

April 15, 2010

Mr. Kevin Futryk, Chairman, Powell Planning & Zoning Comm.
Don Emerick, Vice Chairman
Richard Fusch, Member
Jim Hrivnak, Member
Brian Lorenz, AICP, LEED, AP
Bill Little, Member
Joe Jester, Member
Dave Betz, Development Director
Chris Meyers, Architectural Advisor
Steve Lutz, City Manager

Gentlemen:

Last evening I attended the third Planning & Zoning Commission meeting regarding the construction of a Midas Muffler shop immediately adjacent to the properties in Clermont Village.

After listening to the representatives of Midas Muffler, their comments, the P&Z's comments, the remarks by Messrs Betz and Meyers, and the concerns of the people in the Village of Clermont, I wondered if Mr. Katz, or people either on the Board or Messrs Betz and Meyers considered their own property in a situation as difficult as the one we face. It seems to me Messrs Betz and Meyers completely disregarded comments by the people who reside in Clermont Village.

Mr. Katz did not want the traditional white fence constructed on the site. The P&Z Commission gave in to his whim by indicating he would not have to have a white fence for five years. Where is the justice here. Is the P&Z commission making the rules? Or is Mr. Katz? I don't understand why he has so much power over the Commission.

The traffic issue exiting south on Galloway Drive onto Sawmill Parkway and east on Powell Road from Galloway Drive are very serious, complicated and dangerous intersections. With additional traffic from three new establishments on this plot of land, it will become even more serious, complicated and dangerous. I have attempted three times to explain to the Board how serious an issue this is, apparently to mostly deaf ears.

Had I known at the time I purchased my property that a Midas Muffler would one day be built in my front yard I doubt that I would have purchased here. I love the atmosphere in the Village and the winding, curving streets. I also like the fact that I am close to the supermarkets and several restaurants. With regard to restaurants, how many more fast-food restaurants can Powell support? Another is proposed on the Galloway Drive property.

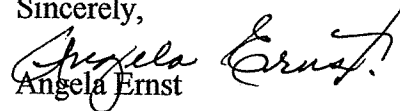
In one of my earlier letters to the P&Z Board, I mentioned how pleased I was that the Commission has left areas for "green" space within the community. I realize the Galloway Drive property is very valuable financially but wonder what the cost would be for a family dealing with the death of a loved one who was killed trying to make a left turn onto Sawmill Parkway from Galloway Drive during rush hour - or at any other time during the day or night where there is no traffic signal. How valuable is a life - perhaps a family? Could it be the safest plan for this property would be to forego the financial end and create a beautiful but small park on this site and eliminate the horrific traffic problems that worsen each year. With the walking/biking path along Sawmill Parkway, it would be an ideal spot for people to stop and rest or just stop to enjoy the trees and the flowers that Powell is so well known for. It could also become a site for summer "bring your own lawn chairs" and summer music in the park!

Please, please consider an alternative to the Midas Muffler shop, another fast-food restaurant and another building with the 60-100 more cars a day filing through Galloway Drive and our community. The cut-through traffic will be horrendous. I am considering placing my home on the market to find the "suburban" home I thought I found in Clermont Village.

Why our concerns were not treated as well as Mr. Katz's plans is a mystery to me. I wonder if he or any of the board members or any other Powell resident would be in favor of a muffler shop in their front yards. What do you suppose would happen to their property values? A home is a major investment and we must try to protect our investment by keeping our properties in pristine condition, maintaining the roads at OUR expense, etc. The city does not maintain the roads through Clermont Village. It does not seem fair to me to be so badly ignored by both Messrs Betz and Meyers. Their focus was on "what type of brick" will be used or "what kind of trees" will be planted indicating our comments were unimportant to them and need not be addressed. None of our concerns were addressed, except for one issue - the traffic problem, by one Commission member. Is he the only one who sees the danger in creating more traffic entering southbound traffic onto Sawmill Parkway - or eastbound traffic from Galloway Drive onto Powell Road? What is wrong with this picture? Why are you not listening or having a traffic engineer studying this problem? Whatever is constructed on this site will face the same worsening, complicated traffic issues. Please, please reconsider our comments relative to the dangers of this road. Residents of our community do not feel they will attend another meeting because it seems to be a foregone conclusion that we do not have the same clout as Mr. Katz.

