

**MINUTES
PLANNING AND ZONING COMMISSION
DECEMBER 11, 2002**

A regular meeting of the City of Powell Planning and Zoning Commission was held on December 11, 2002, and called to order at 6:30 p.m. by Chairman Don Emerick. Other Planning and Zoning Commissioners present were Kevin Futryk, Roger Coville, Dan Wiencek, and Brian Murphy. Tom Counts and Don De Palma were absent. Also present were David Betz, Director of Development; Shawn Leininger, Development Planner; residents; and representatives of the press.

HEARING OF VISITORS FOR ITEMS NOT ON AGENDA

There were none.

MINUTES

The minutes of November 13, 2002 were amended and approved.

Chairman Emerick noted that the Preliminary Development Plan for Woods of Powell and Rutherford Estates will be tabled until a later meeting.

CERTIFICATE OF APPROPRIATENESS

APPLICANT: D & S Investments
LOCATION: Northeast corner of West Olentangy Street and Industrial Park Drive
ZONING: PI, Planned Industrial District
REQUEST: Approval of a Certificate of Appropriateness for a change to an existing sign from that originally approved

David Betz, Director of Development, gave his Staff Report on this item (Exhibit).

Doug Johnson, Business Owner, said that he what like to do whatever he can to generate traffic for his business. He said the owner of Eurotech has said he will go along with whatever is approved.

Commissioner Murphy expressed concern about setting a precedence for a multi-color sign. He said he would prefer to try to stick with the original color scheme, and he would support white lettering with a teal arrow.

Commissioner Coville said that he is not opposed to the yellow lettering.

Commissioner Wiencek said that the yellow letters may meet the letter of the code, but are not aesthetically pleasing. He said that the Zoning Code gives the ability to be creative with color schemes, but the Planning and Zoning Commission has an obligation to maintain the aesthetic good. He said he would support white letters. He said that this is a circumstance of a retail establishment in a non-retail environment, and he would assume that is because the rental cost is less. He expressed concern that permitting a change could start a chain reaction of incorrect signs and temporary signs.

Commissioner Futryk said that he would support Staff's recommendation of white lettering and the teal arrow.

MOTION: Commissioner Wiencek moved to approve the Certificate of Appropriateness for D & S Investments with the following conditions:

1. That the lettering be white.
2. That a teal arrow be allowed on the Pianos sign.
3. That the style and size be approved by Staff.

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

SUBDIVISION PLAT

APPLICANT: Triangle Properties, Inc.
Dedication of Woodcutter Drive
LOCATION: South side of Home Road between Sawmill Parkway and the CSX Railroad
ZONING: PR, Planned Residence District and PC, Planned Commercial District
REQUEST: Approval of a Final Plat for road right-of-way

David Betz, Director of Development, gave his Staff Report on this item (Exhibit). He said the southern part of the road has already been built. He reviewed photographs of the existing street. He said the alignment was approved with the original Liberty Township zoning of this property.

Commissioner Futryk asked where the railroad crossing will be located on this road. Mr. Betz identified the location, and said that the County Engineer has previously approved the location of Woodcutter Drive in relation to the plan for the overpass of Home Road going over the railroad tracks.

MOTION: Commissioner Wiencek moved to approve the plat for Woodcutter Drive with the condition of the City Engineer's approval of all easements prior to signing the plat. Commissioner Coville seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Wiencek, Coville.

SUBDIVISION PLAT

APPLICANT: Bob Webb Builders, Inc.
Golf Village Section 12 Phase A & B
LOCATION: On the south side of Rutherford Road west of Sawmill Parkway
ZONING: PR, Planned Residence District
REQUEST: Approval of a Final Plat for 39 lots on 20.66 acres
David Betz, Director of Development, gave his Staff Report on this item (Exhibit).

Dave Krock, ADR & Associates, was present to answer any questions about this plat.

Commissioner Futryk asked for a description of the reserve areas. Mr. Betz said that Reserve B is an existing pond, that Reserve D is the center island within the landscape area, and the permanent green space is where the golf course is located along the south end. Commissioner Futryk asked if the entire community will be gated. Mr. Betz said that Section 12 will only be gated at the Rutherford Road entrance. He said it is a self-activated gate that doesn't require a punch card or opener.

Commissioner Wiencek asked if a specific access easement needs to be identified on the plat. Mr. Betz said that there should be an easement shown within the reserve area. Commissioner Wiencek said he would like to have the opportunity to review the condominium documents prior to their review and approval by Staff.

Commissioner Wiencek moved to approve Golf Village Section 12 Plat with the following conditions:

1. That the City Engineer review and approve all easements that will be required.
2. That all lot numbers and addresses as assigned by the County Map Room are placed on the plat.
3. That a note regarding access to the future "Estate Lots" to the east at Reserve A be added to the plat.
4. That the Condominium Association documents be reviewed and approved by Staff prior to their recordation in order to be sure that maintenance responsibilities of the Association as they relate to the open space and common areas are provided, and mandatable lein fees can be assessed.
5. That proper note language be placed on the plat that this is a private development and that all streets are private to be owned and maintained by the association.

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

AMENDMENT TO APPROVED DEVELOPMENT PLAN

APPLICANT: Bob Webb Builders, Inc.
Golf Village Section 12
LOCATION: On the south side of Rutherford Road west of Sawmill Parkway
ZONING: PR, Planned Residence District
REQUEST: Approval of an Amendment to Approved Development Plan for Golf Village for the construction of a permanent entry feature.

Todd Faris, Faris Planning and Design, said that when this was originally approved in Liberty Township, it was contemplated that there would be gates, and when they began to finalize those gates, the question of additional landscaping came up. He said they withdrew their proposal until the entry gates were designed. He identified the original plan and the proposed location, and his current proposal for the columns, fence, light fixtures, and

landscaping. He said that their design fits in with the existing landscaping and theme of the rest of the development.

David Betz, Director of Development, gave his Staff Report on this item (Exhibit). He said that while the Powell Police Department has indicated no concerns about the gate, the Liberty Township Fire Department hasn't had a chance to review the issue, and Staff will check with them regarding any concerns they may have.

Emil Slavik, Architectural Advisor to the Planning and Zoning Commission, asked why the elevation of the gate is wider on the right side. Mr. Faris said that is due primarily to the water line that runs along the side. The column needed to be kept off the water line. Mr. Slavik asked if both gates will activate at the same time and move away from the driveway. Mr. Faris said that both gates will open.

Commissioner Futryk asked if the sidewalk will be blocked off as the gate is opened. Mr. Betz said there is no sidewalk in that location. Commissioner Futryk asked how far the gate from Rutherford Road is. Mr. Faris said the sign is 130 feet from Rutherford, and the gate is probably another foot. Commissioner Futryk asked if there is a problem with the entrance being too close to the Johnson property to provide landscaping. Mr. Faris said there is not. Commissioner Futryk asked if the condominium association will maintain this entry feature. Mr. Faris said that all entrances in Golf Village will be maintained by the master association.

Commissioner Wiencek asked if someone exiting the Johnson property will have sufficient sight line of oncoming traffic. Mr. Betz said that the City Engineer reviewed that and didn't have any concerns.

