



City of Powell, Ohio
Powell Planning & Zoning Commission
 Kevin Futryk, Chairman
 Richard Fusch
 Bill Little
 Chris Meyers, AIA, Architectural Advisor

Donald Emerick, Vice Chairman
 Joe Jester

Jim Hrivnak
 Brian Lorenz

MEETING MINUTES
NOVEMBER 11, 2009

A regular meeting of the Powell Planning & Zoning Commission was called to order by Chairman Kevin Futryk on Wednesday, November 11, 2009 at 7:00 p.m. Commissioners present included Donald Emerick, Richard Fusch, Jim Hrivnak, Joe Jester, Bill Little and Brian Lorenz. Also present were David Betz, Director of Development; Eric Fischer, Development Planner; Anne Vogel, Deputy City Clerk; interested parties and members of the Press.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Futryk opened the public comment session. Hearing none, he closed the public comment session.

APPROVAL OF MINUTES

Chairman Futryk noted a correction on page 1, second paragraph where the line should read "Chairman Futryk said Mr. Lorenz asked to be excused because he is out of town this week."

MOTION: Commissioner Hrivnak moved to approve the minutes of September 9, 2009 as amended. Commissioner Jester seconded the motion.

VOTE: Y 4 N 0 Abstain: Fusch, Lorenz (Mr. Little arrived at 7:03 p.m.)

SKETCH PLAN

Applicant: Equity Land Investments, LLC & Randy Katz
 Location: Southeast corner of Sawmill Parkway and Galloway Drive
 Existing Zoning: Liberty Township PC, Planned Commercial District (annexed land)
 Proposed Zoning: PC, Planned Commercial District
 Request: Review of a Sketch Plan for the development of 2.73 acres of land annexed in 2005. Proposed uses include a 3,600 sq. ft. office building, 2,200 sq. ft. food or retail user, and a 6,000 sq. ft. Midas automotive service shop.

Randy Katz, 1101 Monroe, Toledo, Ohio, representative of Midas, was present. He presented the Sketch Plan (Exhibit A) for the immediate use of a Midas automotive shop and future uses. He said there are no current plans for the future use area but hopefully today's economy will improve.

David Betz, Director of Development, presented the Staff Report (Exhibit B) and reviewed the location of the property that was annexed into the City several years ago. He said other uses have been proposed and reviewed but they never completed the process. Mr. Betz said this property retains the Liberty Township zoning and if this plan is to be approved, the City will establish a PC, Planned Commercial district as part of a Final Development Plan. He said packets include the original Township plan for this property under the Big Bear Farms master plan that was approved in 1991. He said the plans were later amended. Mr. Betz said that plan included a heavier retail presence on the west side of Sawmill Parkway that would transition toward the condominiums on the northeast side of the development. Mr. Betz said the Graeter's and City Barbecue were approved when they annexed into the City. He identified the location of a car wash that is within the Township. He said they will want to be careful of the development of this area as a transition to the condominiums.

Mr. Betz said the applicant wants to develop the Midas shop and unknown future uses such as office or restaurant use. He said the Commission will need to identify the types of uses that could be possible within the development plan for this parcel. He said it will also be important to identify a phasing plan that includes landscaping or other options for the open area. Mr. Betz said setbacks are within the code but some variances may need to be discussed in the future so they can devise a good layout for this site. He said automobile repair shops, unless managed properly, can be a detriment due to noise. Mr. Betz said Midas shops typically have cars in and out for quick repairs. He said Staff would prefer this type of use be located on the southern side of the lot as far away from the residential area as possible, with uses buffering it to the north. He said it is not desirable for

the community to see open garage doors and cars being worked on. Mr. Betz said in the winter the doors will be down and the exhaust is run out of the doors but that is not done in better weather. He said that practice could decrease the noise and there may be other considerations to be made on how the operation is conducted. He said this is the first part of the process and they should review items such as general layout, proposed uses and building design. Mr. Betz noted the building design/materials and suggested they consider roof design and materials to match the rest of the Big Bear plan.

