

**MINUTES
PLANNING AND ZONING COMMISSION
DECEMBER 10, 2003**

A regular meeting of the City of Powell Planning and Zoning Commission was held on December 10, 2003, and called to order at 7:30 p.m. by Chairman Don Emerick. Other Planning and Zoning Commissioners present were Kevin Futryk, Donell Grubbs, Brian Murphy, and Tom Counts. Dan Wiencek was absent. Roger Coville arrived late. Also present were David Betz, Director of Development; Shawn Leininger, Development Planner; Dawn Nauman, Clerk to the Planning and Zoning Commission, residents; and representatives of the press.

HEARING OF VISITORS FOR ITEMS NOT ON AGENDA

There was none.

MINUTES

The minutes of October 8, 2003 were approved as printed. The minutes of November 12, 2003 were approved as printed.

FINAL PLAT (ITEM TO BE TABLED)

Applicant: M/I Homes
Woods of Powell South
Location: South Side of Rutherford Road between CSX Railroad and Liberty Road
Zoning: PR, Planned Office District
Request: Approval of Woods of Powell South Final Plat for 65 lots on 44.996 acres

Chairman Emerick noted a request from the applicant to table this until the next meeting.

MOTION: Commissioner Counts moved to table this item until January 14, 2003. Commissioner Futryk seconded the motion. The motion was approved. **Yes:** Emerick, Futryk, Grubbs, Murphy, and Counts.

SKETCH PLAN

Applicant: Graeter's Ice Cream
Location: Northwest Corner of Galloway Drive and Powell Road
Current Zoning: PC, Planned Commercial District (Liberty Township)
Proposed Zoning: PC, Planned Commercial District (City of Powell)
Request: Review of Sketch Plan for Proposed 5,044 sq. ft. ice cream store and BBQ restaurant on 1.34 acres (annexation petition has not yet been filed).

Maury Levine, Graeter's Ice Cream, was present to discuss this plan. He said they are excited to be here and looking forward to being part of the community. He said that Staff has been great to work with. He said that many of Staff's suggestions have already been incorporated. He reviewed the site location and the plan. He identified the access in the rear. He reviewed that the parking layout has changed to reflect Staff's comments, but that they are still maintaining 59 parking spaces, which exceeds the code requirement and should be adequate. He said they have put the parking in the back and pushed the building toward the front but kept it behind the 100 foot building line. He identified the proposed continuation of the white fencing in the area. He noted the landscape patio, which they will provide additional details on later. He noted they have two uses in the building, Graeter's Ice Cream, at approximately 2,000 sq. ft., and City BBQ at 3,000 sq. ft.

Mr. Levine reviewed the proposed building elevations. He said that Greater's is proposed with a cream colored stucco and beige brick wainscoting. He identified City BBQ with a board and batten look in a light gray. He said the goal is for two different styles for the two different uses. He said that they are proposing a sloped roof to hide the mechanicals on the roof rather than the fence identified in the drawing.

Shawn Leininger, Development Planner, gave the Staff Report on this item (Exhibit). He said that one of the most common questions he receives from residents is when will there be a Graeter's Ice Cream in Powell. He reviewed more details of the site plan. He reviewed the access and parking. He identified the placement of the smokers and screening for City BBQ. Mr. Leininger noted that there is an interest in making the pathway connection to Sawmill Parkway a priority. He reviewed the proposed elevations. He clarified the change to a hipped roof on the side rather than a privacy fence to screen the mechanicals. He said they would like to see board and batten screening for the smokers at City BBQ incorporated with additional landscaping. He identified the interior floor plan. He showed the walk up window for Graeter's. He noted the fence location. He said that Staff has no objection to the applicant's request to submit a Combined Preliminary and Final Development Plan.

Art Schultz, Mayor, 289 Bluff Ridge Ct., said that the City approached Graeter's two years ago and asked them to consider expanding into Powell. He said this is the type of business that is desirable for the City, and he is pleased they have found a location here. He said this is exactly the kind of commercial the community needs. He said the community has heard many comments lately about what the community doesn't need along Sawmill Road. He said that the applicant has done a nice job with what has been proposed, and what is being submitted is a result of a lot of discussion. He encouraged the Commission to expedite this process if possible because they are currently in Liberty Township, and could develop there relatively quickly. He asked that the Commission identify any of the concerns they may have sooner rather than later.