Commissioner Coville asked if the sign between the two pillars is of similar material to others in the development. Mr. Faris said they would like to use a Polyurethane sign with raised letters. The other entrances are sand-blasted, but the appearance is nearly identical. He said the paint colors will be the same. Mr. Betz said he assumed it would be the sand-blasted sign, and he would prefer that be used. Commissioner Coville agreed.

Commissioner Murphy asked if there are any other gated entries in Powell. Mr. Betz said this will be the first, and the only one in Golf Village. Commissioner Murphy said that he feels the gates are inappropriate, and asked if the City's hands are tied since this was approved in Liberty Township. Mr. Betz said they are.

Commissioner Murphy suggested a requirement that the gates be fully automatic at all time so there can't be a change made to locked gates.

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

1. That the conditions of the Liberty Township Fire Department be implemented, if any.
2. That the sign materials and lettering be approved by staff as shown in the Golf Village regulations.
3. That the Condominium Association documents are reviewed and approved by Staff prior to their recordation in order to be sure that maintenance responsibilities of the Association as they relate to the entry feature are provided.
4. That the gates be fully automatic at all times.

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

AMENDMENT TO APPROVED DEVELOPMENT PLAN

APPLICANT: J & C Limited Partnership
LOCATION: West side of Village Park Drive just north of Memorial Park and east of Brookehill Condominiums
ZONING: PI, Planned Industrial District
REQUEST: Amendment to Approved Development Plan to alter location and development of storm water detention basin

David Betz, Director of Development, gave his Staff Report on this item (Exhibit). He reviewed the layout of the plan as proposed and adjacent properties.

John Hill, Applicant, said that the existing detention basin is unsightly and difficult to maintain, and the site will look a lot better with the proposed amendment.

Commissioner Futryk asked what happens if the detention area is moved to a parcel that is not part of the original foot print. Mr. Betz said the parcels can be combined, and as part of the plan, they actually are combined.

Commissioner Wiencek said he would like some assurances that once this nice flat ground is created, a temptation for more parking or similar uses will not be created. Mr. Hill said that the area isn't big enough to put additional parking or buildings on.

Commissioner Wiencek moved to approve staff's proposal #2 to amend the development plan: (Revise the storm water detention basin to the 0.350 acre parcel, and fill in the existing basin and create a more level front yard area for the second building) with the following conditions:

1. That the requirements of storm water detention be required as outlined by the City Engineer and Development Regulations.
2. That revised engineering plans be submitted for review and approval by the City Engineer.
3. That the proposal to move the detention basin to the 0.350 acre parcel option is approved.
4. That the ownership of the 0.350 acre parcel and the parcel to the north be combined into one tax parcel. The 0.350 parcel shall not be a separate parcel from the one to the north.
5. That an easement for the public access bikepath construction by the developer of Brookehill Condominiums be granted in favor of the City across the property in an alignment approved by Staff. This is to implement the overall bikeway and walkway master plan and is a requirement of the Brookehill approved development plan.

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

AMENDMENT TO APPROVED DEVELOPMENT PLAN

APPLICANT: Bill Jacobs, Powell Commerce Park, Ltd.
LOCATION: Southeast corner of Village Park Drive and Clairedan Drive
ZONING: PI, Planned Industrial District
REQUEST: Amendment to Approved Development Plan to allow for one 17,976 sq. ft. office/warehouse building instead of two office/warehouse buildings, one being 10,000 sq. ft. and one being 8,000 sq. ft.

David Betz, Director of Development, gave his Staff Report on this item (Exhibit). He reviewed the layout of the plan as proposed and identified adjacent properties. He reviewed the proposed elevation and materials of brick, metal, and standing seam metal roof. He said the materials proposed were approved for Wolf Park Section 2.

Jim Clarke, Architect, reviewed the changes to the plan:

1. The entry off of Clairedan has been moved to align with Mainline Computers.
2. The Roof Height is the same as adjacent buildings.

Mr. Clarke said that the carriers arrive between 3 and 6:00 a.m. but the facility has only 5-6 employees during the day. He said it will not generate a great deal of daytime traffic.

Commissioner Futryk asked the reason for changing from an asphalt to a metal roof and for reducing the pitch. Mr. Clarke said that it will save construction costs and the metal roof will be lighter. Mr. Betz said that metal roofs are approved, and although it would be preferred to try to match the shingles, there is a metal roof in the storage facility in the area. He deferred architectural comments to Mr. Slavik, the Planning and Zoning Commission's architectural advisor.

Mr. Slavik said that he would suggest that this applicant not match the roof color of the existing buildings. He said the brick would be consistent throughout the development, and the lighter metal siding and darker metal roof would be very attractive as part of an industrial district. Mr. Betz recommended that the Planning and Zoning Commission have final approval of all building materials and designs.

Commissioner Futryk asked about moving the driveway. Mr. Betz said that the alignment proposed would actually be an improvement.

Commissioner Futryk asked how many trucks, of what size, and during what time period will access this facility.

Joe Boggioni, Columbus Dispatch, said that they are expecting 24-28 foot box trucks, and they have no immediate plans to use semis. He said there will probably be one truck servicing the facility, but by 2004, they expect a "zone-advanced" product to arrive by 11:00 p.m. and come back again with the daily portion of the paper

later. He said that an employee will be present at 11:00 p.m. to begin sorting, with additional employees expected at 2:00 a.m. The carriers will come between 2:30 and 5:00 a.m., and the building will be closed at 5:00 a.m. He said they expect 90-100 adult carriers daily. He said they have facilities in Bexley, Upper Arlington, Grandview, etc., and they try to be community-friendly.

Commissioner Futryk asked if the City can limit the routes the trucks should take. Mr. Betz said the city has the ability to limit within subdivisions, but wouldn't want to limit on a main road. Commissioner Futryk asked if they could be encouraged to use Sawmill Parkway. Mr. Boggioni said they anticipated using Sawmill Parkway to Seldom Seen Road.

Commissioner Wiencek asked what the procedure for picking up papers is. Mr. Boggioni said that the average route is approximately 200 papers. The papers come in on pallets and are put on 8 foot long tables for collating. He said that carriers are usually in the facility for less than 20 minutes. Commissioner Wiencek said that he doesn't want this parking lot to be any larger than necessary. Mr. Betz said 90 are required and 111 are proposed. Mr. Boggioni said that 90-100 spaces would be acceptable. Commissioner Wiencek questioned the need for so many spaces when the carriers come in a staggered manner of time. Mr. Boggioni said if there were a meeting of carriers on Saturdays, the parking would be needed. Mr. Betz said that the 111 spaces are for the entire site.

Commissioner Murphy said that he is also concerned about the number of spaces given the fact that the facility is almost vacant during the day. He said he sees no pressing need to divert from the Zoning Code standards. Commissioner Wiencek said there are 45 spaces adjacent to the building, and 40 on the row on the outer edge. He said he would like those turned into green space.

Commissioner Wiencek asked if Mr. Slavik is concerned about the length of this building and the sight line for the residences across Liberty Road. Mr. Slavik noted that he is also president of Liberty Ridge Homeowners' Association, a subdivision which is right across the street. He said that he did originally share Commissioner Wiencek's concerns, as this area has been more typically a group of smaller buildings. He said that there are two buildings immediately adjacent to the parking lot Mr. Wiencek just identified as having 45 spaces. He said that with the other 3 buildings and parking, this facility is the "third field" back from the road. He said that if the roof is done properly, with the proper color, it will have a minimal impact.