Chris Meyers, Architectural Advisor, asked for more details regarding the site plan including landscape and mounding to the north area.

Linda Menerey, Land Planner and Landscape Architect, EMHT, said the site generally slopes from north to south and two-thirds of the site drains into the southwest corner. She said the other one-third drains into the southeast corner. Ms. Menerey said the layout aligns with the drive to the condos and they are trying to do an integrated parking lot. She said the Midas is oriented north-south so the more valuable lots front on the parkway. Ms. Menerey said it is a destination use that is aligned with the car wash. She said taller evergreens are proposed to screen the condos from the north and lower shrubs are planned for along the back side. She said they have not determined the engineering detail for stormwater retention on the site. Ms. Menerey said they also tried to integrate the landscaping into the middle of the site. She said they would continue the street trees along Galloway and landscaping and fencing along the parkway. Ms. Menerey said Midas would be the first phase and may include the curb cut to the north. She said they plan to create parking, add landscape and deal with detention on that particular part of the site.

Mr. Meyers said the placement of the buildings on the proposed site layout is ideal. He said the position of the Midas site works well as it backs up predominantly to the car wash. He said the northern most building allows connection to the bikepath. He said the placement of a possible fast food restaurant to the south is ideal with this type of multi-function development. Mr. Meyers said the site plan shows a standing-seam metal roof but the building drawings show something different. Mr. Katz said the drawings are from the Hilliard site. Mr. Meyers asked if the orientation of the building should be as shown on the site plan. Mr. Katz said they have not determined an exact location. Mr. Meyers encouraged the applicant to use the building position as shown on the site plan. He said the actual building design is stereotypical but there are several changes that would make the building look different:

- Building overhang seems disproportionate and roof needs to be a little bigger.
- Glass surround on entry is very odd. Mullion corners on two entry façades could be done with brick piers.
- The single egress light is required by code but a canopy or porch would make it more approachable.
- One oversized door may be necessary but continue the accent band that is at the top of the highest door and change the materials just below.

Mr. Meyers said subtle details will make this a much more attractive building but the overall planning effort works well. He said the curb cut to the north is appropriate but they may want to provide information about a typical Midas store traffic count. He said they will need to know how much more traffic will be added to Galloway Drive. He suggested the applicant bring a material palette at the next submission. He asked if there is a sequence of how the shop operates that might impact how the building is serviced by deliveries. Mr. Katz said most deliveries are accomplished with a box truck that lowers pallets to the bays. He said no chemicals are stored in the ground but there are above-ground tanks inside the building for clean oil, windshield fluid and other chemicals. Mr. Meyers asked about the location of dumpsters. Ms. Menerey said it is proposed near the trees and screening on the north side. Mr. Meyers said more details will be necessary. He said they will want to look at site lighting and specs as this develops further.

Chairman Futryk asked if Mr. Meyers has any concerns about the back (east) side of the building. He said the elevations show glass doors on both sides. Mr. Meyers said this seems to be a prototype that will develop more as the process continues. Mr. Katz said they are double bays where the vehicle uses the same door. Mr. Meyers said they may want to design the project so they have dual fronts on the building.

Commissioner Jester asked if they intend for the customers to enter and exit on the same drive that goes into the condominiums. Mr. Katz said he assumes vehicles will use all of the entrances and he is not sure where most of the traffic will come from. He said a typical Midas shop services 18 vehicles a day over a 12 hour period. He said that is approximately 1.2 cars per hour. Commissioner Jester said he is looking at the entire "package" and he is interested in how the traffic will be handled as the site develops. Mr. Betz said the biggest area of concern will be the intersection of Galloway and Sawmill Parkway. He said the right-in/right-out situation will continue.