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

Commissioner Grubbs asked what is the status of the annexation. Mr. Levine said that they anticipate filing the application on Friday. Commissioner Grubbs said he is excited about the applicant and desires working with them as much as possible. He expressed concern regarding the color proposed for City BBQ and said he would like to see consideration given to using a more natural wood material. Mr. Levine said that they are open to suggestions, but their main purpose is to find colors that are seen in the area, are complimentary to one another, but still provide separation between the two buildings.

Commissioner Grubbs addressed the redesigned parking proposal. He asked about Staff's concern regarding the choke point of 22 feet, and said it appears there is still a 22 foot choke point closest to the building. Mr. Levine said the one closer to the building is at 25 feet. Commissioner Grubbs asked if the concerns regarding backing have been addressed. Mr. Leininger said they have. Commissioner Grubbs said that he thinks the redesigned plan also allows for more trees. Mr. Levine said they will have a more detailed landscape plan when they come back before the Commission.

Commissioner Futryk echoed Commissioner Grubbs excitement about the applicant coming to Powell. He asked if the entrance to both facilities is on the south exposure. Mr. Levine said both have two entrances, off the parking lot, and on the south side, but the primary is from the rear. He identified the sidewalks that go around the buildings to facilitate pedestrian movement. Commissioner Futryk asked if the roof that is replacing the fence will be adequate to hide the mechanicals. Mr. Levine said it will. He said he will identify the height and slope at the next meeting.

Commissioner Futryk said he would support Staff's comment to continue the board and batten look to screen the smokers at City BBQ. He asked if there have been any problems with the smokers in other communities. Mr. Levine said they have a Graeter's with a City BBQ in Centerville, and there has been no problem. Commissioner Futryk asked if there would be any benefit to providing a center walk island in the parking lot. Mr. Leininger said that Staff looked at that but it didn't make sense because so many pedestrians would be walking in the parking lot along the outside aisles.

Commissioner Futryk asked if the access road is wide enough to handle traffic in two directions. Mr. Leininger said it is, at 24 feet. Commissioner Futryk asked if some signage should be installed directing drivers that need to head east on Powell Road, since there is a right in right out on Sawmill Parkway. Mr. Levine said they would love some signage. Commissioner Futryk agreed with the suggestion that the dumpster mirror that used at the Goddard school. Mr. Levine said they will submit a more detailed plan which includes landscaping.

Commissioner Counts commended the applicant on the level of detail presented this evening, and said he thinks a combined plan is very possible. He asked if it is correct that Graeter's will own the site and lease it to City BBQ. Mr. Levine said that it is. Commissioner Counts asked if the Centerville operation is similar. Mr. Levine said it is. Commissioner Counts asked about materials. Mr. Levine said that the City BBQ in Centerville is horizontal cedar siding. Commissioner Counts asked what is the seating capacity of City BBQ. Mr. Levine said it is approximately 59 seats. Commissioner Counts asked if any arrangements have been made for overflow parking. Mr. Levine said they have talked with the adjacent bank about employees parking in their lot. He said the two uses in this building are very complimentary, with City BBQ being busy for lunch and early dinner and Graeter's being more of an evening and weekend use.

Commissioner Counts asked what requirements of the Big Bear Farms design guidelines have been incorporated in this development. Mr. Betz noted the green metal roof and type of brick being proposed for the wainscoting on Graeter's side. He said the applicant has already reviewed architecture with the Big Bear Farms developer.

Commissioner Counts said he agrees with all of Staff's comments. He said that in this type of rural community, one sees add-on structures, barn-like structures, and he thinks one thing that is favorable with this development is "the old milkhouse next to the old smokehouse." He said he sees the Graeter's building as more of an add-on. He suggested that the applicant go further to make the Graeter's building a little different so that it looks like an add on to the original structure. He suggested using more brick and less stucco.

Commissioner Murphy said he thinks these are two great uses, and two businesses that Powell is excited to get. He said he is fine with what has been presented, and he thinks these businesses show an integrity in what they do. He said he has a high degree of confidence in what has been presented. He said he agrees with Staff's comments, and that a combined plan is appropriate.

