

**MINUTES  
Planning and Zoning Commission  
November 12, 2003**

A regular meeting of the City of Powell Planning and Zoning Commission was held on November 12, 2003 and called to order by Chairman Don Emerick. Other Commission members present were Tom Counts, Roger Coville, Kevin Futryk, Don Grubbs, Dan Wiencek, and Brian Murphy. Also present were David Betz, Director of Development, Shawn Leininger, Development Planner, residents and other interested parties.

**HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA**

There were none.

David Betz, Director of Development, noted the comment cards that are available at the rear of the chambers for residents who would like to provide their opinion or request additional information or contact from Staff.

**APPROVAL OF MINUTES**

There were none.

**FINAL DEVELOPMENT PLAN & ZONING MAP AMENDMENT**

**Applicant:** Powell United Methodist Church  
**Location:** 825 East Olentangy Street  
**Current Zoning:** FR-1, Farm Residence District (Liberty Township - Recently Annexed)  
PR, Planned Residence District (existing Powell portion)  
**Proposed Zoning:** PR, Planned Residence District  
**Request:** Approval of a Final Development Plan for a new sanctuary addition and parking lot on 7.6 acres and to amend the Zoning Map from FR-1, Farm Residence District (Liberty Township, to PR, Planned Residence District for 2.07 acres recently annexed into the City of Powell.)

Chairman Emerick noted that Commissioner Grubbs and Commissioner Coville are both members of the Powell United Methodist Church. Although the Ohio Ethics Commission has determined that there is no conflict of interest if they vote on this issue, both have decided to abstain.

Marcus Atha, Pastor, Powell United Methodist Church (PUMC), noted this church was established in Powell in 1821 and he provided anecdotal information regarding the history of the church and a period in the 1800s were it was actually located in the middle of Liberty Road. He said that some members of the Deer Run community, and the Meszaros', who live across the street have expressed concern over the church's proposal in the past, but they all have reached a consensus and worked together to determine an appropriate plan for this development. He said he thinks there is a sense of good will and reconciliation between the church and the neighbors.

Jack Reynolds, attorney for the applicant, was present to review the elements of this Final Development Plan. He said that the purpose of this plan is to put the finishing touches on a plan that was begun in 1987. He said the church began construction in 1990, finished the education wing in 2000, and now wants to continue with this portion. He said this was first reviewed in August of 2002, and the most recent review was in February of this year, at which time the Planning and Zoning Commission approved the plan with conditions. He said they have been working with the Planning and Zoning Commission's guidance as well as the public. He said there have been many amendments to this plan over time.

Mr. Reynolds said that there are four variances to the zoning for this property as follows:

1. There is an 8' 8" encroachment into the front setback by the main building.
2. The parking setback requirement is 130 feet, and they are requesting a variance to allow the grass parking area to encroach into that setback by 60 feet.
3. That the parking, at 292 spaces is less than the 333 requirement. 37 spaces will be provided on a stabilize grass area.
4. That the parking islands within the parking area be altered from that required in order to maximize the treed areas.

Commissioner Wiencek asked if a variance is required because a portion of the parking is on grass. Mr. Betz said it is, as paved parking is required.

Tony Eyerman, gave a presentation on this project. He said that this plan represents much compromise between the church and area residents. He reviewed the following aspects of the plan:

