounding be added to the north property line.** *They are somewhat concerned about the cost of importing additional fill dirt. They do not know how much topsoil will be available.*
7. **That the mounding use a variety of forms with breaks in the mounding rather than the single straight mound shown.** *They would like any mound to be more "freeform".*
8. **That the mounding be extended to the east to screen the future parking area.** *He said they should be able to satisfy the concerns about screening the parking, and the east area.*
9. **That landscaping be added at the entry points and a landscaped sign area be shown on the Liberty Street edge of the front detention area.**
10. **That a monument sign plan be submitted and approved by the Planning and Zoning Commission.**

The signage details and details for landscaping around it will be provided.

11. **That a mix of deciduous and evergreen trees be used for screening along the north, south, east property lines.** *They agree to a mix of trees.*
12. **That the applicant work with the City Engineer to address any engineering issues.** *They will continue to work with the engineer about any engineering problems.*

David Betz, Director of Development, gave his Staff Report on this issue (Exhibit). He commented that the circular pattern of the driveway is a good way to handle access. He reviewed that the landscape plan does include plantings, evergreens and deciduous trees. He said that it is important that the Final Development Plan meet the 75% opacity of screening required by the Zoning Code. He noted photographs of the screening in place behind the Powell United Methodist Church (Exhibit 2). Commissioner Wiencek asked if the 75% opacity is required at installation. Mr. Betz said that it is required after a projected 5 years of growth.

Mr. Betz said the engineering has begun, and that the storm water management is planned on site, as there is an outlet into the existing storm sewer that was designed to handle the drainage when Liberty Ridge was constructed. Mr. Betz reviewed the changes to the building design discussed in the Staff Report. He said that the building does not have a flat façade but is staged back from the road. He noted that they have added stone to the smaller gabled area and to the larger gabled area to try to break up the long expanse of brick. He identified a fence that will be installed to hide the air conditioning units in two locations. Mr. Betz reviewed the satellite screening.

Commissioner Counts asked how high is the satellite dish. Mr. Leininger said it is approximately 15 feet, including the mounting. Mr. Betz reviewed photographs of other church buildings in the area, and the Aeroflex Lintek office building across the street. Mr. Betz said that this will have to go on to a Final Development Plan and through the Zoning Map Amendment process, as it is currently zoned under Liberty Township's Farm Residence District zoning. He said that churches are allowed in the proposed PR, Planned Residence District, on 5-acre lots. He said the church has owned this property for over a decade, and they always planned to build a church. He said this church will serve many people in and outside of Powell.

Emil Slavik, Architectural Advisor, noted that he lives in Liberty Ridge and is president of the Liberty Ridge Homeowners' Association, and he is also on the architectural review commission. He said that churches are about community, and they are getting larger and larger. He said that this building is the classic meeting house design, and the height of the steeple is proportionate. He said that the building steps back in a way that it breaks up the form and will not appear as a long elevation. He asked what is the height of the top peak for the roof. Mr. Karpinski said that this building is approximately 27 ft. 4 inches. Mr. Slavik noted that is lower than the tops of the rooflines of most of the homes in Liberty Ridge and Ashmoore, which are 29-32 feet. He noted that the stringent requirements used to make commercial buildings palatable are not necessary for a meeting house such as this. He said that he has no concerns about the architecture.

Commissioner Emerick opened this item to public comment.

Phillip Ward, 68 Liberty Ridge Avenue, asked where the trash and satellite dish will be located. Mr. Betz reviewed the location on the site plan (Exhibit 3). Mr. Ward said that he thought it was discussed that it should be moved to a more central location in the parking lot. Mr. Karpinski said that it is placed where necessary to receive the necessary signal. He said that there also must be clear access to the trash by Dumpster trucks. He said that they have provided two rows of screening to protect it from view. Mr. Ward said he is more concerned with the smell because it is in one corner. Mr. Karpinski said they anticipate very little waste, typically papers from Sunday school classes. He said there will be dinners occasionally. Mr. Ward asked if it is about 20 feet from the corner. Mr. Karpinski said it is about 32-37 feet from the property line. Mr. Betz reviewed the landscaping, and said they will try to supplement it around the corner. He said they are going to have to be selective with plant material to get the necessary signal. He said that anything that will grow 10-15 feet high, especially spruce trees, that are staggered and double layered, will provide good screening.

Mike Campbell, 435 Ridgeview, asked how many lights they will have in the parking lot in the back and how high they will be. Mr. Karpinski said they are proposing 25-foot light poles that will wrap around the area. Mr. Betz said they will have to submit a lighting plan with the Final Development Plan that will show an isometric plan as to where light will extend. He said the City does require down lighting or box fixtures. Mr. Karpinski said they are planning a low level of lighting that is confined and will not overflow beyond the edge of the pavement. Mr. Campbell said that he notices that the screening lightens up a lot from where the parking lot is proposed to where future additional parking is proposed. Mr. Betz said additional landscaping will be required. Mr. Karpinski said they will provide landscaping along the east expanse so that the screen is in place when the parking lot is expanded. Mr. Betz said that one of Staff's comments is that additional landscaping is needed. Discussion ensued

regarding screening across the back of the parking lot. Mr. Betz said that not as much will be required because of the approximately 250 foot setback in that area. Mr. Campbell asked if he can expect screening similar to that at the Powell United Methodist Church. Mr. Betz said they will not be required to have as much because of the setback.