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

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN

Applicant: Pete DeLois Recreations Outlet
Location: 470 West Olentangy Street
Zoning: PC, Planned Commercial District
Request: Approval of a Combined Preliminary and Final Development Plan for a 35,800 sq. ft. retail center on 4.10 acres, including the outdoor display of recreational structures for sale.

Kerry Ryan, Architect, reviewed that this building has been reduced in size to meet the 20% lot coverage requirement, and the design has been submitted with additional detail. He noted that the parking has been reduced but still meets the anticipated tenants of the facility. He said that the playground displays have been reduced from 6 to 4. He said that they are now proposing a planting area and low-profile signage between the pedestrian area and parking. He said that the Commission has had a lot of concerns regarding this facility being two buildings rather than one. At the last meeting, he noted that from the street where most people will view it, the gap will not be identifiable. He said they are trying to accommodate the aesthetic concerns and break up the long length of the building. He said that Mr. DeLois will take the harder to lease space in the back, and the retail area with more curb appeal will be in the front closer to the major access. He said that it will appear as two buildings. He said they are proposing landscaping and signage to create a cohesive development. He identified a large community dumpster location that will work in conjunction with some roll out containers. He said that they understand Staff's suggestion that they move the dumpster.

He discussed their attempts to eliminate some concrete with this development in an attempt to manage stormwater more efficiently.

Mr. Ryan reviewed the proposed materials for this development, including a pre-finished metal roof system, and cement-fiber siding to simulate board and batten siding. David Betz, Director of Development, asked if siding will be used on the back of the building. Mr. Ryan said they were going to proposed split-faced block in the back because there isn't much of a view. Jim Mohourtis, Developer, said that they would like that decision to be dictated by economics. Mr. Ryan noted the stone wainscoting around the pedestrian portions of the development.

David Betz, Director of Development, reviewed the site and surrounding uses. He gave his Staff Report on this item (Exhibit). He reviewed the proposed elevation. He said the material on the east elevation may not be as crucial because it will be buffered by the trees and pond. He said that some may be in view of Rutherford Funeral Homes, and consideration may need to be given to those families. He recommended approval with the conditions in the Staff Report.

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

Commissioner Grubbs asked if Rutherford Funeral Homes was notified of this hearing. Mr. Betz said he provided one of the funeral directors with the plans, but he is unable to attend. He said he has no comments from them, and that the applicant expects some kind of development here. He said that they spoke at the first sketch plan that they didn't want the building coverage over the maximum. They also want to create as much buffer as possible.

Commissioner Grubbs said he isn't convinced that the east elevation won't be visible from Powell Road or the

parking lot of the funeral home, which he knows is a concern. He identified a significant gap in the trees that may expose the elevation, which he feels is stark. He said that architectural details, color schemes, landscaping plans and tree preservation should come back to Planning and Zoning Commission. He suggested that a rendering be provided that shows the view from the Rutherford parking lot or Powell road.

Commissioner Grubbs said the plans identify a 19.9 percent lot coverage rather than 20.05%. Mr. Betz said that Staff calculated those figures using 4.09 acres, and the applicant was using 4.10.

Commissioner Grubbs noted the list of likely uses for this facility and asked if potential tenants have been talked to for this development. Mr. Mahourtis said that some of them have. Commissioner Grubbs asked if the final color scheme has been determined. He said he would like a metal roof, and then earth tones on the exposed elevations. He questioned how they will attract business from the street. Mr. Ryan described low-profile signage at the proposed new intersection at Powell road. Mr. Betz identified the location but said no details have been submitted. He said he anticipates the street address and name of the center. Commissioner Grubbs said he thinks the parking is appropriate, and the new entry and intersection are positive changes. He asked about the penants extending from the roof on the plans. Mr. Mahourtis said that those details of height and scale haven't been determined.. Commissioner Grubbs expressed concern that a 30-40 foot penant wouldn't be appropriate, while a smaller one could be. He said the overall design and concept are okay, but there is a great deal lacking as a Final Development Plan.

Commissioner Futryk commended the architect and applicant on the tremendous strides they have made to address the Commission's initial concerns. He said he has serious concerns about 60-foot poles with multi-colored banners and he would like to see more detail. He said he thinks a lot of the building will be visible from Powell Road. He agreed that it will be very visible from Rutherford Funeral Homes. He said that he is supportive of cement fiber siding for the board and batten siding, and he would support that on the east elevation. He said he thinks the northern elevation won't be visible, and perhaps the material could be removed from there.