1. The parking has been reduced to 292 paved spaces. He said the 37 parking spaces will be on grass areas immediately to the north of the paved area. He noted that there are two methods of calculation of parking spaces according to the zoning code, one of which identifies that 335 spaces are required for this development.
2. The grass parking area is a divergence from the code, and is intended to provide parking during very busy periods, such as Christmas and Easter. He said that this grassy parking area addresses condition number 8 of the Preliminary Development Plan approval, which is identified in the staff Report (Exhibit).
3. The circulation plan has not changed since the last review with the exception of a pedestrian path which will come into the mounding to create a more attractive entry feature as one travels from the eastern side of Powell into the City. This was recommended by the area residents.
4. The traffic management and parking analysis plans have been submitted, and that addressed condition number 1 of the Preliminary Development Plan approval.
5. The landscape plan has been significantly revised to address the concerns of the neighbors. The plant materials have been increased in size and quality. The evergreens or pines have been replaced with spruces. A meandering hedge is being proposed with a variety of plant materials and deciduous trees to screen the parking area. An easement is being dedicated to the Deer Run Homeowners' Association to increase their entry feature. The planting bays have been designed and require a divergence in order to attempt to preserve existing trees. These details of the landscape plan address condition 6 of the preliminary plan approval.
6. Condition 4 of the preliminary plan approval has been addressed with a plan that has been approved by the effected neighbors.
7. Due to concern regarding the safety of the parking lot, they are now proposing four light poles with two lights on each pole rather than the previously-proposed bollards. The lights will be 100 watt and 14 feet high. The intention is to provide parking for security that will not illuminate past the edge of the pavement. They are willing to implement some timers on the lighting with the exception of lighting that needs to be maintained to provide security. The existing light fixtures on the south and west will be modified to match the new lights. These lighting plans address condition number 2 of the preliminary development plan.
8. They have agreed to pipe the ditch along the front of this property and work with City Staff on the site engineering. The height of the mounds is being changed from that previously contemplated to address the concerns of the neighbors, but it still meets an appropriate pitch for mowing purposes. This addresses condition number 3.

Phil Harren, Architect, gave a presentation on the revised building design. He said there has been numerous discussions on the bell tower element with church members and community representatives. At the preliminary design review, condition number 7 was that the "vertical element be significantly redefined." He reviewed a redefinition of the bell tower with a 25% reduction in design. He said the proposed tower is 18 feet at the base and 62 feet tall. He said that this project is still evolving architecturally and the details will be scrutinized throughout the design process. He said he believes the currently-proposed massing is appropriate. He noted that they are requesting no variances to this proposal in relation to the height of the building or the bell tower.

Mr. Harren reviewed that the variance to the front setback is a direct result of the design of the education wing which was built in 1990. He said that this configuration is very symmetrical and traditional and meets the churches needs for seating. He noted that the primary function of the church resides in the sanctuary and it is important that the needs of the church be met with the design. Mr. Harren said that he feels the architectural design as well as landscape plan address the comments of the architectural advisor, which is condition number 5.

Proposed materials and colors for the church were submitted to the Commission for their consideration.

David Betz, Director of Development, gave his Staff Report on this issue (Exhibit). He noted that the parking lot lighting at the Village Green is very similar to what is being proposed. He noted that Staff is proposing additional plantings along the base of the existing education building. He said that Staff feels that churches are a good gateway to the community and that this development would be a good addition to the community.

Commissioner Emerick opened this item to public comment.

Greg Davis, no address given, said that he has been heading the citizen group for those who have been concerned about this development. He thanked the church sincerely for their cooperation and said that most of the residents' concerns have been addressed. He said the residents feel the landscaping does a better job at screening the parking than that originally proposed. They like the change in the bike path and the white fencing. He said they have been assured that lighting will not extend beyond the pavement. He said they have also discussed timers on many of the older lighting at the facility. He said they feel the bell tower has come a long way. Their biggest concern is not the height but rather the mass and the reduced width is an improvement. He said they have had some concerns about the grass pavers because they expected it to be open space. He said they appreciate the amount of parking needed for Christmas and Easter, and understand that this parking will serve as overflow during those times. He indicated that they do have concerns that additional growth by the church could result in weekly use of those pavers. Regarding the parking islands, Mr. Davis said that they would like as much of the asphalt as possible to be punctuated with green space. He thanked Powell City Staff for the insight they have provided and the Planning and Zoning Commission for what represents a great improvement and a lot of hard work on many people's parts.

Doug Meszaros, 1820 Powell Road, echoed Mr. Davis's comments. He thanked the church for meeting with the residents and really listening to their concerns. He said in June, when there was discussion about keeping the Titus Case Home, it was discussed that 24 spaces were expendable to accommodate that. He said that in June, there were 114 spaces surrounding the church, and now there are 110. He questioned whether the 8 spaces that are being dotted in are temporary. He said that pavers are a wonderful concept, but are a costly investment that require quite a bit of maintenance. He said that the landscaping on their property is not exactly what was discussed, but it shows good faith and they think they can work with the applicant.

Commissioner Wiencek said he shares the concerns about the pavers. He said that the Commission has the option to approve the plan as submitted, pave the area, or prohibit parking in the paved area. Mr. Davis said that the concern is what is the guarantee that the pavers will be used for special events only.