Lee Burkham, 447 Ridgeview Place, expressed concern that cars pulling into the parking lot could result in headlights shining into his home. Mr. Betz identified the mound included on the engineering plans, and said that that Staff can certainly look at that issue.

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

Commissioner Coville expressed concern that the largest tree proposed to screen the satellite dish is 10 feet, and the dish is approaching 15 feet when installed. Mr. Betz said that white pines are fast growing, and spruces are slower growing, but they provide better screening, particularly when alternated and "double stacked." Commissioner Coville asked if thicker trees can be installed to protect the closest homeowners. Commissioner Coville suggested moving the dish to a more central location and providing additional landscaping for it.

Commissioner Wiencek said that he looked at the Church of Latter-day Saints facility in Canal Winchester. He asked if the dish there is the same as that proposed for this development. Mr. Karpinski said it is smaller and that the reception has been problematic. He said that one is a three-meter dish, and this one is slightly larger.

Commissioner Wiencek suggested an enclosure for the Dumpster, storage area and satellite dish, and that it be rotated 90 degrees counter clockwise from that which is proposed. He suggested putting the Dumpster on the northernmost end of the complex of three structures. There will still be access straight in. He said the centerpiece of that would be storage, and the end closer to the residents is where the dish will be placed. He said the storage structure can be peaked in such a matter that it exceeds the height of the dish. He said if there is as much wall screening on the south end of the structure then the dish and larger storage building behind it, what one will see of the dish that isn't screened by the wall will disappear into the roof line behind it. Mr. Karpinski said they need to maintain an aisle for future expansion, but it has a good possibility of working. Commissioner Coville expressed concern that the roof would be too short to provide adequate screening. Mr. Karpinski said the slope could be raised.

Commissioner Coville expressed further concern about the 10-foot tree and 15-foot dish. Commissioner Counts noted that the 10-foot tree would be on a 3-foot mound. Mr. Futryk asked why the storage shed could not be against the property line, then the dish, then the Dumpster, so that the building itself is a screen for the residents. Mr. Karpinski said the concern is that they need to turn the satellite to a certain direction, and it may be blocked with such a configuration. Mr. Futryk said the residents are concerned about seeing the dish, and he likes Commissioner Wiencek's idea because it blends. Mr. Slavik noted that Liberty Ridge has an 8:12 pitch requirement, which could be applied to the storage shed. He suggested also, that the storage building could tie into the residential neighborhood rather than part of the church, by making it look like an outbuilding.

Commissioner De Palma said that at the last meeting on this issue, Bruce Thompson, 34 Liberty Ridge Avenue, suggested that a smaller dish could work in this area. Mr. Thompson said that further research indicates that they could be broadcasting on what is called C-band satellite, and they cannot use a small dish for that. He also said that when one is looking southwest, the azimuth will have a lot to do with how the area can be screened. He asked if it is a fixed dish. Mr. Karpinski said it is. Mr. Thompson said that the applicant therefore will not have to worry about different satellites or broadcasts. It may allow much larger trees if pointing up. Mr. Karpinski said it is a fairly high angle. Commissioner Wiencek said that he was surprised by the proximity of the adjacent structures at the Canal Winchester site, where the satellite was tipped pretty well. Mr. Betz suggested that the Commission ask the applicant to submit a more detailed drawing of that area with the final development plan.

Commissioner Counts said that there have been concerns about the continuity of future expansion. Mr. Betz said that any plans for expansion will have to come back to the Planning and Zoning Commission for architectural review. If the expansion were to be larger than contemplated here, a revised development plan would be required.

Commissioner Counts said that he is concerned that when they come back, everyone will have forgotten what was discussed here. Mr. Betz said conditions could be placed, but that generally, Staff gets the file out and looks at old approvals in these circumstances. Commissioner Counts asked about lighting in the expansion parking. Mr. Betz said that he does not think the applicant wants any lighting for future parking, and that the lighting proposed will be up around the building. Commissioner Counts asked Mr. Slavik how he feels about the vents for the HVAC. Mr. Karpinski said they are proposing an architectural grade louver. Mr. Slavik said that he does not think one will see

all of the grates at the same time when staring directly at it. He does not have a concern because of the way the building is stepped back. Mr. Karpinski said they will work to blend them in with the rest of the building, as they do not want them any more obvious than anyone else does.

Commissioner Wiencek asked if the southernmost drive aligns with Aeroflex. Mr. Betz said it is between Aeroflex and Clairendan Drive. Commissioner Wiencek said that the Canal Winchester building used aluminum fascia, which he feels detracted from a nice building. He suggested an alternate material, such as Hardiplank, or another low-maintenance material. Mr. Karpinski said that they like to use that material because it is low maintenance, but that the gutters and downspouts should hide some of it. Commissioner Wiencek said that Hardiplank is not a high-maintenance item. Commissioner Wiencek noted that the general notes page says that "the City of Columbus Construction and material specification shall govern..." Mr. Betz said that Powell follows the city's specifications on site issues. Commissioner Wiencek noted a typographical error. Mr. Karpinski indicated they would try to correct it.