Commissioner Futryk asked about the service doors on the east elevation. Mr. Betz said that Staff recommends plain doors with board and batten painted the same color as the building so it blends in. He said that Staff is concerned that the service door on the northern exposure hasn't been clearly described. Commissioner Futryk asked if the dock will be sunken. Mr. Ryan said it is level.

Commissioner Futryk said he would like to see a more detailed plan for the open space on the east property line near the gazebo so that there is a buffer between this property and Rutherford Funeral homes. He asked if the retention pond will be sufficient to handle water flow. Steve Fox, Engineer, reviewed the proposal for detention. He noted it had to be reduced in size due to front yard setbacks. He identified the 3-foot mounding that is needed to meet the 200 year flood requirements. Mr. Mahourtis reviewed the berming proposed for this detention which will hide the pond from view. He said he thinks a dry pond makes more sense. Mr. Betz said he doesn't think Staff has a problem with the pond encroaching into the setback. He agreed it will be difficult to see, but a fountain would help. Commissioner Futryk said that at previous meetings, a wet pond with fountain had been discussed as preferable aesthetically.

Commissioner Futryk asked about the house from the adjacent property that is encroaching into this site. Mr. Mahourtis said that Scott's is okay with relocating or removing it.

Commissioner Futryk asked what is the proposed use for the large grass area near the northern elevation. Mr. Mahourtis said the plan is to use it as green space. Commissioner Futryk asked if Staff is recommending dumpster screening like that used at the Goddard School. Mr. Betz said they are. Commissioner Futryk asked if Rutherford Funeral Homes is okay with the possible emergency access easement on the east side. Mr. Betz said Staff needs to review it with them.

Commissioner Counts said he would like to see a wet pond and water feature. He said he thinks that will be more visible than any part of the back building, and while the water may not be visible from the road, the fountain will be. He asked if anyone has considered that the pedestrian access to the playsets may create another "playground" in the area. Mr. Ryan said that he thinks it would be encouraged because it is great advertising. Commissioner Counts said if the intention is that they are not to be used, the design may not be acceptable.

Commissioner Counts said he doesn't want to see a center that fails, and he has concerns about this one being obscured. He said that while it needs to fit the property, it needs to be visible and accessible. Commissioner

Counts said he is not as concerned with the east elevation, and he would rather see heavy landscaping between the service drive and edge of property. He said that would help serve Rutherford's concerns.

Commissioner Counts asked what portion of the Recreations Outlet section will be used by Pete Delois. Mr. Ryan said the entire building is more than 13,000 sq. ft. and they are working on how much needs to be used and how much should be marketed.

Commissioner Counts expressed a desire to vary the exterior materials on the western section of the large portion of the building. He said there may be a little too much board and batten siding.

Commissioner Murphy commended the applicant, and said this is "head and shoulders" above a lot of the development in that area. He said he is not concerned with the impact on Rutherford Funeral Homes because it is a commercial area and what is on the east side is "always going to be worse." He likes the idea of bringing the landscaping closer to the building. He said he would like to see a water feature or fountain in a wet pond. He said that he sees no problem with this building being fun, because that is who the applicant is marketing to. He said that Commissioner Wiencek, in his written comments, expressed a desire to regulate the size of the recreation units the applicant is proposing in front of the facility, but he doesn't want to be too restrictive, as they are supposed to be accessible and usable by the community. He said he would leave the applicant the flexibility of different materials.

Commissioner Coville agreed that the flags are a desirable design element. If this is meant to be a recreation area, it should be fun. He said he also wants it to succeed, and the flags provide advertising and a good landmark. He said he appreciates the perspective drawings and said he gets a better sense of the porches. He asked if the north elevation is reserved on the plan. Mr. Betz said it is. Commissioner Coville suggested a larger dumpster area with an enclosure that could facilitate recycling. Mr. Mahourtis said that they haven't caught up with the pricing since they made a lot of changes. He said that one area where he might desire to save money later is the drive that is designed to bring the play sets in and out. He said that could effect Commissioner Coville's dumpster recommendation. Commissioner Coville questioned whether the plan is complete enough for final approval. Mr. Mahourtis said that they can come back with additional details so that the Commission will feel more comfortable. Mr. Betz said that with the advertising requirements for Council, the public hearing won't be until after the Planning and Zoning Commission's next January meeting. The Commission could approve this with conditions that include further review and approval.