Commissioner Wiencek suggested a condition to remove the eastern-most row of parking spaces and replace it with landscaping. Mr. Clarke asked if they can't be permitted to meet the code minimum. Commissioner Futryk asked if the minimum wouldn't take into consideration tenants during the day. Mr. Betz said that the code doesn't reflect time of day. Commissioner Futryk said the type of business doesn't require so much parking. Mr. Betz said if there is a tenant change in the future, such parking could be needed. Commissioner Wiencek said that the business could come back before the Commission at that time. Mr. Betz said that Staff would recommend the minimum, which is 90. Discussion ensued. Commissioner Futryk suggested breaking up those along the eastern border to allow for additional parking space. Commissioner Wiencek said he could support removing 20 spaces.

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

- 1. That a landscape plan be submitted for review and approval by Staff that includes the proper amount of interior parking lot landscaping islands, mounding and landscaping with a mixture of deciduous and evergreen trees along the east property line, and proper building foundation perimeter landscaping. Also to be included shall be a landscaping bed along the north side of the loading dock area.**
- 2. That dumpster locations be reviewed and approved by Staff to provide a more centralized and screened location.**
- 3. That proper handicap parking space is designed on the engineering plans.**
- 4. That the materials and colors of the building are approved by the Planning and Zoning Commission.**
- 5. That the parking spaces be limited to 90, with the eastern-most row of parking spaces labeled as 7, 7, and 6, those closest to Clairedan Drive being removed.**

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

Chairman Emerick noted additional people arriving for this meeting and reiterated that the Preliminary Development Plan for Woods of Powell and Rutherford Estates will be tabled until a later meeting.

PRELIMINARY DEVELOPMENT PLAN

APPLICANT: Steve DeWesse, Esq.
Rutherford West Associates and Harold and Patsy Coleman
Rutherford Estates

LOCATION: 43.47 acres located on the south side of Rutherford Road just west of the CSX Railroad.

EXISTING ZONING: Liberty Township FR-1, Farm Residential District

PROPOSED ZONING: City of Powell PR, Planned Residence District

REQUEST: Approval of Preliminary Development Plan for 65 single-family dwelling units on 43.47 acres, including 3.51 acres of open space, for Property in Process of Annexation into the City of Powell

MOTION: Commissioner Futryk moved to table the Preliminary Development Plan for Rutherford Estates until the next meeting. Commissioner Coville seconded the motion. The motion was approved.

Yes: Emerick, Futryk, Murphy, Wiencek, Coville

APPLICANT: Powell United Methodist Church

LOCATION: 825 East Olentangy Street

ZONING: PR, Planned Residence District

REQUEST: Approval of a Preliminary Development Plan for a new sanctuary addition of 15,577 sq. ft. and parking lot

Tony Eyerman, Landscape Architect, was present to discuss this plan for expansion of the worship space, parking, and developing land that was recently purchased. He reviewed that also present this evening are representatives of the Church Building Committee, Corna/Kokosing, Sullivan and Bruck Architects, Transportation Engineering Services, and members of the Deer Run subdivision sub-committee. Mr. Eyerman reviewed the conditions outlined in the Staff Report:

1. *That a Traffic Management Plan is done and its recommendations included in the Final Development Plan if accepted by the Planning and Zoning Commission.* Mr. Eyerman said that they agree that this is needed. Commissioner Wiencek asked if that is for an internal traffic plan, or the impact on Powell road. Mr. Eyerman said that it is for both.
2. *That a landscaping plan be prepared for the Final Development Plan that incorporates improvements to the property in front of the building. This shall include the moving of existing trees located on the site that are suitable for moving and would otherwise be removed.* Mr. Eyerman said they agree with that and will include additional landscaping across the northern exposure of the expansion area. He said many of the trees in the area are undesirable and beyond their prime. However, there are trees on the house property that are of sufficient value that they would like to move them.
3. *That the southernmost row of parking be redesigned in order to preserve what is believed to be an ash tree located just in front of the existing shed.* Mr. Eyerman said they agree with that.
4. *That the new entry drive area be redesigned at the first access drive to the parking area to block access to this entry drive from the main drive. This will allow for additional vehicle queuing exiting the site.* Mr. Eyerman said they agree with that.
5. *That the applicant investigate the replacement of the existing parking lot lights on the south and west side parking area and incorporate the same bollard lighting that will be utilized on the east side.* Mr. Eyerman said that they have a problem with this condition. He said they are proposing bollard lighting for the areas they are changing but feel that replacing relatively new lighting with such type is a hardship the church would prefer not to bear. He said they would agree to a replacement program over time.
6. *That the white three rail fence be continued along the entire length of the frontage except where driveways and sidewalks come out to the pathway.* He said that meeting with members of the church this morning, Pastor Marcus Atha has asked for relief this morning due to a concern that the fence seems to fence-out the congregation, and he would prefer a more open and welcoming feel along Powell Road. He said they will, however run the fence along the entry to Valley Run Drive.
7. *That the existing ditch along Powell Road from the eastern entry drive to Valley Run Drive be piped for ease of installation of the pathway, mounding, landscaping and fencing.* Mr. Eyerman said they agree to that condition, and they will work with the City Engineer to do that.
8. *That appropriate landscaping is installed on the north side of Powell Road, as approved by those property owners opposite of the driveways that screen vehicle lights from shining onto their properties.* Mr. Eyerman

said they agree to that condition. They have met with adjacent property owners and have agreed to provide mounding and landscaping.

9. *That architectural recommendations from the Architectural Advisor be implemented in the Final Development Plan.* Mr. Eyerman said they recently received those recommendations and he believes they are in agreement.

David Betz, Director of Development, gave his Staff Report on this item. He reviewed photographs of the site, and the variances reflected in this plan.

Commissioner Wiencek asked if there are any amenities provided in this plan that would be benefit enough to allow for the divergences. Mr. Betz said they are exceeding the setback requirements to the east and north of the parking lot, which provides more green space. They are adding the bikeway per the master plan.

Mr. Betz reviewed the attendance information that the Commission asked for the last time this applicant was before them. He noted that they are asking for more parking but depressing the parking area and adding extensive mounding and landscaping to make the parking the least visible as possible. He said that the attendance information indicates that this facility will have greater attendance than the code would normally project.

Discussion was held regarding the possible turn lane on Powell Road. Mr. Betz noted that only the southern portion of the right of way is within the City's corporate limits, and additional study is needed. Mr. Betz said that Staff defers comments on the architectural elements to Mr. Slavik.

Emil Slavik, Architectural Advisor, gave his opinion on this proposal. He said that he is still comfortable with the overall architectural style of this addition. He said he agrees with their alignment of the roof-tops and their going beyond the setback for architectural reasons. He said that pushing the building back makes a building larger. He said the bell tower is extremely important to the plan and a crucial element to making the building different than the industrial building discussed this evening. He said he still has concerns about the western elevation. He disagrees that the fence in the front should be continuous. He said he has concerns about the high mounding around the parking lot. He said that such mounding is appropriate where adjoining the neighborhoods, but he feels it could create a large wall at the entrance of Powell that is inappropriate.