Commissioner Counts said that the mounding to the north has not been discussed thoroughly, and the applicant has expressed concern about it. Commissioner Wiencek asked if it is possible that there is dirt available from other area developments. Mr. Betz said that it is.

Commissioner De Palma asked about a resident who previously expressed concern about this building ever being used as a private school. He said that Mr. Goodson, Applicant, said that it would not ever have such uses. Mr. Goodson said they have an early morning seminary before school for about an hour, but they don't intend to have a formal school of any type. Discussion ensued regarding limiting the use for schooling. Mr. Betz suggested that Staff discuss this issue with the applicant and report back to Council.

MOTION: Commissioner Wiencek moved to approve with the following conditions:

1. That the applicant work with Staff and Emil Slavik to resolve any outstanding architectural issues.
2. That materials and colors be approved by the Planning and Zoning Commission.
3. That the HVAC vents be removed from the front elevation and the fence screen around the mechanicals be replaced with a brick wall.
4. That the applicant investigate using a smaller satellite dish and better screen the dish on all four sides.
5. That the applicant investigate using roll-out containers, including the possibility of enlarging the accessory building to allow for their storage.
6. That mounding be added to the north property line.
7. That the mounding use a variety of forms with breaks in the mounding rather than the single straight mound shown.
8. That the mounding be extended to the east to screen the future parking area.
9. That landscaping be added at the entry points and a landscaped sign area be shown on the Liberty Street edge of the front detention area.
10. That a monument sign plan be submitted and approved by the Planning and Zoning Commission.
11. That a mix of deciduous and evergreen trees be used for screening along the north, south, east property lines.
12. That the applicant work with the City Engineer.
13. That the applicant will work with Staff on the design for the combination storage/trash/satellite dish area.
14. That the applicant explore mounding to the north and the east of the property, such mounding to be approved at the Final Development Plan.
15. That the height and location of the lighting be included in the Final Development Plan.
16. Staff will explore possible usage limitations before the final development plan.

Commissioner Futryk seconded the motion. The motion was approved. Yes: De Palma, Emerick, Murphy, Wiencek, Counts, Coville.

MOTION: Commissioner Wiencek moved to approve a Zoning Map Amendment to PR, Planned Residence District. Commissioner De Palma seconded the motion. Yes: Emerick, Murphy, Wiencek, Counts, Coville, De Palma, and Futryk.

SKETCH PLAN

Applicant: Newbury Homes
 Location: 10331/10571/10441 Sawmill Road
 Zoning: PR, Planned Residence District

Request: Review of Proposed Condominium Development with 18 Two-Unit Buildings on 10.4 acres

Samantha Shuler, Attorney, Bob Shepherd, Architect, and Pat Igoe, Newbury Homes, were present to discuss this plan. Ms. Shuler reviewed the development plan for 18 twin-single condominiums on 10.4 acres (36 units, 3.46 d.u./acre). She said that Staff reviewed the possibility of single family (30 units) development on this parcel, and they recommended that condominiums are probably a better use because they are a good transitional piece between the single family homes and church/business to the west. She said condominiums also allow more green space and buffering. She said that Staff did have some concerns about the southeast corner of the site plan, where they felt the buildings were too close to the east and the Lakes of Powell development. Staff also felt they were too close to the south and that there was not enough buffer, particularly to the east. She said they have reworked the plan and moved the buildings off the south and east as much as possible. The setbacks have now increased from 35 and 58 feet to 60 and 62 feet. She said the adjacent single family homes have approximately 50-foot backyards which increases the separation. She said they have added mounding and trees along the east property line. They also made sure the mounding would be to the west of a "popular stream" between the properties.

Ms. Shuler said that they also have addressed Staff concerns by moving the buildings back from the north property line. They have changed the name from The Retreat to The Commons at Sawmill. An easement along Sawmill Road can be discussed further. She said that they sent letters to the neighbors inviting them to come to the church to review the plans. She said that evidently, when people bought lots to the east of this parcel, they were told that the area being considered this evening would have to stay open space and it was a preserve that could not be developed. She said the residents paid premiums for their lots because of that. She said that obviously causes anger and frustration. She said they have worked with the residents to come up with the revised plan to move the development to the west and provide a better buffer to the east with mounding and trees that maintains the stream.

Pat Igoe, Newbury Homes, reviewed that they are a locally-owned company that just built their home office on Liberty Road. She said they build homes of various prices from \$350,000 up, and they have built apartments in the Tuttle Crossing area in Dublin. She said they are hands-on and quality conscience, and they have made an effort to keep the scale of the buildings down. They are mirroring successful twin single developments in Wedgewood and Muirfield. She said the buildings are very attractive and include a lot of stone veneer. She said one Staff concern was the intention to use vinyl, and their architects have said that the stone will offer an elegant façade, and they hope to maintain the stone in front. The rear of the units will all have screen porches, and be in the range of 2,200 – 2,500 sq. ft. She said their potential buyers are young marrieds and empty nesters, which provide a nice tax base without contributing greatly to the Olentangy Local School district. They are proposing earth tones, fireplaces, some stone chimneys, and two car garages, of both side and front-loading.