Denise Meszaros, 1820 Powell Road, thanked the Planning and Zoning Commission and the church for inviting her to work with them on this issue, however, the pavers are "a little late in the dialogue....and should be dropped." She said she didn't see them at the open house and didn't have time to think about them. She said that it appears that parking has been added since June 2003 behind the entrance to the bell tower. Ms. Meszaros said she would like the continuation of landscaping islands every eight parking spaces as the zoning code requires. She said that this application has 13 spaces without an island. She said that the additional parking islands will help ensure proper stormwater management.

Joe French, 18 Sycamore Ridge Drive, says he lives immediately to the west of the church and has been involved with this issue from the beginning. He said he likes what he is seeing. He said that regarding the pavers, if there is no overflow parking, people will park along his street and on Valley Run. He said he is willing to participate in any meetings regarding the bell tower construction, as he sees the church every day. He encouraged the Commission to approve the plan as submitted this evening as it represents 18 months of work and much cooperation with the neighbors.

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

Mr. Reynolds addressed the issue of pavers. He said that the minimum number of parking required is 336, and they are providing 339, 47 of which will be in the grass area. He said the church has indicated that they would appreciate more parking than the Zoning Code requires because of their current need, but there are now trying to meet the Zoning Code requirements and address the residents' concerns regarding paving the whole parking area. He agreed that without this overflow parking area, the closest alternative is within Deer Run subdivision. He said that they have said that the overflow parking will only occur during special events throughout the year, and they are willing to include that as a condition that they won't be used more than 12 times a year. He says they don't see a need to go above the 292 spaces on a regular basis.

Mr. Reynolds said that he thinks the variance for the parking lot islands are rational, as they preserve the existing trees and allow the roots to function. He said without this variance, they would be removing mature trees and replacing them with small trees.

Commissioner Futryk commended the church for coming such a long way in addressing the resident's concerns. He said he believes that there was consideration at one point to extending landscaping to the sparse education area. Mr. Eyerman said they would be willing to work with Staff on that. Commissioner Futryk asked how much of the perimeter landscaping is screened with deciduous trees. Mr. Eyerman said that he would estimate that 85% of it will be evergreen. He said the mounding will help. Commissioner Futryk asked about the architectural advisor's recommendation that the mounding be lowered. Mr. Eyerman said that they lowered it based on his concern but then raised it to address the resident's concerns. He said that it can only be raised so high and still maintain the 3:1 slope. He said that they have made attempts to break it up as much as possible.

Commissioner Futryk asked about the retention pond and drainage from the ditch. Mr. Eyerman said it will be a dry basin. He said they have been working with the City engineer to create an acceptable stormwater management plan. Mr. Betz reviewed the stormwater management plan. He reviewed the mounding proposal and indicated that the highest point is 7 feet. He noted the areas where gaps will be located as well as the fencing and landscaping.

Commissioner Futryk asked for the exact location of the grass pavers. Mr. Betz noted that it follows the same width as the front of the parking area. He said this allows for two rows of parking and an aisle down the middle. Commissioner Futryk asked if there are any concerns about the slope of the paver area. Mr. Eyerman said there are not, as they are proposing a catch basin and tiles underneath.

Commissioner Futryk asked if the center section of the bell tower will be open. Mr. Harren said it is not open. He noted that their proposal was only finished on Friday and approved by the church over the weekend. Commissioner Futryk asked if consideration has been given to making it open to reduce the mass further. He asked about the lighting. Mr. Harren said that there is no specific plan for lighting at this time, but when the architecture is more clearly defined, they will address that.

Commissioner Futryk asked if the church has agreed to the traffic management recommendations. Mr. Eyerman said they are.

Russ Blackstone, Chairman of the Church Building Committee, said that they reviewed the bell tower on Friday and that the proposal is still preliminary, and they feel it could be open.

Commissioner Wiencek thanked the applicant and residents for working together.

Commissioner Wiencek expressed concern about building the Great Wall of China with the mounding in the front. Mr. Eyerman said the intent is to meet the Zoning Code capacity for parking and provide a view. He said that bringing the bikepath into the mounding allows them to work in some ornamental trees and a meandering hedge. He said the intent is to break up the wall and create clusters that allow the spaces in between for deciduous trees and a little bit of visibility. He said in many ways, it will blend the functional aspects of the evergreens but still use the ornamental characteristic of the white fence. He said they are trying to screen the parking in the best way possible. Commissioner Wiencek clarified that 80% of the parking lot needs to be screened to meet the code.