Commissioner Emerick opened this item to public comment.

Lee Ritchie, 640 Woods Hollow Lane, said that Deer Run homeowners' association has been working to inform the neighborhood about this plan, and a packet including a letter, plan, landscape plan, and survey was sent to the residents to encourage their feedback. Commissioner Wiencek asked who the author of the letter is. Ms. Ritchie said it was sent out by residents, not under the authority of the Homeowners' Association. Ms. Ritchie expressed her concern that the entry to this development and the adjoining subdivision will become more commercial. She noted that the church also marked off the property so that the residents of Deer Run would be able to get an idea of how the site will develop.

Jon Airey, 575 Woods Hollow Lane, said that he is a member of the sub-committee of adjacent residents that was formed to review concerns about landscaping and the impact on their property, but he was unable to attend any meetings of that group. He said that he has concerns that this use is too intense for a residential development. He said it is a big parking lot in front, and there will be a lot of traffic impact on Powell Road, where traffic is already a concern. He said the impact of the value of homes in Deer Run and throughout the community should be considered. He said if this were a commercial development, everyone would be opposed. Even though this is a church, the impact should be closely considered, particularly because it has been suggested that this is just an interim solution and they will eventually need a bigger tract, leaving this community with what is developed here.

Commissioner Coville asked if there has been stacking on Powell Road during police officer direction of traffic from this facility on Sunday mornings. Mr. Airey said that they regularly see such stacking. He said that he would support a smaller development on this property with a reduction in parking and encouraging the church to find a more appropriate tract. Commissioner Coville asked about the comment made before that the landscape is too thick. Mr. Airey said he doesn't agree with any suggestion to reduce the landscaping. Commissioner Wiencek asked if the stacking Mr. Airey experiences is at the church location or the Powell Road/S.R. 315 intersection. Mr. Airey said it is in both locations. He disagreed that this is only a concern on Sundays, and said the church has evening and daytime use as well.

Doug Meszaros, 1820 W. Powell Road, said he lives right across the street, in Liberty Township, not the City of Powell. He said that they and their neighbors have been working with Deer Run association on this development. He agreed that there is already a traffic problem in this area. He said that he has learned that the Ohio Department of Transportation (ODOT) has an expansion to three lanes planned from the bottom of the S.R. 750 hill west past the church, almost to the entrance of The Chase subdivision. He asked if this third lane in the center of Powell Road has been considered in this plan. He said it seems to him that widening the road encourages more traffic, and that is undesirable. Mr. Meszaros expressed concern that landscaping promises were not followed through on when the church made an earlier expansion of the parking lot to the west. He expressed concern that they experience headlights into their property every night. Commissioner Wiencek asked if Mr. Meszaros would be agreeable to landscaping added to his property. Mr. Meszaros said he would.

Joe French, 18 Sycamore Ridge, said that they share a common boundary with the church. He said that he is not here in the capacity as president of the Homeowners' Association. He said that the meetings they have held with the church primarily focused on the demolition of the home on the newly acquired property and construction of the parking lot. They didn't spend much time looking at architectural design or church layout. He said his personal priority is the landscape plan. He said he feels the church has been trying to address the immediate neighbor's concerns. He disagreed with Mr. Slavik's comments about reducing the mounding on Powell Road. He said he would like additional landscaping in the northwest quadrant, as that is adjacent to his yard. He agrees that there is a great deal of traffic, but it doesn't bother him. He agrees with the church about not putting the fence across the front. He said he has concerns about the bikepath along Powell Road and the access from the path to his neighborhood. He said he encourages the Planning and Zoning Commission to permit the smaller parking spaces.

Denise Meszaros, 1820 W. Powell Road, said that this church needs to be considered as "the gateway to Powell." She referred to questions the recent Comprehensive Plan survey about developments and their impact on the City. She said that landscaping must be important if the residents recently passed a \$7 million park levy. She said that Powell is in between two "rural anchors," the Columbus Zoo, and Highbanks Metro Park, and those factors need to be considered. She said she attended a meeting with the church and residents of Deer Run, and she suggested that the church purchase property and move or have two locations. She said she cares and is proud of the community and residents of Deer Run care about their community, and she hopes the wants of the community are all taken into consideration. She said she believes that 25% of the congregation lives in Powell, and everything should be considered.

Lester Noble, Powell United Methodist Church, reviewed that in 1987, there were 60 people that regularly attended the church in the building downtown. In 1988-1989, the 5 acre site was purchased. In 1990, the 14,000 sq. ft. multi-purpose room was built, and in 2000, they added the education wing. Now, on a normal Sunday, 1100 people attend the church. He said that it seems simple to direct them to purchasing more land, but that is expensive. He said they really want to serve the community, and they have earned their desire to move forward in this community. He said they added land to expand that which has already been approved.

Jim Butler, 1726 Powell Road, said he is directly across the road, and the move of the driveway will help keep lights from shining in his window. He expressed concern about the grass area north of the church being a picnic area and festival area for the church. He said that can get loud in the summer when they use loudspeakers. He said that they haven't been to any of the church meetings. He said that he would support landscaping along the northern area to buffer sound and activities in the lawn area. He said he is also concerned about three lanes on Powell Road and the impact on the trees on his lot. He asked if anyone knows how long of a plan this is good for if this would be approved. For a 10-year plan, this would be appropriate, for a 2-year plan, this would be intense.

Tom Anderson, Powell UMC Building Committee, said that they are currently zoned to build the future chapel and sanctuary. He said their current proposal represents a gateway to Powell, good architecture in keeping with Powell's plan, and landscaping above and beyond the code requirements. He said they are trying to grow responsibly. They first added the education wing, and now are proposing additional worship space. He said that the new sanctuary has been planned for several years, and although it is bigger than originally approved, they have added land to facilitate that. Commissioner Wiencek asked when they think the church will reach maximum growth. Mr. Anderson said the bishop is looking for land elsewhere, and this would be the final development due to lack of land. Commissioner Wiencek asked when they will fill what they are building. Mr. Anderson said they feel that 3-5 years after completion, this will be filled. With Scioto Reserve and Golf Village, this is the maximum

growth. Commissioner Emerick asked if what they are saying is that other churches in other locations would be the next step. Mr. Anderson said that is correct.

Marcus Atha, Pastor Powell UMC, said that he has been impressed with the eagerness of the building committee to work with the neighbors, and the amount of listening that is going on in this process. Rev. Atha said he would like to speak to the amenities this facility will provide, there is an \$1,125 average that homeowners give to help other people. The amount given by those involved with the church is a very powerful thing, and the residents of Powell experience that positivity. The larger facility will help them increase how they reach out to those who are in need and need support. He said that everyone can agree that there is a need for that kind of support. He said he also feels the conference and district would not be in favor of selling land and moving off, but rather helping others start other churches in other areas rather than doing away with that church.

Garth Nutter, 36 Sycamore Ridge Court, said he backs up to the far south corner by the dumpster. He said a bell tower 22 feet wide by 60 feet high seems "out of control."