David Betz, Director of Development, reviewed the vicinity map, and pointed out the area where the condominiums will be placed, and the remainder of the Zion Church property. He said that the church portion will also have to be part of the total review because of revisions to the parking lot, playground, etc. He reviewed the adjacent subdivisions, Wedgewood Place to the south, Lakes of Powell Section 1 to the east, and Woods of Sawmill to the north. He noted that to the west is Sawmill Business Park. He reviewed the site plan, access, and parking lot plan. He gave his Staff Report on this issue (Exhibit).

Commissioner Emerick opened this item to public comment. He noted that this is a sketch plan, and there will be no formal action taken tonight. He said this is a chance for the applicant to gather thoughts and feedback so they can start working on more detailed plans.

Butch Knowlton, 563 Zion Drive, said that a group of residents met with Newbury Homes on March 6 to review a different plan. He said many of their concerns have been addressed with this plan. He said the homeowners got together on March 8 to discuss their concerns. Their main concern is not that they are condominiums, although they are concerned about the property values of their homes with the lower value condominiums at this location. Their main concern is the proximity of buildings to their property. He said that the homeowners in the area collectively agree that they were told by the previous administration of the church and by MI Homes that this area was a preserve. He said they paid \$3-6,000 premiums on the prices of their homes. He said that they have 17 signatures, from each of the homes along Zion Drive requiring the following conditions for this development:

1. That there be no tree removal.
2. That there be a minimum 100 foot distance from the property line to any building on this property.
3. That there be no parallel or perpendicular placement of these buildings so that there will be no site line issues. They are concerned with looking from one kitchen window into another.

Commissioner Wiencek asked if they are looking for 100 feet between buildings, or between this development and the property line. Mr. Hilton said they are asking for 100 feet from the property line to the building. He said it is not without precedence, as the Woods of Sawmill were very concerned with the valuation of their homes and they created a large, forested, buffer between the Lakes of Powell and the Woods of Sawmill. He said it is substantially larger than what they are requesting.

Ray Wasielewski, 514 Eagleview Court, said that he lives in Woods of Sawmill, said he did not get a buffer because there is a road behind his house. He said at the time this was developed, the land the church wants to get rid of was not available for the roadway, and as a result, he got only a 12-foot buffer. He said he would like a substantial buffer because he is tired of planting trees because of the actions of the township.

Janelle Mead, 473 Zion Drive, said that her backyard is not 50 feet deep, but rather 24 feet deep. She said the creek is not "enjoyable" but rather a drainage ditch that keeps the backyard dry. She said another thing that was mentioned was bringing the entrance off Zion Drive, which she would discourage because they already have cut-through traffic speeding on their road. She said in many discussions at the church, they were told that this is a suitable development because it is similar to that which has been done in Hilliard and Dublin, but she would like to say that she didn't want to build in Hilliard or Dublin, because Powell has a little bit different atmosphere and sense of community. She said if this green space is removed and condominiums built, then it is not such a great place to live anymore.

Bob Clouse, 543 Zion Drive, said that they met with the developer a week ago, and hadn't seen the new plan until they got here this evening. He said that MI Homes did tell him that this was a nature "set-aside." He asked the Commission to consider the short period of time the residents have had to develop their thoughts.

Veronica Katz, 10445 Delwood Place, (Wedgewood Place), said that her property backs up to the retention pond. She said she is concerned that there will be two units on the southeast side of this development. She said while the front elevation is very attractive, she will be looking at the back. She asked that the buffering include mounding or landscaping of the back southeast portion of the plan so that she doesn't have to look at the back porches. Mr. Betz noted that there is no landscaping around the pond. Ms. Katz said she believes that their association is planning some landscaping around the pond. Mr. Betz suggested that this applicant could landscape around that area to provide a buffer.

Dave Blahnik, 520 Eagleview Court, said that the south side of this property, where they are planning these condominiums, is much higher than the other. He said there will be no buffer on his side. He said they do need a setback, and he agreed that 12 feet from Zion Drive is not much at all.

Burt Blosser, 533 Zion Drive, expressed concern that the plan proposes a mound where the drainage ditch is depicted. He said it needs to be further to the west. He reiterated comments about promises that the trees would be staying. He expressed concern that this plan would only leave 10-15 feet of trees.

Don Eger, Interim Pastor, Zion Christian Fellowship, said he has been with church for 15 years. He said they have worked quite some time on this plan. He said they have about 130 members, and have stayed at that amount for many years. He said that they have been responsible for maintenance of this land, and they would like to eliminate this expense. He said they also want to facilitate the community in a better way. He said the previous pastor was unaware of any type of promise regarding green space, and he himself was never made aware of any type of promised parkland. He said that this development will provide better playground area.

Rich Brooks, 573 Zion Drive, said that the name "The Commons" doesn't go with any of the names in the area, and should be changed. He expressed concern that the elevation drawings depict a "cookie cutter style."

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

Commissioner De Palma said he would like to know if the resident's purchase contracts indicate the premium was paid for adjacent green or open space. Mr. Knowlton said they will have to look into their contacts.

Commissioner Futryk said that although Staff feels this is a good transitional use, he wonders if there is more of a benefit to the community's tax base and resale standpoints between condominiums and single family homes. He asked that Staff provide a breakdown on the following:

- What percentage of the housing in Powell is condominium as opposed to single family.
- If there are any other areas currently planned of a similar use (condominiums transitioning to single family).
- The distance between the existing homes in the Lakes of Powell and the backs of the condominiums.