Commissioner Wiencek asked how many parking spaces are currently at the church. Mr. Eyerman said there are 243. Commissioner Wiencek asked if it is correct that a typical Sunday has about 300 people attending worship services. Reverend Atha said that is correct, plus an additional 175 participating in education. Commissioner Wiencek said that with roughly 500 people being present, that is approximately 2 people per space. He asked if that is a ratio that continues with this plan. Reverend Atha said that they are proposing parking at 80% of the seating capacity, and they don't expect a rise in education attendance because of the available capacity. Commissioner Wiencek said he is trying to figure out whether the church will use the parking as they currently do with what is proposed, and it sounds like they will. He said that if on-street parking becomes an issue in the future, that can be addressed at that time.

Regarding the easement for the Homeowners' Association, Commissioner Wiencek said he feels there should be an easement for the City for a Welcome to Powell Sign. He said it is the entrance to Powell, and there is a long term plan to provide entrance features to the City. Mr. Eyerman said they are willing to work with both parties.

Commissioner Wiencek asked if the church is okay with the left out only on the western most entrance. Mr. Eyerman said the plan is to have the police officer direct left turns from the east entrance.

Commissioner Wiencek expressed concern that even if the light doesn't go beyond the pavement that neighboring residents could be staring at light bulbs. Mr. Eyerman said that they feel the proposed fixture will not cause such a problem.

Commissioner Wiencek asked if it is correct that the chapel is no longer being planned for this development and any future additions will have to go before the Commission.

Commissioner Wiencek asked if the building length requires a variance. Mr. Betz said it does not. He said there is a change in articulation to the walls that is suitable.

Commissioner Wiencek asked if the colors and materials will be back for a final review. Mr. Reynolds said it will be if it is required. He said the brick will match the existing brick, as will the shingles. He asked if the paver parking would meet the NPDES stormwater plan requirement.

Commissioner Wiencek asked if the Commission will review the final building style and the proposed tower. Mr. Harren said as the design process moves forward, they will come back before the Commission. Mr. Betz said the Commission can have final review of the architectural elements. He noted that the Commission can review this as it relates to the surrounding neighborhood. The Certificate of Appropriateness, which would normally be done for non-residential properties doesn't apply to churches. Mr. Reynolds said that this use is specifically excluded from architectural review under the code. He said he understands that the church wants to get the context right, but they don't want it dictated to the church what this development should look like.

Commissioner Wiencek asked if there are limitations in the code regarding the entry pier. Mr. Reynolds said they would be willing to reduce it and connect the fence to it. Commissioner Wiencek asked if a monument sign or any other kind of sign is proposed. Mr. Reynolds said it isn't. Someone said that the pier has been on the plan since the very beginning and it is very similar to that in Deer Run. Commissioner Wiencek asked if the applicant would be opposed to a final location approval by staff. Mr. Reynolds said they wouldn't.

Commissioner Wiencek suggested that the paved parking be installed to the best practices identified by the manufacturer, that they use the sand fill and that it is irrigated. He said if there are truly 600 folks in attendance each Sunday, there will be more frequent use of the paver area. He said he is struggling with insuring a reasonable amount of control that this remains green space.

Commissioner Counts said that consideration needs to be given to the use of the paver area. He said he doesn't anticipate that the overflow will be used much in the winter with the exception of Easter. Mr. Betz said many of the concerns about the parking material can be addressed through the property maintenance code.

Regarding the phasing plan as proposed, Commissioner Counts questioned what happens if the parking goes in first but the church expansion isn't built.

Commissioner Counts asked if the green space calculations include the grass paver areas. Mr. Betz said they do. Commissioner Counts said he would support the plantings around the educational building. He said the monument sign is too tall. He said that it is good when the parties can come together and communicate, and it's always unfortunate when that doesn't happen early and often. He said he is glad to hear that many of these issues have been resolved.

Commissioner Murphy questioned the validity of the parking calculations. He said that the Commission has also reviewed another formula that identified 213 spaces based on the main assembly area. Commissioner Wiencek said that the 335 requirement is the more conservative calculation. Commissioner Wiencek reviewed that both calculations have been discussed. Commissioner Murphy said that his calculations tell him that there should be 240-250 parking spaces to meet the code. He said he is also concerned with the phasing, and installing a huge parking lot for a development that may never come to fruition.