Molly Helt, 1726 W. Powell Road, said that currently, the lights do shine into her property. She said that she thinks it is a good thing that the church uses its building at times other than Sunday mornings. She said she is always happy to see a church that wants their building to be used for other things. She said that if a third lane is planned for State Route 750, it would be good to coordinate that with this plan now, because it will impact the setback and parking. She said she wants to make sure that stormwater run-off, and sewer capacity will be adequate if the church expands. She expressed concern that if a third lane is installed on Powell Road, the newly installed trees and landscaping would have to be moved.

Garry Wilcox, Traffic Engineering Services, said that he is unaware of any plans for widening Powell Road, but he will contact ODOT about that issue. He said that he would assume any redesign would be a result of the plan for S.R. 750 from U.S. 23 to S.R. 315. If ODOT does propose such a change, there will be public hearings. Mr. Wilcox reviewed the standards for left turn warrants. He said that in his opinion, such determinations would be made for facilities with certain traffic on a regular basis. For example, signal warrants are not done for an event that happens only on a Saturday afternoon. He said that there are less concerns with installing a turn lane that is not warranted than installing a signal that is not warranted. Mr. Wilcox said this is a slightly different issue because when there is heavy traffic at this location, there is a police officer directing traffic. He reviewed that the traffic that occurs on Sunday morning is about half to two-thirds of the traffic that occurs on an evening weekday peak. He said the highest volume of traffic entering the church occurs at about 9-9:30.

Mr. Eyerman said that though the expansion of the church and parking will contribute to the traffic on Powell Road, the third lane is not a result of their expansion. He said they are in the process of annexing the smaller site to the City of Powell, at which time the engineering standards must meet those in Powell. He said that sets ODOT one step away from widening that road and gives City Staff the final say in the expansion. Mr. Eyerman said that in summary, they have had several meetings with residents in this area, and one thing they asked for was low rolling mounds. From Powell Road, the mounding will be about 4 feet high, to make it more acceptable and less intrusive. Mr. Betz noted that Mr. Slavik's concern about the mound was viewing it as one drives up Powell Road. Mr. Eyerman said they can work with Staff on that item.

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

Commissioner Murphy said that he is disappointed in the revisions to this plan. He said that many members of the Commission expressed concern about the parking. He said that this applicant is seeking to exceed the seating requirements by 20%, fitting a 9-acre church into a 7.6-acre site. As a result, the parking expansion is quite a dramatic departure from the code. He said he sees no attempt by the church to try to scale back the aggressive plan and fit within the guidelines. While the church may be a great asset to the community, there are standards. When developers come before the City and request such departures from the Code, the Planning and Zoning Commission generally requests significant concessions for the community. He said that there are already standards for concessions for churches built into the code, in the number of parking spaces that are permitted and the size of structures. He expressed concern that permitting this type of departure could set an undesirable precedent. He said the Commission just approved the Meeting House for the Church of Latter day Saints on Liberty Road, and he is sure in 5 years they will be looking to expand. He questioned what the commission will tell them. He said he can't support this as it is and the lack of real intent to scale the development back.

Commissioner Coville said that he is a member of Powell UMC and must abstain from voting. He said that he would like to say that the church adds value to the community and is a vibrant member of the community. He said

the use of the Police Officer actually improves traffic on Sunday mornings from the 5:00 traffic during the week. He said that the type of services this worship facility provides to the community are benefits that far outweigh the diverges from the plan.

Commissioner Wiencek reviewed his concerns about the plan:

- *He said that he thinks there are too many concerns to vote on this plan this evening.* Mr. Betz said the Commission has 30 days from this evening unless the applicant grants an extension of that timeframe.
- *He questioned why the permanent seats are listed as 662 permanent seats, yet the parking spaces are listed to meet 800 seats.* Mr. Betz said that as in the sketch plan, Staff disagreed with the church's interpretation of the Zoning Code, but Staff understands the use is more intense than normal, and they have permanent and non-permanent seats. Mr. Eyerman said they used the 18" per person scale to meet the code, but noted that they already have a parking problem. He said the preschool and Sunday school classes need to be considered in addition to the sanctuary formula for determining parking spaces. Commissioner Wiencek said that the Zoning Code tries to accommodate Sunday school by adding 3 spaces per class with the expectation that children come with their parents. Commissioner Wiencek asked if, using the 18" calculation, 662 seats is correct. Mr. Eyerman said that there are 800 seats total, including the choir seats and additional folding seats that could be used in the plan. Commissioner Wiencek asked what is the choir seating. Mr. Eyerman said there are 44 seats for the choir. Commissioner Wiencek asked what is the current seating. Mr. Eyerman said there are approximately 350 seats. Commissioner Wiencek questioned whether the church services could be adjusted. A member of the church said that the sanctuary represents 8,000 sq. ft. of the building. There is an additional 25,000 sq. ft. that needs to be considered, and it includes 4 adult Sunday school classes (During the 9:30 and 11:00 services) and all the children's classes which have teachers.
- *He questioned whether the parking lot will be slanted or leveled off at the south end.* Mr. Betz said the preliminary building plan identifies a 4-foot drop within the parking area itself.
- *He asked if Staff concurs with the church's opinion on the trees being past their prime.* Mr. Betz said that he agrees with the church that many need to be removed and that it would be desirable to move the Pin Oak and Red Maple if at all possible.
- *He asked if the aisle size for parking will meet the required 22 foot minimum.* Mr. Betz said they will still have 22 foot aisles but they are requesting 18 foot long spaces. He said he has concerns about larger vehicles in effect creating a smaller lane. Mr. Betz said other communities have adopted 18-foot standards, for example, at Polaris Mall. He said the bigger vehicles could use the existing parking spaces which are 19 feet. Mr. Slavik said that he doesn't think the speed in this parking lot will be high enough for the parking spaces to be an area of concern.
- *He said that it looks to him that the bikepath is proposed over a gas line easement.* Mr. Betz said that can be done, as long as there are no trees and access is still possible.
- *He asked if ODOT would have total say in expanding the width of Powell Road.* Mr. Betz said that the City has control of what happens in the right of way within the municipal corporation. Commissioner Wiencek said that the Commission should follow this issue closely.
- *He asked where the next closest Methodist Church is located.* Someone offered Lewis Center. Commissioner Wiencek asked if an additional church is built, where would it be built. Someone said that there has been discussion regarding a church to the north. Mr. Betz offered that there is another UMC near The Andersons.
- *He asked if the current play area is authorized.* Mr. Betz said that was a previous approval.
- *He asked what is currently approved as far as expansion goes.* Mr. Eyerman said that 5500 sq. ft. sanctuary is approved, and they are requesting 8,000 sq. ft.
- *He asked that the landscaping plan include an indication of the size of the plants at planting rather than full maturity.*
- *He asked if the stormwater retention has been addressed.* Mr. Betz said that it has. Commissioner Wiencek asked what kind of ponding is expected. Mr. Slavik said that the plan proposes 1 foot. Mr. Betz said that is at a 100-year storm limit. Commissioner Wiencek said he would like figures on a typical storm, because the parking lot plan is flawed if there will be substantial ponding during a typical storm.
- *He said the parking lot is "literally as big as a football field," and if something of this nature is to be approved, he would be hard-pressed to approve the current design. He proposed reducing the southern setback by about 5 feet and pushing the northern boundary 10-12 feet toward Powell Road and creating two 6-8 feet wide substantially-landscaped islands down the two center rows. He said a break in the islands is probably appropriate to keep people from driving from one end of the lot. He said that would substantially improve the impact.*