- How many of the trees will actually be removed.

Commissioner Wiencek said that applicants are typically required to complete a tree survey before they finalize their plans so they will know what trees are there and what would be removed. They are required to replace trees totaling the caliper of trees they removed. Mr. Betz said Staff tries to replace trees inch for inch, for example, while they won't replace an 8 inch tree with an 8 inch tree, they would plant four 2-inch trees. Over the long term, more trees are planted, and the urban forest is reestablished. He said they do want to preserve as many tree stands as possible, and Staff will certainly need to study the northeast and northwest corners of the site.

Commissioner Wiencek asked if the permitted density in the Zoning Code is 1.7 dwelling unit per acre. Mr. Betz said it is, but that the densities for condominium developments in Powell have been increased lately because of amenities. He noted that the Murphy Property development had condominiums, but included a park and almost 30% open space. He said that this site is considered sort of an infill piece that is transitional in nature. He said they are looking at varying the requirements of the code for density on this proposal, in relation to other improvements. Commissioner Wiencek asked if it is correct that the Lakes of Powell could not have been built in its current configuration if they followed the density rules to the letter. Mr. Betz said that Lakes of Powell is currently at 3.56 dwelling unit per acre. Commissioner Wiencek noted that as proposed, this condominium complex roughly matches the density of the Lakes of Powell, however, it obviously does not match the density of the Woods of Sawmill. He expressed concern that when exceptions are made, then every new development expects the same exceptions. He said there is always a trade off, and one must see the benefit of the density. In the Lakes of Powell, there was a school site and preservation of woods. He said that with a smaller application such as this, there is less flexibility and less amenities.

Commissioner Wiencek said that this is also the first time the Commission has seen this plan. He said he has concerns with the elevation that backs up to the Woods of Sawmill, as they are about 72 feet long, and that is "a lot of plain space." He said that a more sideways configuration or different architectural features should be considered for those units. He asked if concurrent plans should be required for Zion Church. Commissioner Wiencek suggested that any homeowners who would like copies of this plan contact Staff. He asked about the comment that some units will have chimneys and some will not. Mr. Shepherd said they are pre-manufactured vents that either vent through the wall or through the top in a traditional stone-fireplace chimney.

Commissioner Counts asked what is the anticipated price range. Ms. Igoe estimated \$200-215,000. Commissioner Counts asked that something other than vinyl be considered, given the surrounding homes, and what has been done in the past. He asked if the Commission could say no to residential development in this area. Mr. Betz said that when this was annexed, this property was part of a larger piece, including the Lakes of Powell and the school site. At that time, the PR zoning was placed, and because they have excess land, they have the ability to have some sort of residential use.

Commissioner Coville asked what is the permitted density today. Mr. Betz said it is 1.7 du/acre gross density, but credits can be given for portions of the property that don't have additional buildings. Commissioner Coville said that this would double the permitted density. He said that he is not inclined to do that, given the proximity of other residential development. He expressed concern about the traffic this development could create. He said that the way this development surrounds the church, the only transition is to the church, because Sawmill Parkway is far enough away. He said the residents should be concerned about this change to the area.

Mr. Betz asked, if the Commission does not approve this kind of development, what could be put there that makes sense. He said a single family development consistent with the Lakes of Powell could be built there, but it would still be higher density than the code allows. He said he doesn't think this site presents itself for 90 foot lots and a 1.8 - 1.9 du/acre density. He said Staff would be remiss in trying to plan for that type of development on that lot, and in a sense, would be denying the property owner a certain right to develop the property in a manner consistent with the area. He said the density issue must be considered very closely, and what is good for the overall community is important. He said he thinks the overall density needs to be higher than the maximum for this location. Commissioner Coville said there should be trade-offs when greater density is permitted, and because there is not a lot of give and take going on at this point, he is not inclined to move forward on something like this.

Commissioner Wiencek asked about exploring the entrance off Zion Drive to allow for greater open space and an entry feature for Lakes of Powell and Woods of Sawmill. He said that although he isn't a great proponent of this, these are the types of things they will be asking the developer to go back and look at. Mr. Betz showed the Commission a rough sketch of a single-family development of 30 units with such an entry, and said that there with the existing street there, the traffic pattern on Sawmill Road will not change. Commissioner Futryk asked what is the average size of the single family lots in that design. Mr. Betz said they would be on average 60-70 feet wide, to

match up with the Lakes of Powell. They would be approximately 150 feet deep, and that Lakes of Powell are at about 120.

Emil Slavik, Architectural Advisor, asked Mr. Betz to compare the back door to back door distance between condos and Lakes of Powell or single family homes and Lakes of Powell. Mr. Betz said they would be about the same, probably a little closer with the single-family development.

Commissioner Murphy suggested that the front setback be reduced to 12 feet, and the development shoved 18 feet to the west to provide a greater setback between the condominiums and the homes in Lakes of Powell. Mr. Betz said the applicant and church may want to consider adjusting the property line and moving things over in order to work out additional land for a buffer to the north and the east. He said although 5 acres should be preserved for the church, consideration could be given to varying that to give the condominiums more room.

