MEETING MINUTES

Planning Commission

Tuesday, December 3, 2019

The meeting was called to order at 1:30 p.m.

Vice-Chair Linder asked for a moment of silence and the Pledge of Allegiance. Roll was taken, and the following members were present: Mr. Mike Linder, Mr. Larry Titus, Dr. John Dubos and Mr. Jim Rauck. Ms. Julie Oyster was absent. Others present: Kyle Rauch, Development Director; Kim Shields, Community Development Manager; Kendra Spergel, Development Planner; Jimmy Hoppel, Development Planner; Jennifer Readler, Frost Brown Todd; Tami Kelly, Clerk of Council; Laura Scott, Planning and Zoning Coordinator; Dash Logan, Development Intern and Mary Havener, Development Assistant.

Organizational Items:

Vice-Chair noted a quorum was present and asked for approval of the November 5, 2019, Planning Commission minutes. Dr. Dubos moved to approve the minutes. Mr. Rauck seconded the motion, and the minutes were approved 4-0.

Vice-Chair Linder asked for approval of the November 19, 2019 Special Planning Commission meeting. Mr. Titus moved to approve the minutes. Mr. Rauck seconded the motion, and the minutes were approved 3-0, with Dr. Dubos abstaining.

ITEM #1 – Dairy Queen – Special Use Permit (Outdoor Seating) PID #201911120059

Mr. Hoppel presented the Development Department's findings. She stated that this application is a request for a recommendation of approval for a special use permit for outdoor seating at an existing Dairy Queen located on the north side of Southwest Boulevard approximately 180 feet east of the intersection with Broadway.

The special use permit is being heard today by Planning Commission and is scheduled to be heard by City Council on December 16th and January 6th. Again, this review is only for the use and the relevant operations and fixtures. There is not a development plan associated with this special use permit.

The applicant is proposing that an outdoor seating patio be permitted, in place of where an indoor seating addition previously existed. The patio will be approximately 1000 square feet with room for up to 54 seats.

The patio will include a black metal railing and protective bollards. The applicant has suggested that the bollards be a painted, concrete-filled pipe. Staff has recommended a stipulation that a decorative black bollard be utilized.

The applicant has shown on their plans that the existing landscaping will be maintained and that any landscaping removed or damaged during the construction process will be replaced.

The applicant has also provided an example, shown here, of the type of seating that is planned. Staff has suggested a stipulation that any patio umbrellas utilized in the future not include any text or logos.

The suggested hours of operation for the patio will be 10:30 a.m. – 10:00 p.m. Sunday through Thursday and 10:30 a.m. to 10:30 p.m. Friday and Saturday. Staff does not believe that these hours of operation will negatively affect the adjacent commercial uses or the residential use across the street.

Staff believes that the Special Use Criteria have all been met and the GroveCity2050 guiding principles are either met or not applicable, due to the small scope of the project and is recommending approval with two stipulations.

The applicant was not present to speak to the item.

There being no discussion, Mr. Titus moved to recommend approval of the Special Use Permit to City Council with the two stipulations as noted in the Staff Report.

1. A decorative black bollard cover shall be installed over the concrete-filled steel pipe bollard that has been proposed.
2. Any umbrellas utilized on the patio shall not include text or logos.

Dr. Dubos seconded the motion and it was approved 4-0.

Item #2 – Masseth Property – Lot Split **PID #201911130060**

Ms. Spergel presented the Development Department's findings. She stated that the applicant is requesting approval of a lot split to split 0.31 acres from an existing 0.73-acre tract to re-split lots 479 and 480 in the Estate lots section of Pinnacle, located in the southwest corner of the Hartig Drive and Hirth Hill Road East intersection.

If Planning Commission approves the proposed lot split, then the split can be finalized with the Franklin County Engineer's Office and Auditor's Office, before being recorded with the Recorder's Office.