Commissioner Futryk said that he doesn't think the Commission is here to debate the benefits that any church provides but rather consider the variances from the Zoning Code that are being requested. He said he appreciates the church's willingness to work with the neighbors on parking and landscaping. He said that he is a little taken aback by Commissioner Wiencek's proposal for parking because it moves the parking closer to the road and closer to the residents. He said he is mostly concerned by the northern boundary and the building line being exceeded by 10 feet. He said he is sure there is a way to work with the current building line on the north side, still have the roof pitch and its visual impact etc. He asked Mr. Slavik to consider if there is a way to meet the building line and have an aesthetically pleasing product. He asked if the size of the narthex could be adjusted to meet this concern. Mr. Eyerman agreed that they haven't worked on the architectural details since the last meeting. He said their first priority was to work with the Deer Run community. He asked if they can focus on the parking first so they can identify what size of property they have to work with. Mr. Slavik said the problem with moving it back is that they need to continue to use the church during construction. He added that if the main chapel space is oriented differently, that will make the overall building thinner and longer in the elevation, which is also undesirable. He said that if the facility is moved back 10 feet, the parking is reduced, and the seating is no longer needed. Commissioner Futryk said the area that is most objectionable to him is the sanctuary exceeding the building setback requirements. He said what will happen to S.R. 750 isn't clear, but the possibility of widening needs to be considered, because the road will get closer to the building.

Mr. Anderson said that purchasing the additional land seems to have hurt them. He said they are trying to create architecture that is desirable and is an improvement over that on the education wing. Commissioner Futryk said he would like to see the additional plan for the sanctuary construction in relation to the education wing that has already been built. Mr. Betz said he doesn't think there was any variance in that original proposal.

Phil Harren, Architect, said that this is the tenth scheme on this project. He said that one of the struggles with this project is the existing building. They are trying to create a sense that the building was conceived under one ideal as it fronts Powell Road. He said the church and education wing are currently not compatible. He said that they want to develop a main sanctuary that makes the existing church subordinate to it. He said that aligning the ridges of the roof creates an affiliation between the new and existing parts of the church. He said that will be lost by pushing the sanctuary back. He added that moving the sanctuary back 10 feet would make it 20 feet smaller because of the scale and relationship to the rest of the building.

Commissioner Futryk asked what is the distance from the top of the roof pitch of the Sanctuary to the top of the bell tower. Mr. Harren said that it is 18-20 feet. Commissioner Futryk asked if the 60-foot height for the bell tower is "standard." Mr. Harren said he doesn't think there is a standard. One of the original proposals was for a 60-foot steeple on the church which was extremely high.

Commissioner Wiencek asked if there is an ideal proportional relationship between the peak of a bell tower and the rest of the building. Mr. Slavik said that this is a very formal, symmetrical plan, and that stylistically, the stockier the tower, the shorter it can be, the thinner the tower, the higher it can be. He said that in the proposal, the columns in the front are proportional to the tower. He said he is very comfortable with the proportion in this plan. He said there are ratios that can be provided to justify this design but also some that can lead to another. He said this isn't too tall, and if anything, it is too short. Mr. Betz added that the previous approval had a future addition for the sanctuary at 5740 sq. ft., and this sanctuary is around 8,000 sq. ft. The original proposal was for 600 seats, and this has a total seating of 800. He said they have added 2.1 acres and 95 parking spaces between the two plans.

Discussion was held regarding membership. Mr. Anderson said there are 1050 members, and that doesn't include children. Commissioner Wiencek said the Planning and Zoning Commission is considering what happens when this church becomes too big for this location. He said the Commission needs to determine what is the appropriate amount of parking, and then that will drive the conversation around to what is the appropriate size of the sanctuary and that may resolve some of the other issues.

Commissioner Futryk asked at what point the church reaches the maximum membership before a new facility is planned. Rev. Atha said that is not factored into the discipline of the church.

Commissioner Wiencek said there is a letter of the opinion of Commissioner De Palma who was unable to attend this evening (Exhibit). He said that he is generally not in favor of the proposal. He said that tonight he has heard that there are three members who have a long way to go to become comfortable with this plan.

Commissioner Emerick asked when the results of the survey will be completed. Ms. Ritchie said there is no deadline. Commissioner Futryk asked how many people were sent the survey. Ms. Ritchie said that it was sent to 85 households. Commissioner Emerick said that it sounds as if there is not a consensus to vote on anything at this time. Mr. Anderson of the church waived the requirement that this item be decided within 30 days. Commissioner Emerick asked that the survey results be sent in by January 2 so that they may be reviewed prior to the next meeting.

Mr. Anderson said that he would like consideration to be given to the fact that they have been approved for a 600 seat sanctuary and they have added 2.1 acres to this site. He said they would like some idea as to what type of parking would be permitted. Commissioner Futryk indicated a desire to reach a compromise between the 600-seat sanctuary that was approved and the 800-seat sanctuary they are currently requesting. The representative of the church said that their research indicated that the calculation for how many people can fit in a space is typically more generous than what can actually fit. He said that they are limited in their available parking. He said they would like to have space for an additional 250-300 people in the congregation, and they think that means 100 more parking spaces. He said it is obvious that the parking formulas don't work for their church, because they theoretically have more than what they need, and they are parking on grass. He said they have been amenable to requests by staff to put the storm water underground (for \$25,000) and add additional landscaping for Deer Run at an additional expense. He said that they may get to a point where it is not feasible. He said they are trying to make the church look better and be a better gateway to the City.

Commissioner Coville expressed an interest in seeing if there is more that can be done to tie in the old design to the new. Mr. Harren said that there may be some modifications that could occur on the education wing, but he noted that the wing is very close to the setback line. Mr. Slavik said he doesn't think architecture will fix the education wing, but several small and large trees placed strategically could help considerably. He identified how the fence should be handled to break up the facade. Commissioner Emerick said that whatever is used would need to be able to handle wet conditions, as he believes that site is pretty damp. Mr. Slavik reviewed a proposal for where the sidewalk could be located. He said that rock outcrops could also be used in conjunction with landscaping. He said that he doesn't think the parking lot will have a great impact, because the trees and height will draw the eye up. Discussion ensued.

An unidentified resident said "just for the record" that she can always see the parking lot from her upstairs.

Mr. Slavik said that in his experience, churches are reactive in their plans for expansion. Their request is for what they need, not what they are planning for in the future. He said they are totally dependant on the success of the community. He said it is not possible to pick a site big enough for a successful church. Commissioner Futryk said that may be true, but the size of the space and usage of the space can be limited. Mr. Slavik said that residents moving to Powell helped create the problem for the church.

Commissioner Wiencek suggested that members of the Commission summarize their key concerns.

Commissioner Futryk said he is concerned with the variance of the building line and the visual impact of the church.

Commissioner Wiencek said his biggest concern is how it looks and the greatest impact on how it looks is the parking area. He said he hasn't paid much attention to the building, but he is less concerned about it than the parking.