Commissioner Murphy asked if anywhere else in this area uses this type of parking. Mr. Eyerman identified the New Albany City Hall and Country Club. Commissioner Murphy said that Powell doesn't have a good track record with experimental materials. He asked how such materials are plowed. Mr. Eyerman pointed out the information

that was provided. Commissioner Wiencek reviewed the procedure. Commissioner Murphy said he doesn't think the additional parking is needed. He said that the pier is necessary if the intent is that the landmark be the bell tower as has been discussed.

Commissioner Emerick had nothing to add.

Commissioner Wiencek proposed the following conditions:

1. That the final landscaping of the Meszaros property be approved by Staff.
2. That timers be added to the parking lot lighting that shut off lights at 11:00 p.m. or within ½ hour after the end of any event.
3. That the materials and colors be approved by Staff.
4. That the final location for the path, fencing, and landscaping along Powell Road be approved by Staff.
5. That the landscaping plan for the education wing be approved by Staff.
6. That the grass paving areas are to be installed by the best practices of the manufacturer and are to include irrigation.
7. That the final architectural plans will be reviewed by Staff as to the effect on the surrounding community.
8. That the pier location is to be approved by Staff.
9. That the pier height will be consistent with the Deer Run column height.
10. That the addition must be started in 5 years of approval, or the paved parking will be removed.
11. That the final engineering plans be reviewed and approved by the City Engineer and the applicant address all engineering concerns.
12. That the parking lot lights that exist on the south and west parking areas be changed to the fixtures that are proposed so that they are consistent throughout the site.
13. That the final design of the bell tower be approved by Staff.

A brief discussion was held regarding the bell tower feature and whether there was an intention to make it hollow to reduce the mass. Rev. Atha said that they changed the bell tower to meet the suggestions of the residents. Lee Ritchie indicated that there was discussion that an open design would be more desirable.

Someone said the proposed bell tower is substantially different than the original proposal and he questioned whether any other changes would negate the work with the residents. Mr. Betz recommended that Staff work with the applicant and the residents regarding the design.

Commissioner Wiencek clarified condition 13, that the final design for the bell tower is approved as submitted or may be approved by Staff if the design changes and a compromise is reached between the applicant and the residents.

**MOTION: Commissioner Wiencek moved to approve the Final Development Plan and Zoning Map Amendment with the conditions as listed above. Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Wiencek, Counts. No: Murphy. Abstain: Grubbs, Coville.**

Mr. Betz said this item will go to City Council for review and if people were notified of this hearing, they will be notified of that one as well.

#### **PRELIMINARY DEVELOPMENT PLAN**

**Applicant: Pete Delois Recreations Outlet**

**Location: 470 West Olentangy Street**

**Zoning: PC, Planned Commercial District**

**Request: Approval of a Preliminary Development Plan for a 35,800 sq. ft. retail center on 4.1 acres, including the outdoor display of recreational structures for sale.**

Kerry Ryan, Architect, was present to discuss this project. He said that they had planned to present a plan that contemplates all the previous discussion, but Staff has recently suggested that the site be entered by the Sawmill Road traffic light, and that has completely changed the layout. He said that they have incorporated Staff's recommendation into their new site plan. He reviewed the proposal including Staff's recommendations. He

expressed concern about Staff's recommendation regarding tabling this project until traffic studies can be completed, as they would like to move beyond the preliminary development plan and get into the technical details of this plan. Mr. Ryan said they are still proposing the barn-style architecture for this development.

David Betz, Director of Development, gave his staff Report on this item (Exhibit). He said that since a signal was warranted at the Sawmill Road/Powell Road intersection even without contemplating this building, moving the access would be ideal. He said that this is a multi-jurisdictional issue that requires much additional study. He said that could possibly be done prior to the Final Development Plan if the Commission decides to act on the Preliminary Plan this evening.

Commissioner Emerick opened this item to public comment.

Someone from the Rutherford Funeral home asked what will be on the back side facing the funeral home.

Mr. Betz said that it will be more similar to the rear of a retail center.