The current property encompasses lots 479 and 480 which had previously been combined in 2015 and the property owner would like to re-split them to their originally approved configuration as per the Pinnacle Club Section 5 Plat and sell lot 479. Currently, lot 480, which is the northern portion of the lot, contains a single-family home and lot 479 in the southern portion is vacant. The home on lot 480 was constructed in 2015 prior to the two lots being combined and will continue to meet the setbacks established when the home was constructed after the proposed split. The Pinnacle Zoning and Development Texts require that lots in Subarea A be a minimum of 90 feet in width and a minimum depth of 120 feet, and each of the recreated lots will meet the minimum lot size requirements.

Therefore, after review and consideration, the Development Department recommends Planning Commission approve the lot split as submitted.

Mr. William Masseth, 1569 Hartig Drive, was present to speak to the item.

There being no discussion, Dr. Dubos moved to approve the Lot Split as submitted. Mr. Rauck seconded the motion and it was approved 4-0.

Item #3 – Parkway Centre East Outlots – Lot Split **PID #201911130061**

Ms. Spergel presented the Development Department's findings. She stated that the applicant is requesting approval of a lot split to split 1.023 acres from an existing 6.279-acre tract to split a portion of the Parkway Centre East Outlots onto its own property.

The proposed lot split is on the same site as the proposed Kiddie Academy development. The special use permit for that development has been approved and the next step will be to file a development plan for review for the building elevations and site layout to ensure that requirements in the Parkway Centre East Outlots Development Text have been met. The proposed lot split will not change the configuration of the portion of the lot Kiddie Academy is proposed to locate on.

The property contains three disconnected portions, currently either separated by access drives or by other properties. The central and southernmost portions of the site are currently vacant, and the northernmost is developed and contains the Fusion Steakhouse restaurant. The split will place the central portion of the parcel on its own lot, with no changes proposed to this portion of the lot, maintaining its current configuration. The 6.279-acre property's current configuration was the result of a lot split in 2013, in which the main 22-acre portion of Parkway Centre East, including the private drives into the shopping center, was split from the outlots, leaving the outlots portion as a remainder. Surveys were provided showing each of the outlots on their own property, but those three lot splits were never finalized. Staff is supportive of the proposed lot split as it will work to clean up an atypical, separated property by placing one of the disconnected portions onto its own lot.

Therefore, after review and consideration, the Development Department recommends Planning Commission approve the lot split as submitted.

Mr. Jonathan Phelps, Advanced Civil Design, was present to speak to the item.

There being no discussion, Dr. Dubos moved to recommend approval of the Lot Split as submitted. Mr. Rauck seconded the motion and it was approved 4-0.

Item #4 – Sugar Maple Commons – Development Plan **PID #201907090032**

Ms. Spergel presented the Development Department's findings. She stated that the applicant is requesting approval of a development plan for the Sugar Maple Commons development located on a 21-acre site in the southwest corner of the Holton Road and Jackson Pike intersection.

City Council recently approved the rezoning of the site from SF-1 to PUD-R with a zoning text at the November 18 meeting. The rezoning will go into effect on December 19. The development plan is the third step in the review of the site and was reviewed against the approved zoning text as per the PUD-R zoning. The development plan is tentatively on the agenda for the December 16 City Council meeting, and if approved, then the final engineering plan and building permit review phases can begin.

The site is proposed to be accessed from two separate entrances; one from the relocated Holton Road entrance and a second from the site's off of Jackson Pike. Each of the proposed entrances into the site will be full access with the main entrance proposed off Jackson Pike which will include a landscaped median along with the entry features. The applicant is proposing to dedicate 0.73 acres of the site to facilitate the relocation of Holton Road to align with a new entrance into the Scioto Grove Metro Park with a signalized intersection at Jackson Pike.

Each street in the site will be private and between 22-feet to 24-feet in width providing two-way access. The narrower street design is meant to deter motorists from cutting through the site rather than using the intersection at Holton Road and Jackson Pike and slow down any vehicles traveling on the site.

No parking will be permitted on the street, so visitor parking spaces are provided throughout the site, with a total of 44 visitor spaces proposed, not including the spaces provided in garages and driveways.

Five-foot sidewalks are proposed on one side of each of the streets. A separate eight-foot bike path is proposed along Jackson Pike and will run the entirety of the site to connect with future paths to the north and south. Plans indicate that the internal sidewalk along the private roads will be extended in three places to connect with the proposed bike path. A gravel path is proposed from the bike path to the wetland pond in the southeast corner of the site. Staff is supportive of this pathway but would like it to be extended and connect with the site's internal sidewalks to provide better access to the wetland pond area.