9431 Clermont Blvd
Powell, OH 43065
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Sincerely,


Angela Ernst

City of Powell | Zoning and Planning Commission
47 Hall Street
Powell, OH 43065

April 15, 2010

Dear Sirs;

I have attended the last three meetings of the Powell Zoning and Planning Commission that had the Midas Project on the Agenda. I also attended the meeting with Mr. Katz at the Clubhouse of the Village of Clermont after you directed him to meet with Clermont residents at the first meeting I attended.

First, let me say that I appreciate your questions of the Midas planners and your consideration of some of the Clermont residents concerns. I believe because of your questions and genuine interest in how the land would be developed, we do not have the unattractive commercial building first proposed. I also appreciate your attention to insisting on landscaping to offer some buffer to the sight, noise and smell of an automotive repair place. While it is still not desirable to have this shop on this location for me personally, the building looks better than the first plan submitted.

We were told we should appreciate that the Midas people would work with us, as other buyers might not. I am not so convinced that they were working with us as I am convinced they did what they had to do to gain your approval. So for that, I say thank you. It was heartening to know some of you, maybe all, had a concern about what will happen with the traffic patterns. I believe you will be monitoring this in the weeks to come. It is a real concern and I appreciate your attention to this matter.

While the Midas building is more attractive in the final stages than when first proposed, I hope you understand why I firmly believe it will decrease my satisfaction with my home in Clermont and will affect any potential buyer of my property in the future. As I said last night, I cannot imagine anyone who has pride in their home who would want an automotive repair shop directly across a street where they live.

It was disheartening to hear Mr. Katz say he would NOT contribute to a gate to our property. He heard a couple of people at our meeting say that a gate would not work...as it had been explored some 6-8 years ago. That is not to say the residents are 100% against it as you were told. It was also disheartening to learn that he absolutely could not endure a white fence. A white fence is around Clermont property, it is around the bank, Graeters and City Barbeque. It is around the business complex on the south side of Powell Road. Will a white fence keep people from finding Midas? Is a white fence so costly that Midas cannot afford it? What would be the reason to oppose something that would make the property more aesthetically pleasing? I can only guess. At any rate, it does show that Midas will not give one inch to accommodate the Clermont residents and our need to live in an attractive community.

I also want to bring another observation to your attention. While I thought each member of the Commission asked good questions....and some showed sensitivity to how difficult having a car repair in our front yard will be, it did not appear to me that the two staff persons heard us, saw us or cared a whit

about what our concerns were. It seemed as though they were on the staff of Midas Muffler. Each answer to your questions seemed phrased to share what Midas would do to meet the City of Powell's standards and to sway you to support Midas. Perhaps it is their job description to represent the buyer or developer and not the surrounding land owners. But even if it is, it would have been nice to hear them one time say there might be a traffic problem, there might be some unpleasant noise, there might be some new smells for us to adjust to, and the building might not seem attractive to people driving by or, in other words, be sensitive to the current landowners next to the proposed development.

I wish I understood better the process of what has transpired. I wonder if there was no other suitable land in our area for the Midas shop. I wonder if the landowner gave Midas a good price because the parcel of land is such an odd shape that other buyers are not interested. I wonder who will have the final say on what other businesses go on this land. I wonder why the city cannot insist on a white fence...if it can insist that a car place on Liberty Road can have only five used cars in front .

I also wonder why I purchased my home in 2002 across from an empty lot. The truth is the possibility of an automotive repair shop in this empty space did not enter my mind.

Thank you for listening to the residents. While many thought it was futile to share our concerns, I do thank you for the trees and landscaping. I will let you know if it works on blocking the noise and smells.

Sincerely ,



Sue Bowen

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