Commissioner Jester asked if a traffic signal will be installed at that intersection. Mr. Betz said he does not believe the County Engineer will allow it because of the distance to the intersection. Commissioner Jester said the traffic will be significant for the condos because it already backs up to enter Sawmill Parkway. He said it will be important for the applicant to clarify how the traffic will get out of the site. Mr. Katz said the site has tremendous access from three points. Commissioner Jester said he would like to see a traffic pattern for the site, both present and future.

Chairman Futryk told the applicant the Commission has reviewed uses for this site three times in recent years and traffic has been the major concern because of the relationship to the condos. He said they will spend a lot of time reviewing ingress and egress for this site. Mr. Katz said a Midas shop is one of the lowest generators of traffic they can find for a building with a 5k sq. ft. footprint. Chairman Futryk said they respect that but they must consider the site as it develops. Mr. Meyers said traffic consultants for the KFC proposal prepared a study so that should be available for use. Commissioner Little said when they previously considered uses for this site they discussed the green roofing and debated making this property transitional with a combination of roofing materials. Mr. Meyers said the massing of the proposed roof will allow that appropriately. He said it could be a hybrid roofing system that combines shingle and metal roofing. He said a complimentary palate to the surrounding buildings will be best.

Commissioner Hrivnak asked if there is an advantage or disadvantage for moving the office space to the north side so the Midas is moved away from the condos. Mr. Meyers said it is his understanding that Midas performs light duty repair and the solid masonry north wall will hold the sound. Mr. Katz said they are proposing a special Midas shop and they will not see this caliber of shop outside of the Columbus market. He said most of their service work is smaller repair and does not generate much noise. He provided information from a study that stated this use is not greater than typical traffic noise. Mr. Meyers agreed this would not be a very loud use.

Chairman Futryk opened this item to public comment.

Rob Shinafelt, 9446 Clermont Boulevard, said the residents appreciate the opportunity to participate and give their opinions. He said the initial car wash was positioned about 25 feet from the front door of one of the condo residents and the blowers are about 120 decibels. Mr. Shinafelt said ProCare proposed a muffler shop and they objected because of the noise and proximity. He said Dairy Queen was proposed and the residents embraced that because it was an entity that had daylight hours and speakers positioned away from their homes. Mr. Shinafelt said they appreciate all of the efforts of the Commission when the KFC/Taco Bell was proposed. He said it is now in the right location; it is in front of a shopping center and near other restaurants. He said a retail center was proposed and they embraced that idea. He said normal conversation is 60 decibels and impact wrenches are closer to 105 decibels. He said they are used to remove tail pipes and lug nuts from cars. Mr. Shinafelt said this use is not good for the health of the residents and it will impact resale value of their homes. He said there is a unit at the front that has been for sale for four years and has been rejected because of its proximity to the car wash. He said the initial plan for this property was for offices and there would not be another car repair shop within a half mile radius. Mr. Shinafelt said there would be less traffic with this use when compared to KFC but the ingress/egress off of Sawmill is dangerous because it is a sharp turn with a fire hydrant right on the corner. He said the residents would like to see this site as only retail with something like a satellite post office. He said they are looking for something with restricted hours and less noise.

Bob Green, 3675 Osprey Lane, said he has lived at the Village of Clermont for ten years. He said he was troubled that the notice for this meeting was not posted for homeowners until this morning. He said he would appreciate it if they would receive advance notice in the future so they can get more homeowners involved. He said he is concerned with the service hours/days of the week of these uses. He said his concerns include the location of trash bins, a traffic light at Galloway and Sawmill Parkway, and the road access opposite the condominium entrance. He said they already have hundreds of cars cutting through their property to reach Big Bear Avenue and the traffic signal. Mr. Green said within the last few years, proposals from Goodyear, ProCare and KFC/Taco Bell have been rejected. He said he is not sure what is different now that would allow this type of use. He said while they do not reside in Powell they are neighbors of this development and they hope any development will respect their position and concerns. Mr. Green said the impact on property value has always been a focal point and concern as they look at proposed development at this site. He said more neighbors may attend once they find out about this plan.