Commissioner Grubbs asked if the applicant is agreeing to displaying four recreational structures. Mr. Ryan said they are. Commissioner Grubbs asked about a long wall, or porch area. Mr. Ryan said he thinks one of the challenges of the new design is the width of the building and those aesthetic concerns. He said they want to break up the wall with some plantings, signage, etc. Mr. Betz suggested incorporating an overhang. Commissioner Grubbs asked how the applicant would feel about separating it into two buildings to break it up. Someone from Pete Delois said that would add cost to the project and limit flexibility for tenant space. He said if they need to lose 2,000 sq. feet, they would rather lose it from the wider area. Commissioner Grubbs expressed a desire to justify any of the divergences of the Code that this plan incorporates.

Commissioner Grubbs said he would not like to see metal siding on this building. He said he isn't opposed to moving forward with a Final Development plan as long as the applicant meets all the submission requirements and makes an effort to meet and discuss the traffic signal/access issue.

Commissioner Futryk commended Mr. Betz for his suggestion regarding the access and traffic signal, but said he is concerned that the revised layout would cause a problem with stormwater management. Mr. Betz said the calculations haven't been done, but the new layout does provide more room for retention. Staff would prefer a wet pond, but their engineer is going to have to see if there is enough room to do that. He said they will be required to meet the 4 cubic feet per second requirement. He said their requirements will likely be stricter than Rutherford's because when that was developed, the Murphy Park stormwater study wasn't complete. Commissioner Futryk agreed that a wet pond would enhance the character of the property. Mr. Ryan said that they would prefer it to be dry, only because of the liability concerns.

Commissioner Futryk said he has some concerns about the massing. He said that an architectural feature is needed to break up the long expanse of the building, or two buildings would be desirable. Mr. Ryan noted that this proposal is reduced drastically from the original proposal and breaking it into two buildings would be very detrimental, and they can't afford to lose the square footage.

Commissioner Wiencek agreed that it should be two buildings. He asked if there would be a variance required to break it up. He said that he thinks the citizens of Powell don't want another strip center, and that is what is being proposed. He expressed concern that adjacent properties could develop as a strip center as well. He said a definite break in the building could create a space for display or outdoor dining, etc. He said that consideration may need to be given to shoving the building toward Powell Road. He concurred with Commissioner Grubbs that there is not a significant reason to grant the variances needed to approve this as proposed. He said that reducing the square footage also reduces the required parking, and that is a bonus. He said he thinks that there are so many changes needed for this plan that approving a preliminary plan would be problematic.

Mr. Betz said there is a maximum building dimension of 150 feet, but no definition of what that dimension is. He said this issue has been reviewed in several instances in Powell, such as Village Pointe, and that it has resulted in an attempt to creating the appearance of two buildings.

Commissioner Wiencek said he thinks a wet pond is more appropriate and that they are all over town, including in semi-public locations such as these.

Commissioner Counts left at 10:00 pm.

Commissioner Murphy said he thinks there are architectural means to break up this building other than dividing it to two. He said the nice thing about this being set on-end is that it won't be obviously a strip center from the street. He said he doesn't think breaking it into two buildings is necessary because it won't have an impact from the street. He said he would support a minor divergence from the code to allow for less of an impact on the property to the rear. He said he thinks this would increase the city's tax base without making too large of an impact. He said that extra square feet are more appropriate here than in other areas in Powell. He said he thinks aligning it with the traffic signal is an excellent idea.

Commissioner Coville asked why the setback here is 60 feet versus 150 feet. Mr. Betz said that the 60 foot setback is for the planned commercial district east of Sawmill Road.

Commissioner Coville said that it is frustrating when developers come in and disregard the minimums and maximums. He said he is opposed to a divergence in square footage that is still being requested by this applicant. He says he doesn't see any plans for a dumpster on this property, and the most likely position is up against the funeral home, and will require screening. He said the overhang for the porch looked much more substantial at the last meeting. Mr. Ryan said the overhang is 8 feet. Commissioner Coville said it looks like 25% of the width of the building is within the porch. He said he is envisioning a much wider porch. Mr. Ryan said they are trying to accommodate the necessary screening, building use, and porch. Commissioner Coville said that if the building is smaller, those items could be more easily accomplished.