Mr. Slavik complimented the applicant for the side-load garages on the entry drive. He said the elevation does have some more character because of the water table and brick below. He said the higher peak pitches are welcome, and the chimneys are an asset, and should be on each unit. He said that this type of development has been built in Powell, immediately up the Sawmill corridor at Murphy Parkway. He said that a cookie-cutter approach was allowed in that site because of the entire development. He said he agrees with Staff's opinion that condominiums are a preferred site use and better transitional approach. He said that the Zoning Code needs to be violated allow a design similar to the Lakes of Powell. Mr. Slavik noted the size of the lots in Woods of Sawmill (that meet code) and those in Lakes of Powell (that do not), and said that condominiums are the most judicious way to set the proper tone for development in this area. Mr. Slavik agreed with Commissioner Wiencek's comments about rear elevations.

Commissioner Emerick said he would prefer condominiums to single family, particularly because the City will wind up with more green space and more options for the development. He said he likes the idea of Newbury and the Church working out an agreement so that Newbury can acquire additional land and shift over the development to provide a greater buffer. He said he is opposed to vinyl siding, and he won't support it. He agrees with comments on the rear elevations, and he would like to see the density lower because there is not enough benefit to the community to allow such density.

Commissioner Wiencek encouraged the residents here tonight to come back to the next meeting. He said that those who would like to be notified of the next meeting should sign in. Dawn Nauman, Planning and Zoning Commission clerk, noted that residents who received a postcard from the City will receive another before the next meeting.

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN

Applicant: Powell Realty
Location: 285 South Liberty Street
Zoning: PC, Planned Commercial District, Historic District Overlay District
Request: Approval of a Combined Preliminary and Final Development Plan for a 4,800 square feet Office Building

Larry Crimmel, Architect, reviewed that they took the advice of the Historic District Commission (HDC) and the Planning and Zoning Commission to come up with the changes proposed this evening. He acknowledged that this property is on the south end of Liberty Street and serves as the entrance to Powell. The property to the south is proposed as a park, as it is a densely wooded area. He said that Powell Realty originally purchased a property at 271 S. Liberty Street, which will share a driveway with this development. He said it is very nearly lines up with the driveway to the Village Academy, making a good intersection. He said the original idea was for about 5,000-sq. ft., and they have made modifications to reduce that to about 4,750 sq. ft. The shared driveway will access parking at 271 S. Liberty Street and continue south to accommodate this building. They have retained about 20 feet of parking area to provide a green space with trees. He said there are a couple of trees on the front part of the lot that they will try to save if they are in good shape. One of the trees will actually be left in a parking space. He said they would like the handicap parking in the front because it gives good access to the front porch. They will also partly rearrange the handicap parking for 271 S. Liberty Street to the front to be similar with 285 S. Liberty Street. He said this would also eliminate a cumbersome ramp at the back of the building.

Mr. Crimmel said that they reduced size of building. They previously had two gabled facades facing Liberty Street. They have narrowed those and shoved one back so that it is behind the porch.

Shawn Leininger, Development Planner, gave his Staff Report on this issue (Exhibit). He reviewed the parking requirements and suggestions for handicapped parking. Commissioner Wiencek asked if the parking requirement

met is the allowance for half of the required parking, as is permitted in the Historic District. Mr. Leininger said that allowance does not apply in this zoning category. Commissioner Wiencek asked if all of the proposed parking is needed. Mr. Crimmel said he does not anticipate full capacity on a regular basis, but when they do reach that point, they can expand the parking at 271 S. Liberty Street.

Emil Slavik, Architectural Advisor, suggested using paver materials on the handicapped parking to provide more green space, but still provide a nice drop-off and pick up area. Mr. Crimmel said that could be considered, especially since they will be empty most of the time. Commissioner Wiencek suggested a combination of grass and pavers. Mr. Leininger asked if such a service would meet ADA requirements. Mr. Slavik said there are many options that can be considered, such as a stamped concrete. Mr. Leininger asked if what Commissioner Wiencek proposed would be a problem for a wheelchair.

Mr. Leininger continued to review his Staff Report. He said that the applicant has addressed some of the concerns of the HDC. He said those against the development felt it's size would set a precedent, but Staff feels each application is unique. He reviewed that they recommend approval with the conditions in the Staff Report.

Mr. Slavik said that the size concerns are addressed well with the double gable. The large building is very appropriate, particularly because it is next to a park. The porch is a great touch and addition. He complimented the architect on his ability to show the proposed depth of this building.

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

Commissioner De Palma said he likes what he sees, and is supportive of suggestions for using pavers in the handicapped spots. Commissioner Futryk agreed, and applauded the applicant for the new look and front porch. He asked, if the handicap parking is moved to the front, will that necessitate another landscape bay in the back. Mr. Leininger said it would, with strict application of code. However, the Planning and Zoning Commission could ask for more landscaping instead of an additional bay. Mr. Betz noted that there is a tree that might be saved in the back, which would remove a parking space, and is preferred to a landscape bay in the middle. Commissioner Wiencek said he is opposed to allowing fewer than the required amount of bays. He would ask that they at least add on to the bay, which is proposed.