Eric Fischer, Development Planner, said notices are required and will be sent out regarding Preliminary and Final Development plans. He said notices are not required at the Sketch Plan phase but the condominium association

was notified through the City Manager. Commissioner Little clarified the development process and notification requirements.

Chairman Futryk said a letter regarding this application was received from Angela Ernst. The letter was introduced as Exhibit C.

Hearing no further comments, Chairman Futryk closed the public comment session.

Commissioner Fusch asked why Mr. Betz believes the building should be moved to the south. He said he agrees with Mr. Meyers who likes the orientation as it is because it pushes the noise east and west. Mr. Betz said if that was done, future development on the site would act to buffer the sound and view of the building. Commissioner Fusch said if they move the Midas to the south and the long side was east-west, the building shown on the southwest corner could be moved northeast, creating a better transition. Mr. Betz said that plan exposes both sides to the north and sound and would directly impact the users to the south. He said there are ramifications to consider.

Commissioner Fusch said the road to the north is very narrow. He asked if it could be widened. Mr. Betz said depending on the proposed uses, they may want to consider improvements to the north end of that street. He said it is a common private street for the property owners and there must be some sort of maintenance agreement. Commissioner Jester said those property owners could be very unhappy if a lot of traffic is dumped on their street. Mr. Betz said it was anticipated there would be development on this site and traffic on this street. He said the property line runs to the center of the road and there is a use and maintenance agreement. Chairman Futryk said in the past they have discussed the narrowness of the road and the configuration of the pork chop. He asked if there is a way to address improvements at this time. Mr. Betz said the corporate line ends at this property and the pork chop is subject to the review of the County Engineer.

Commissioner Fusch asked if this Midas design is typical of their shops. Mr. Katz said older shops in the 1970's and 1980's did not have this design and the corporate office wants the buildings to look a certain way. Commissioner Fusch asked about the mass of the tower. Mr. Meyers said the detailing of the corner would help the proportion of the massing. He said there is a full-height ceiling in the office and the tower area provides storage. Mr. Katz said the building can be changed to give it more symmetry. Commissioner Fusch asked if there is any way to address the noise issue which causes concern to the residents. Mr. Katz said studies say the decibel range in front of their stores is about 60 decibels. He said he would be happy to provide the report.

Commissioner Little asked if there are policies on doors open or closed when working on cars. Mr. Katz said when it is cold outside, the doors are closed and when it is warm outside, the doors are opened. Commissioner Little said they may want to propose a couple of options for site layout. He said it is important that a building on this location is of four-sided design. Commissioner Little said at the last proposal for this site there was debate about where the entrance should be for the property. Mr. Betz said for traffic flow management, they should either line up the drives directly or have them offset at least 150'. He said they must also consider the access point for the car wash. He said alignment with the condo entrance eliminates the concern about headlights. Mr. Betz said he assumes most condo residents go to the signal at Big Bear Avenue if they want to turn left on Sawmill Parkway. He said he doubts a traffic study would recommend a signal at that location. Commissioner Little said special attention to the landscaping and buffer will be critical. He said the dumpster location should be on the south, especially if there is a Midas shop on the site. He said the overall lighting should be muted and they should discuss hours of operation. Mr. Katz said a Midas shop typically operates from 8 a.m. to 7 p.m., Monday through Friday. He said they have hours on Saturday from 8 a.m. to 5 p.m. He said he cannot think of any commercial use that would have fewer hours. Commissioner Little said they will need to focus on the overall use of the site. He said this should be architecturally transitional in terms of materials and color palate. He encouraged the applicant and the condo association to work together to see how they can accommodate one another.