Commissioner Emerick said that he is also concerned about the parking. He said he likes Mr. Slavik's suggestions for landscaping to help with the education wing.

Commissioner Coville said that the buildings don't look like they were built at two different times with this proposal, and Mr. Slavik's suggestions for landscaping also helped.

Commissioner Murphy said the parking lot and the seating go hand in hand and reducing the seating reduces the need for parking and vice versa. He said he doesn't have a magic number, but it is definitely less than what was asked for. He said he would expect a plan at the next review that does not aggressively go beyond the Zoning Code requirements.

Commissioner Futryk asked if he is the only Commissioner concerned with the building line. Commissioner Murphy said he sees no reason to go beyond it. If his concerns are addressed, that could be moved back. Mr. Slavik said he thinks going past the building line is an appropriate compromise for the total picture. Commissioner Emerick said he doesn't particularly like variances, but that's not a major concern for him. Discussion ensued.

Mr. Anderson asked if there have been any Zoning Code changes since their original approval that have facilitated all this discussion. Mr. Betz said there have not. The representative said he believes they were zoned for a 5700 sq. ft. sanctuary to seat 600 people. Mr. Airey said that he doesn't think the sanctuary was anything but a sketch plan. Mr. Betz said he will need to check the minutes. Commissioner Emerick said he doesn't think the sanctuary was ever formally approved because there were no detailed architectural plans. Mr. Anderson said he thought there was an approved square footage, and he asked if there isn't something gained by adding 2.1 acres. Commissioner Wiencek said that the Commission has changed their philosophy and stopped approving things "conceptually."

Mr. Anderson of the church asked if the only thing they have to request approval for is those items that vary from the Zoning Code requirements. Commissioner Wiencek said that the Commission can deviate from the Zoning Code standards at their discretion. He said that he thinks it is important to review the last minutes to see what was approved. Discussion ensued regarding what the previous approval was. Mr. Betz said that Staff will review that issue and report back. He noted that this applicant is adding 2.1 acres and parking lot to satisfy their current needs. He said he thinks Powell needs to accommodate them and make it a reasonable effort to fit in with the codes in the best manner possible.

MOTION: Commissioner Wiencek moved to table this item until the next meeting of the Commission. Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Wiencek, Coville

APPLICANT: M/I Schottenstein Homes
The Woods of Powell

LOCATION: On the north and south side of Rutherford Road, north of Powell Place and east of Middlebury Estates, and south of the Wyandot Elementary School.

EXISTING ZONING: Liberty Township FR-1, Farm Residence District and PR, Planned Residential District

PROPOSED ZONING: Powell PR, Planned Residence District

REQUEST: Approval of a Preliminary Development Plan for 205 single-family lots on 133.31 acres, including 63.47 acres of dedicated open space.

MOTION: Commissioner Futryk moved to table this item until the next meeting of the Commission. Commissioner Coville seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Coville

PROPOSED AMENDMENT TO THE ZONING CODE: TO AMEND SECTION 1147.12 TO INCLUDE STANDARDS FOR THE INSTALLATION OF APPROVED EXTERIOR WALL MATERIALS.
David Betz, Director of Development, gave his Staff Report on this item (Exhibit).

Commissioner Emerick opened this item to public comment.

Larry Coolidge, Historic District Commission (HDC) Member, said that there was a proposal for a new residential structure in the old village where the applicant asked to use Hardiplank. Although it is allowed on commercial facilities, it is not allowed in the residential areas. He said that the architectural advisor for the HDC commented to him that wood that is available does not last as long as Hardiplank, which has a 50 year warranty. He said he knows that the material got a bad rap because of the Masonite siding used in Powell Place, and because it was used without approval in another subdivision in Powell. He said it is a good product that the HDC would like to use in the Historic District.

Allan Millington, 50 Case Street, said that he is in favor of this material as a permitted use because he is in the process of restoring his home. He said that he would support anything but vinyl. He said he is a builder and Hardiplank is a good product.

Garry Swackhamer, HDC, said that some die-hards would like to see wood siding, but he understands that is cost-prohibitive. He said there have been instances where aluminum siding has been replaced with vinyl. He said the goal of the HDC is to allow a variety of materials, but that Hardiplank is a more desirable alternative to wood than vinyl. He said that Hardiplank has been used on many facilities in the commercial district with good results, and they would like it to be available for the residential areas.

Commissioner Futryk asked if any changes to installation standards could be applied to Golf Village. Mr. Betz said it is unclear whether any change to the Zoning Code can be enforced in that area. He said the building code may be the way to enforce those requirements. Commissioner Futryk said that he believes Hardiplank is a good and desirable product, but that the Commission denied permitting it throughout the City.

Commissioner Wiencek asked if there are lap requirements in the historic district. Mr. Betz said there are recommendations for a 3-5" exposure with any horizontal siding. He said that board-and-batten is allowed. He said there are also guidelines for the profile of siding. Commissioner Wiencek asked if there is anything now that is more than 3-5" lap. Mr. Coolidge said that some of the homes from the fifties have a 5-6" lap, but normally there is a 3 ½- 4" lap.

Commissioner Wiencek said it seems to him that the wording regarding removal needs some work. He said he thinks there should be a percentage requirement to have to meet the regulations. Mr. Betz said that section allows Staff to require material be removed and replaced if it they find it not installed properly. Commissioner Wiencek said that is acceptable, but continued that there should be a determination made as to when an underlayment is going to be required. He asked, at what time does the City tell someone they can't just fix the siding but rather remove the wall and start over. Mr. Betz said that is addressed in Section 4, where total replacement is discussed. Emil Slavik, Architectural Advisor, said that the Building Code should address what is an "upgradeable" condition and what needs full replacement. He said that Section 4 talks about total replacement. Commissioner Wiencek said to him that "total replacement" to him means the entire house. Mr. Betz said that this issue came up when the Commission discussed that it was undesirable to install Hardiplank over existing siding. Discussion ensued.

Discussion ensued regarding the use of Hardiplank in the Historic District. Commissioner Futryk questioned how the use of vinyl was ever permitted. Mr. Betz said it is acceptable in renovations in many historic districts when there is no other way of handling a renovation economically. He said the siding material is allowed in Italian Village. He said that neighborhood has a wide variety of household incomes, and the same can be said for Powell. Mr. Slavik said that he thinks that vinyl should be prohibited but there should be language that materials can be replaced with similar materials. He said he doesn't support a blanket approval of Hardiplank in the historic district. Mr. Slavik suggested that the HDC be given the authority to approve certain materials as they see fit. Commissioner Wiencek said that if Hardiplank is permitted in the Historic District, then wood will never be used again. Mr. Coolidge reminded the Commission that Hardiplank is permitted in the commercial districts, just not on new construction within residential neighborhoods. Commissioner Wiencek said that he is leery of permitting Hardiplank, because the Commission did that before, and now every application is requesting the material. He said he doesn't want to discuss the Hardiplank issue anymore. He said he doesn't support Hardiplank being used in the Historic District.

Commissioner Murphy said he supports the use of Hardiplank throughout the City. He said he thinks it is silly that it is approved for commercial uses in the downtown historic area, and should be fine for the residents in the old village as well as throughout Powell.