Mr. Ryan said that they are not trying to "squeeze out" an extra 2,000 square feet, but they felt that moving the development to address access allowed the additional 2,000 sq. ft. He said they will be fine meeting the maximum 20% lot coverage requirement. Mr. Betz said he thinks it fits comfortably at 20%. Commissioner Coville said he is thinking less than 20% may be more appropriate to provide greater buffer and allow for a dumpster that doesn't intrude.

Commissioner Emerick said his comments would concur with the other made tonight. He said he would support 20% lot coverage and a reduction in building size. He said that his first preference would be to break the building into two. He said he definitely prefers the alternative layout and access.

Commissioner Wiencek said he thinks the proposed layout would require reconfiguring Scott's Garden Center as well, and those details need to be worked out. He said there are sufficient issue that suggest tabling. The applicant expressed a desire to move forward. He said there are other options than breaking the building apart. Commissioner Wiencek said he doubts that a restaurant use would allow for appropriate parking. He said he thinks that 20% may be too much. Mr. Betz said he feels the code requires way too much parking, and what is proposed is probably too much. A lengthy discussion ensued. Commissioner Coville said he thinks the impact on the funeral home really needs to be taken into consideration.

Commissioner Wiencek said that he thinks the applicant should be given some guidance on what might be approved when they come back. The Commission was polled.

Commissioner Futryk said that he expects 20% lot coverage or less, less parking, and some sort of way to break up the mass. He said that additional green spacing is important.

Commissioner Coville said that he wants less parking, more green space, and 2 smaller buildings.

Commissioner Murphy said he is fine as it is.

Commissioner Emerick said that he would support 20% or less and the buildings being somehow broken up.

Commissioner Wiencek noted that there are four votes for smaller lot coverage.

Commissioner Futryk said he would like to get an idea of the type of tenants that are proposed. He noted that there are many empty storefronts in the area.

Mr. Delois expressed concern that he has been in process for four months and he needs to be in this building soon. Commissioner Wiencek suggested allowing them to submit a Combined Preliminary and Final Development Plan.

**MOTION: Commissioner Wiencek moved to allow submission of a Combined Preliminary and Final Development Plan. Commissioner Grubbs seconded the motion. The motion was approved. Yes: Grubbs, Murphy, Wiencek, Coville, Emerick, Futryk. Absent: Counts**

**MOTION: Commissioner Wiencek moved to table this item until December 10, 2003. Commissioner Grubbs seconded the motion. The motion was approved. Yes: Grubbs, Murphy, Wiencek, Coville, Emerick, Futryk. Absent: Counts**

#### **AMENDMENT TO APPROVED DEVELOPMENT PLAN**

**Applicant: Dublin-Manor Homes**

**Location: North Powell Office Condominiums**

**Southeast corner of North Liberty street and Clairedan Drive**

**Zoning: PO, Planned Office District**

**Request: Approval of an Amendment to the Approved Development Plan to allow seven 3,049 to 3,254 sq. ft. buildings rather than three 7,000 to 9,216 sq. ft. buildings.**

Brad Yates, Manor Homes, gave a presentation on this application. He said that as this property has developed and had the opportunity to lease a little more than half of the space, he has found that there is more interest in people having smaller spaces, and their own buildings. He said they originally had 5 buildings proposed with a total of 39,000 sq. feet. He said they have built buildings 4 and 5, and have 1-3 left to build. He reviewed that the distance between the buildings will be 10 ft. 3 inches.

David Betz, Director of Development, gave his Staff Report on this item (Exhibit), which included recommendations to revise the layout. He reviewed the proposed layout and elevation of the proposed buildings.

Commissioner Futryk asked if they have tenants in mind for the smaller buildings. Mr. Yates said he has spoken to two people that have expressed interest. One was a title company and one was a dentist. Commissioner Futryk said he is concerned with the closeness of buildings 1-3 along to Clairedan Drive. Mr. Betz said some adjustments could be made to address those issues., as they were Staff's biggest concern as well.

Commissioner Wiencek asked what impact this change will have on signage for this property. Mr. Betz described the main entrance signs as well as main tenant panels, and he agreed there isn't enough to address this proposal.

Commissioner Wiencek said he agrees with Staff's recommendation, but his preference is shift the last foot print by 15 feet to widen the gap. Mr. Yates agreed.

Commissioner Murphy said he is fine with the proposal, but he would like to see an increase in the separation between buildings.