Commissioner Futryk asked if Staff is comfortable with working with the applicant to address comments regarding the board and batten siding. Mr. Betz identified some areas where stucco and stone can be used.

Commissioner Emerick noted if too much board and batten is removed, the design will get away from the barn look.

Commissioner Coville suggested evergreen landscaping along the long east elevation. Mr. Betz said that arborvitae is always an option.

Commissioner Coville commented that the water feature would be clearly visible from the bikepath. Mr. Betz said it will be visible from the east, and is a better solution than the 'hole in the ground' design at the Powell Veterinary Clinic. Commissioner Coville asked about encroachment into the setback. Mr. Betz said he doesn't think that will be a problem. Commissioner Coville said that if there is an interest in not allowing access to the play sets, then there shouldn't be access from the bikepath. Mr. Betz said he will work with the City's law director to discuss creating a recreational easement, thereby insuring this as a recreational use.

Commissioner Counts asked how everyone feels about the flags. Commissioner Futryk said that he would be fine as long as they are proportional. Commissioner Grubbs said that can be dealt with as part of condition number 3. Discussion ensued regarding details to be brought back before the Commission, including landscape, architectural details, and playground size and style. Commissioner Futryk discussed the limitation of size proposed by Commissioner Wiencek in relation to the play structures that will be displayed. He expressed concern about size, color, location, etc.

MOTION: Commissioner Counts moved to approve the Combined Preliminary and Final Development Plan with the following conditions:

1. That the applicant coordinate the location, size, and detail of the access drive with the Ohio Department of Transportation, the County Engineer and the City Engineer and that the applicant provide for their fair share of the costs of any improvements required at this intersection at West Olentangy Street (Powell Road/ SR 750) and Sawmill Road as determined by Staff through this coordinated effort.
2. That the applicant provide a minimum right-of-way of 40 feet from centerline of SR 750, or as determined to accommodate any improvements needed for the signalization of the intersection.
3. That the applicant provide final building architectural details, including material samples and colors, to be reviewed and approved by the Planning and Zoning Commission prior to the approval of a Final Development Plan by City Council.
4. That the applicant submit a Landscaping Plan for review and approval by the Planning and Zoning Commission prior to the approval of a Final Development Plan by City Council. The applicant is allowed to have flexibility as to the location of parking lot islands along the west property line as determined by Staff.
5. That the applicant provide a final sign plan for review and approval by the Planning and Zoning Commission.
6. That the applicant provide an easement to the east to allow for the possibility of an emergency access route for emergency vehicles as may be required by the Liberty Township Fire Department.
7. That recreational structures are allowed for display for sale as shown on the site plan, being limited to four such structures, utilizing only earth tone colors and the display area to be determined by the Planning and Zoning Commission at the final architectural review.
8. That the applicant provide a tree preservation plan, to approved by Staff, as part of the approved landscaping plan.
9. That the City Engineer review and approve of all engineering aspects of the plan, including utilities, stormwater control, and access management.
10. That the stormwater retention area shown on the plan become a wet pond with a fountain water feature.

Commissioner Futryk seconded the motion. The motion was approved. Yes: Emerick, Futryk, Grubbs, Murphy, and Counts.

Commissioner Murphy asked to see the Planning and Zoning Commission approval for recreational structures at Yard Play as a reference for reviewing the structures for this facility. Mr. Leininger noted that applicant submitted specs for the Commissions approval and the same could be done here.


OTHER COMMISSION BUSINESS

- Commissioner Futryk asked that Staff look into the entrance drive into the new Kenny development, which he thinks is very narrow. He expressed concern about trees that may have been buried during development. Mr. Betz said they are going to build a retaining wall to preserve those trees.
- Mr. Betz said he will note to Council the Commission's need for an architectural advisor.

ADJOURNMENT

The next meeting will be held on January 14.

DATE MINUTES APPROVED: January 14, 2004


Don Emerick 2-11-04
Chairman Date