Commissioner Wiencek asked if the applicant is committing to the bikepath connection along the front. Mr. Crimmel said they are. Commissioner Wiencek commended the architecture and said it is going to be a great addition to town. He said that this development has turned him around on getting past 3,000-sq. ft. in Historic District. He said he is convinced that the opportunities for viable businesses are limited with too small buildings. Mr. Betz said that the Commission may want to look at amending the code requirement in the Old Powell Commercial District, and adding some flexibility to size if certain design elements are achieved. Commissioner Wiencek recommend asking the applicant to work with Staff on some alternative paving method for the handicap zone in the front. He suggested that they consider first the opened grass pavers and work their way from there. He said he is happy leaving it to Staff to determine what alternative material can be placed in that area.

Commissioner Coville said that with the landscaping bushes between the handicap space and the street, he is unsure if one will even be able to tell if it is an open grass paver. Commissioner Wiencek said that anything other than asphalt is an improvement. Commissioner Coville agreed.

Commissioner Wiencek moved to approve the Combined Preliminary and Final Development Plan for 285 S. Liberty Street with the following conditions:

- 1. That landscaping be added around the parking areas.**
- 2. That a detailed landscaping plan be submitted and approved by Staff.**
- 3. That the bikepath be extended from 271 South Liberty Street to the south property line of 285 South Liberty Street.**
- 4. That a walkway be added to the south side of the access drive to connect the proposed walkways with the bikepath.**
- 5. That the applicant obtain approval of all engineering work from the City Engineer.**
- 6. That the applicant work with Staff to determine a paving material for the handicap spaces in the front of the building.**
- 7. That the additional planting bay first be used to try to retain the existing tree. If that is not a viable solution, then the bay should be added to the existing bay.**

Commissioner Futryk seconded the motion. Yes: Futryk, Murphy, Wiencek, Counts, Coville, De Palma, Emerick.

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN

Applicant: William and Pouneh Alcott, Village Academy School
Location: 284 South Liberty Street
Zoning: OPPCR, Old Powell Planned Commercial/Residential District, Historic District Overlay District
Request: Approval of a Combined Preliminary and Final Development Plan for a 10,882 square feet Fine Arts Facility and to Allow Submission of a Combined Preliminary and Final Development Plan

Stephen Martin, attorney for the applicant, said that the last time they were here, this application was considered as a sketch plan because of an advertising problem. He said this plan is markedly the same. He said that the HDC has reviewed this plan and it was well received and approved with four conditions:

1. **That landscaping be added to the north side of the proposed building.**
2. **That the walkway connection have the same frame style as the porch and utilize the same standing seam metal roof as the proposed building.**
3. **That the lanterns or cupolas be made to have more detail reflective of the proposed building.**
4. **That half round gutters be used.**

Mr. Martin said that the Planning and Zoning Commission and HDC both felt that the architectural elements of the post and standing seam roof of the addition should be continued with any walkway between buildings. He said there are some concerns by the fire department that the walkway may not be possible in this area due to the need for access by the fire department. Emil Slavik, Architectural Advisor, said such concerns are not unusual with an assembly occupancy. Ron Tilford, Architect, said that he will be meeting with the Fire Chief tomorrow to discuss this. Commissioner Wiencek was dubious about the Fire Department's need to access that area with a vehicle.

Mr. Tilford reviewed the landscaping plan for this development. He said that they will create a hedge of bayberry and some kind of evergreen against the buildings that front Liberty Street on the West Side. On the northwest side, they are proposing evergreens. To the north, other trees will be used, but there will be less buffering due to the wide-open lot adjacent. He noted that there is already heavy landscaping on the southwest corner. He said that around the building, they are trying to meet the landscaping requirements with shrubs and low plantings to buffer the building. There are existing maple trees on the East Side, to which they will add. He said that some of the existing trees in the northeast corner will be saved, as well a couple of ash trees. He said there is one 6-inch tree that is too close to the building. He said there are already a few small fruit trees such as apple on this site that aren't very useful, and a couple of small evergreens that will be relocated or replaced.

David Betz, Director of Development, gave his Staff report on this item (Exhibit). He said that Staff really likes the plan, and that it really fits in. He noted that there were concerns at the last meeting regarding lighting of this site, and those need to be addressed. Dounesh Alcott, applicant, said that whatever is decided regarding those concerns will be fine.

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

Commissioner Wiencek asked about the existing house on this property. Mr. Martin said it will be renovated and traded to himself and his partners (as adjacent property owners) and it will be rented and be kept residential. Commissioner Wiencek asked if there are any existing landscaping issues where the house is located. Mr. Betz said there are not, and that area is full of trees.

He said there were requirements for ivy plantings on the existing school building, which have not taken. He said they need to make sure of what was required. Bill Alcott, owner, said he remembers that there was some discussion about ivy, but no requirement. He said they have installed it, it is very destructive, and they would rather not use it. Commissioner Wiencek said that he is not necessarily in favor of ivy, but if it was required, it should be amended to something more suitable. Mr. Betz said he can review the approval for that building and get back with the Commission.

Commissioner Wiencek asked if they have reviewed the current lighting since there were comments at the last meeting that it is intrusive. Mr. Alcott said they have replaced some bulbs, which may accounts for the problem, and he will work on that issue.