Commissioner Emerick said the fluorescent lighting over the doors looks tacky and he would like to see a better proposal. He asked if 60 decibels is the average noise level. He said the report should indicate the noisiest operation within the shop and how often that operation is performed within a typical work day. He said that will help them get a real feel for the noise generated. Commissioner Emerick said he approves of the site plan but he would like to see something done to improve the private road. He said the entrance off of Sawmill Parkway has always been a problem area.

Commissioner Hrivnak said he would like the applicant to provide more information about traffic and noise at the next submittal. He said a car shop is a departure from retail and office and the transition is of concern. He said the hours of operation do not sound too bad. He said they may want to consider a different location for the main drive so people do not drive straight across and into the neighborhood. Commissioner Hrivnak said he agrees they should improve the road. He encouraged the applicant to provide the noise study. Mr. Katz said this is not a noise hearing. He said it really is not that type of operation and is not a car wash with a noisy blower. He said this proposes a solid wall that shields the residential. Commissioner Hrivnak said he is suggesting the applicant provide the information so they may address the concern.

Commissioner Lorenz said he echoes the other comments from the Commission. He said he knows this is early in the process, but the applicant may want to consider underground retention storage. He said traffic is a significant issue and this small private street will need to be addressed, especially if a fast food use is added to the corner. Commissioner Lorenz said this is a good start with the layout. He said signage and location, as well as a comprehensive sign plan, will need to be addressed in the future. Commissioner Lorenz said the buffer in the middle needs to be designed so it breaks up the expanse of the parking area.

Chairman Futryk reminded the applicant this is a first look at the concept through the Sketch Plan review. He said it is a chance for the concerns of the residents and Commission members to be heard. He said this was not meant to be a noise hearing and they would appreciate seeing the study. Chairman Futryk said the last review at this property included a lot of time spent on a "visual" sound barrier on Galloway to screen the area. He said Staff should be able to provide the previous landscape plan. He said when parcels are developed in different phases the Commission typically puts timelines on the development. Chairman Futryk said the members understand the economic factors but they will need a suggested timeline and a list of possible businesses. He said he is concerned with two entry/exits on the service drive because the one closest to the pork chop may back up traffic on Sawmill Parkway. He asked the applicant to provide information about why this is the proper location for this type of shop and how the services differ from similar providers in the area. Mr. Katz said he believes this will be a great market for this type of shop. He said their closest location is at Powell Road and Route 23 and typically people want their repair shop close to where they live. Chairman Futryk thanks the applicant for his presentation and the residents for their input.

OTHER COMMISSION BUSINESS

Business Incubator Proposal – 44 North Liberty Street

Mr. Betz provided a brief update regarding a proposal before City Council. He said the City is looking at the old township fire hall at 44 North Liberty for use as a Business Incubator. He said this property is owned by the City and has been rented by a church for their use. He said the church is moving to a larger facility and ending their lease. Mr. Betz said this would remain a City-owned facility but they would have an agreement with HDPI to manage and staff the incubator. He said a Business Incubator is a place for businesses to start and when they outgrow the space they will receive help so they can find another location within the City. He said this is a development tool that helps grow high-tech, service-oriented businesses. He said they would have lower than market rent, training and common use of copier/office areas. Mr. Betz said there are incubators in Dublin and the Marysville area. He said they are still doing research on all of the details on how this would work. He said the business must work under a time limit and are contractually bound to relocate within the City. Mr. Betz said they are also proposing this site as the home of HDPI and a Community Resource Center that would rent meeting space for use by home businesses.

Chairman Futryk congratulated Mr. Lorenz and Mr. Hrivnak on their victories in the election for City Council. He said it is nice to know that the Planning and Zoning Commission continues to infiltrate Council with people who appreciate and understand the role of planning and zoning.

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

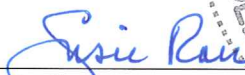
DATE MINUTES APPROVED: January 27, 2010



Kevin Futryk
Chairman

3/11/2010

Date



Susie Ross
City Clerk