Commissioner Wiencek asked about landscaping between the buildings. Mr. Betz said there will be sidewalks. Mr. Yates said side-entrances are possible, and they'll need to determine the specific design. He said he plans landscaping comparable to that originally proposed.

Commissioner Coville agreed with Commissioner Wiencek that it is desirable to reduce some of the parking to create more space.

Commissioner Wiencek asked if there is any opposition to allowing the applicant to move forward with either this plan or that which was originally approved. There was none.

**MOTION: Commissioner Wiencek moved to approve the amendment to the Development Plan with the following conditions:**

- 1. That the ten parking spaces to the west of building 1 be removed and one handicap space be added in close proximity to serve buildings 1, 6, and 7.**
- 2. That the applicant work with Staff to reposition buildings, 1, and 3 so that a maximum setback is provided between the buildings 1 and 3 from the drive aisles.**

3. That the brick knee-wall be extended on the front and back of each building so a wrought iron or similar gate can be used to tie the knee-walls between each building together.
4. That the final plan be approved by Staff.
5. That the applicant is permitted to build either the amended plan or the original plan.

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

**AMENDMENT TO APPROVED DEVELOPMENT PLAN**

**Applicant:** Centex Homes  
**Location:** Northeast corner of Rutherford Road and Trail Lake Drive  
**Zoning:** PR, Planned Residence District  
**Request:** Approval of the Golf Village Development Plan to allow for an additional temporary advertising sign to reflect property recently acquired as "open space"

David Betz, Director of Development, said that Staff will give the presentation on this request due to the lateness of the hour. Shawn Leininger, Development Planner, gave his Staff Report on this item (Exhibit).

Commissioner Murphy asked what commitment the applicant will make that they won't develop or sell this property. Mr. Betz said they will have a development plan for 3 single-family lots and the open space. Commissioner Murphy asked if the developer could change his mind and develop it. Mr. Betz said the possibility exists, but through their discussions with them, they doubt it. He said the approved zoning could plan for that. Commissioner Grubbs suggested a deed restriction requirement that it be maintained as open space. Commissioner Futryk asked exactly what kind of open space it will be. Mr. Betz said that hasn't been determined. Commissioner Coville asked if the City might put a park there. Mr. Betz said he isn't sure whether the City wants maintenance responsibility, but access would be desirable.

Commissioner Grubbs asked about bikepath connections. Mr. Betz identified a location for a connection to the bikepath network. Commissioner Futryk asked that the bikepath be consistent with those in Golf Village. Mr. Betz said it may have to be more narrow.

**Commissioner Wienczek moved to approve the amendment to the development plan with the following conditions:**

1. That the sign and posts be made of wood and painted keeneland green or similar color with white copy.
2. That the sign dimensions be 48 inches wide by 57 inches tall and mounted 9 inches above grade.
3. That all other requirements of temporary signage C as approved by Administrative Review on 11-01 be met.
4. That the applicant work with staff to determine a location that is part of the entry feature at the northeast corner of Trail Lake Drive and Rutherford Road.
5. That the sign be removed at the time the park area is developed or 90% of the lots in this section are sold, whichever comes sooner.
6. That if the property for which the sign advertises is not annexed to the City before its development, the sign be removed.

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

**ARCHITECTURAL ADVISOR**

Commissioner Wienczek commented that while he has appreciated Emil Slavik, Architectural Advisor's, work in the past, he has been unavailable to attend meetings and provide comment for some time. He suggested beginning the process of appointing a new advisor. Mr. Betz said that is Council's responsibility, but the Planning and Zoning Commission can make a recommendation. Commissioner Emerick expressed a desire to first discuss Mr. Slavik's attendance with him before moving forward.

**MOTION:** Commissioner Wienczek moved that the Commission begin search for a new Architectural Advisor pending discussion with Mr. Slavik regarding his participation. Commissioner Grubbs seconded the motion. The motion was approved. Yes: Murphy, Wienczek, Coville, Emerick, Futryk, Grubbs.


**OTHER COMMISSION BUSINESS**

Mr. Betz said that the Development Committee met before this meeting and discussed the standards for cement-fiber siding.

**ADJOURNMENT:**

The Commission adjourned at 11:15 p.m.

**DATE MINUTES APPROVED: December 10, 2003**

 1-14-04  
Don Emerick Date  
Chairman