Discussion continued regarding the Fire Department's concern with the building. Mr. Tilford reiterated that he will be working with the Fire Chief. Commissioner Wiencek encouraged Mr. Tilford to tell the Chief that a walkway is desirable.

Commissioner Coville said that this is a great building.

Commissioner Wiencek moved to approve the Combined Preliminary and Final Development Plan subject to the following conditions:

1. That a landscape plan for the existing features be reviewed by Staff and modified with the applicant.
2. That a lighting plan be submitted to address concerns about lights shining onto adjacent properties.
3. That the Historic District Commission approve the architecture of the building.
4. That additional stormwater requirements be met and approved by the City Engineer.
5. That the required landscaping from previous development plans be reviewed by staff and planted or replanted by the applicant.

Commissioner De Palma seconded the motion. The motion was approved. Yes: Murphy, Wiencek, Counts, Coville, De Palma, Emerick, and Futryk.

ADMINISTRATIVE REVIEW

Applicant: Fiori Homes
Location: Northwest Corner of Liberty Road and Seldom Seen Road
Zoning: PR, Planned Residence District
Request: Administrative Review of Minor Modifications to the Location of the Clubhouse for the Village at Powell

David Betz, Director of Development, gave his Staff Report on this issue (Exhibit). He reviewed the proposal for the new clubhouse design and layout. He said this site was approved with a certain percentage of vinyl siding. He said the clubhouse has vinyl siding and a small amount of brick. He said the Commission might want to request a certain amount of brick. Commissioner Wiencek asked if the landscape plan is the same. Mr. Betz said there is a revised area of green space. They have saved many of the trees on the site. They have replanted many trees planted originally in 1992. He said they have done a good job.

Emil Slavik, Architectural Advisor, said that he likes what is drawn here and he would not request more compliance with the condominium buildings. He said there should be a difference in style between the condominium and clubhouse so that it is easily identifiable.

Commissioner Wiencek said he struggles with this request. He said the original plan was to create a nice entry feature and look in from the drive to a more green area. He said that it seems that this plan will be giving that up so that the developer does not have as hard of a time selling the end unit.

Jim Clarke, Architect, said that the main reason for the change was that the clubhouse got bigger, and because there was a problem crossing the road to the clubhouse from the parking area.

Commissioner Futryk asked what is the difference in green space from the entryway. Mr. Betz said that they have basically relocated the driveway and parking and provided more green space in front of the building. There may be less green space in some areas, but there is less pavement overall. Commissioner Futryk asked if the visual of the green space driving in is lost with this plan. Mr. Betz said the entrance will be the same, with a different angle coming in. He said he thinks the green space is being transferred, and the parking area is off the street rather than a driveway. Commissioner Wiencek said he is not debating the amount of landscaping, as much as he is the view. He said that parking is hidden with the original concept and exposed with this concept. Mr. Slavik said there is a difference in the view, from the building sitting on a park, to one sitting on a street.

Commissioner Counts said that he prefers this design because in the old design, one condominium unit is accessed from the turnaround, which he thinks is poor planning. Commissioner Coville said he prefers this plan because the pavement is being reduced. Mr. Betz said they may be able to shift the building back. Mr. Betz suggested that they could push the building back possibly 5 feet, and shift the parking to the west. Mr. Clarke said that is possible, but noted there is a fence around the pond and pool. Mr. Betz said they are just asking for enough of a shift to allow a sidewalk in front of the building. Mr. Slavik also suggested "camping" one wing of the building to provide a view of a big window feature. Commissioner Emerick agreed. Mr. Betz suggested the applicant work with Mr. Slavik on this. Commissioner Wiencek said he could support that. He expressed his desire for a contiguous entry/green feature. He said cutting the corner of the building will help make it architecturally different. Commissioner Emerick spoke favorably of Mr. Betz's recommendation to shift the parking area and provide more landscaping.

MOTION: Commissioner Wiencek moved to approve the amendment to the final development plan with the following conditions:

1. That the applicant shift the four easternmost parking spaces to the opposite end of the parking bay and landscape where those parking spaces would have been.
2. That the applicant work with the Planning and Zoning Commission Architectural Advisor to orient a portion of the building onto the entry green.

Commissioner Futryk seconded the motion. The motion was approved. Yes: Wiencek, Counts, Coville, De Palma, Emerick, Futryk, and Murphy.

OTHER COMMISSION BUSINESS

Re-dedication of Grace Drive

David Betz, Director of Development, reviewed the Staff Report on this issue (Exhibit). Commissioner Counts asked if the culdesac area will be vacated. Mr. Betz said there are two parts of that that will actually be dedicated back to the owners.

MOTION: Commissioner Wiencek moved to approve the plat for the Rededication of Grace Drive. Commissioner Counts seconded the motion. The motion was approved. Yes: Counts, Coville, De Palma, Emerick, Futryk, and Murphy.

SELECTION OF DEVELOPMENT COMMITTEE REPRESENTATIVE

Commissioner Futryk volunteered to serve on the Development Committee, provided that it is not too taxing of a time commitment.

ADJOURNMENT

The Commission adjourned at 11:00 p.m.

DATE MINUTES APPROVED: April 10, 2002

Don Emerick 5-8-02
 Don Emerick Date
 Chairman