Commissioner Coville said he agrees with Commissioner Futryk that if the Commission says it's not okay elsewhere in the City, it is not okay here.

Mr. Swackhamer expressed concern that the Historic District is getting many requests for vinyl because Hardiplank isn't permitted. He said that the Commission is not opposed to replacing aluminum siding with vinyl, but it is starting to see more and more people who don't want to use real materials and are requesting the use of vinyl. He expressed concern that vinyl fades and cracks.

Commissioner Emerick agreed with Mr. Slavik's suggestion of giving the HDC discretion to use it when they think it is appropriate. He asked what commercial buildings have used cement-fiber siding. Mr. Betz said such material was used on the front addition of 30 West Olentangy Street, the Newbury Homes office on South Liberty Street, at 74 East Olentangy Street, and 285 S. Liberty Street. Mr. Coolidge said that such applications as these

are different than a developer putting the material on 200 homes. Commissioner Emerick said that his main concern about cement-fiber is about installation, and he has seen its improper use in Golf Village.

Commissioner Wiencek expressed a desire to poll the Commission on their opinion of including the Historic District Commission's request for cement fiber siding in this ordinance. Three members indicated an interest in removing it. Commissioner Emerick said he would consider language deferring such use to the discretion of the HDC. Commissioner Wiencek suggested that this be tabled until the next meeting. Mr. Betz said that would provide Staff the ability to review the applicability of these regulations to Golf Village.

Motion: Commissioner Wiencek moved to table this item until the next meeting. Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Wiencek, Coville

PROPOSED AMENDMENT TO THE ZONING CODE: TO AMEND SECTION 1143.21 OF THE POWELL ZONING CODE ESTABLISHING MEMBERSHIP OF THE HISTORIC DISTRICT COMMISSION.

David Betz, Director of Development, gave his Staff Report on this item (Exhibit). He said that this amendment would still provide for an AIA member of the board to give advice on architectural issues.

Garry Swackhamer, HDC Member, said this was approved on a night he wasn't there. He said he is concerned that he fought very hard a few years ago to get the requirement that two residents of the residential section be members of the Commission. He expressed that people who live in new subdivisions within the City would not appreciate people who don't live there giving ideas on how their property is maintained. He said that with these changes, area residents will lose their ability to do what they would like with their own property. He said he knows that there has been discussion of the benefit of appointing members with certain education, but his experience is that the experience of working and living within the historic district is of more value. He said that the board is diverse as it is.

Someone who did not identify himself concurred with Mr. Swackhamer.

Commissioner Coville asked how many members sit on the Commission today. Mr. Swackhamer said there are 7. Commissioner Coville asked if it has been difficult to maintain 7 members. Mr. Betz said that Council would like a greater base of applicants. Mr. Swackhamer said that he is concerned that without the regulation for historic district residents, that the board could be comprised of business owners or people who rent property, and no actual residents of the historic district. Commissioner Coville said that he would be in support of requiring at least 2 historic district residents. Commissioner Murphy said that the only non-residents that can be on the HDC must own businesses or property within the Historic District. He said they will be living under the rules they must pass, and they may be too lenient in their application of the rules.

Commissioner Murphy asked if there is a present, pressing problem that spurred this amendment. Commissioner Wiencek said that Council wants to be able to appoint the most qualified person. Even though 6 non-residents is possible, the interview process and selection of the most qualified make it unlikely. He said that Council has felt constrained in the past to appoint an unqualified candidate that meets the quota rather than a qualified resident who doesn't meet the criteria.

Commissioner Futryk said he would prefer membership of residents to business owners. Mr. Slavik asked if the language couldn't just include that Council will select the most qualified individual. Commissioner Wiencek said that doesn't guarantee Mr. Swackhamer's interest in requiring two Historic District residents. Commissioner Futryk suggested identifying that at least two must be residents of the Historic District, two must be residents of the City of Powell, and the remaining may be property owners. Commissioner Murphy asked if there is any other Commission that allows for non-residents to serve. Mr. Betz said there are not. Discussion ensued.

MOTION: Mr. Wiencek moved to approve the amendment with the following changes to Section 2: That at least 4 members be Powell City Residents with at least 2 representatives being Historic District Residents. Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Wiencek, Coville

PROPOSED AMENDMENT TO THE ZONING CODE TO AMEND SECTIONS 1143.15 (A) AND 1143.16 (A) IN ORDER TO MODIFY AND UPDATE THE PERMITTED AND CONDITIONAL USES IN THE PLANNED COMMERCIAL AND PLANNED INDUSTRIAL DISTRICTS.

David Betz, Director of Development, gave his Staff Report on this item (Exhibit). He said that this new language

would allow pet daycare, veterinary and adoption facilities within the Planned Commercial District as long as there are no kenneling operations. He said that Parking Lots or storage areas for boats or recreational vehicles has been moved from the Planned Commercial to the Planned Industrial District.

Mr. Betz said that kennels for small and large animals were added to the Planned Industrial District. Storage of large vehicles and rental truck facilities were added to the Planned Industrial District. He said that most of these suggestions are based on actions by the Planning and Zoning Commission or BZA.

Commissioner Wiencek moved to approve the amendments to Section 1143.15. Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Wiencek, Coville

Commissioner Wiencek moved to approve the amendments to Section 1143.16. Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Murphy, Wiencek, Coville

NEWBURY HOMES MATERIALS

David Betz, Director of Development, said that one condition of the approval of the Newbury Homes condominium project off of Zion Drive is approval of materials by Staff. He said that they are submitting applications for permits with Hardiplank. He said that material was contemplated through the whole plan process, and he needs a clarification of what this body feels was approved.

Commissioner Murphy said he thought it was approved. Commissioner Futryk said that he felt it was approved pending the determination of the use of Hardiplank throughout the City. Mr. Betz said Staff's recollection is that it was approved. Commissioner Wiencek said he is unsure. Commissioner Futryk said he thinks that the minutes of the development plan process identified Hardiplank rather than a specific siding, but that the Hardiplank should be installed with the installation standards of the legislation. Commissioner Coville said that he thought that approval was for cement fiber if it were approved for overall use in the City.

After further discussion, Mr. Betz said that Staff will provide the Commission with the necessary minutes and this item will be discussed at the next meeting.

OTHER COMMISSION BUSINESS

- Mr. Slavik renewed discussion of the mounding that was proposed for screening for the Powell UMC project. He said he felt mounding the neighbors property on the other side of Powell Road will result in removal of a large group of trees from their property. He said a stone wall may be more desirable. Commissioner Futryk questioned how the City can require that the church do any improvement outside the City's municipal boundary. Mr. Betz agreed that it is undesirable to remove trees. Commissioner Wiencek said that the goal is to make the neighbors happy, and 3-4 bushes may be sufficient.
- Commissioner Futryk asked that Staff provide background information on area densities and lot sizes for reference when the Rutherford Estates project is discussed again.
- A brief discussion was held regarding the time Staff needs to complete the staff report on applications for projects.

ADJOURNMENT

The Commission adjourned at 12:06 a.m.

DATE MINUTES APPROVED:



Don Emerick
Chairman

2-25-03
Date