The apartments are proposed to be located within 28 different buildings that will have between two to six units in them each. Each building will be spaced between 35 and 45 feet from property lines. Although Code states that multi-family residential buildings are to be spaced a minimum of 60 feet when adjacent to single-family residential on the side or rear, staff believes that, given the character of the development (single-story units with the rear of buildings being used for passive uses) and the context of the site (adjacent to one single-family home spaced 170 feet from the shared property line), the reduction to this setback requirement is appropriate in this case, and is similar to other approved multi-family developments including the Courtyards on Hoover.

Amenities on the site include a centralized commons building that will house mailboxes, a leasing office, and fitness center. Other amenities include a community garden space adjacent and to the south of the commons building, and a dog park in the southeastern portion of the site.

The GroveCity2050 Community Plan and Future Land Use Map recommends this site be used as Conservation Neighborhood, which recommends the clustering of housing to preserve more natural areas. The proposed development includes a wetland pond and screening around the site that encourages bees, birds, and other wildlife to the site. Additionally, while multi-family is not listed as a primary or secondary use under the Conservation Neighborhood land use classification, office, commercial, civic and institutional uses are listed as appropriate secondary uses, which in the opinion of staff, could be higher intensity uses than multi-family residential.

A total of 105 units are proposed on the site. All of the proposed apartment buildings will be single-story and are proposed to utilize universal design to accommodate residents of all abilities, such as mobility and eyesight. To meet these standards, the entryway, front stoops/porches, and patios of each unit are at ground level with no stairs. The same standards with universal design are also proposed with the centralized commons building.

Each building is proposed to be of an agrarian design utilizing a modern farmhouse appearance. Vinyl is proposed to be the primary material with both horizontal and vertical to be used and in four different colors. Other building materials include silver rolled metal as an accent on a portion of the building and stone. The proposed stone will be utilized as a watertable with vinyl above, with additional stone proposed around the garage doors and on more prominent elevations (visible from public roadways).

The clubhouse will be finished similarly to the apartments, containing the same materials and rolled metal siding as an accent on one wall.

Staff is supportive of the proposed architecture as it complements the architecture used at the Scioto Grove Metro Park that is adjacent and to the east, and uses a combination of high-quality materials and architectural elements to provide interest in the buildings.

Based on staff's review of the development against the approved zoning text for the site and PUD review criteria, staff believes that the proposed development will be of a high quality by utilizing different materials to create architectural interest, providing amenities and pedestrian connectivity, and providing landscaping and screening throughout the site and on the site's perimeter with mounding to create a buffer from the roadways reducing noise and light.

Additionally, staff believes that the proposed development meets the five Guiding Principles of the 2050 Plan, as well as the intent of Land Use Objective LU 1.3 to continually examine development patterns to ensure that the City is meeting the community's needs by providing additional senior housing options in the community.

Therefore, after review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the development plan with the four stipulations outlined in the staff report.

Mr. Aaron Underhill, Underhill & Hodge, was present to speak to the item. He stated that they had previously submitted a final development plan, but given the discussions on use and density, they thought it would be best to come back at a later date. They have successfully gone to Council and achieved their approval for the rezoning. The plan they are submitting is largely unchanged from what they presented along with their zoning. While this is a multi-family project, it's much different than what you would see with a typical multi-family category. It's an age-restricted community, with ranch-style apartment living and several on-site services available (i.e., a clubhouse with numerous amenities, concierge services, home monitoring services when residents are on vacation, etc.). This is a high-end project with rent between $1,900 - $2,500. He continued to state that there are other benefits involved such as getting the Holton Road realignment completed, for which they are providing the right-of-way free of charge to the City. He feels this will have a large financial benefit to the schools.

In regards to the four stipulations that were outlined in the Staff Report, they do not agree with item #4 related to the landscaping issues. In section 1136.11 of the Code, it talks about when sod and/or seed may be used on a project. He stated that the Staff Report suggests that sod should be used everywhere. They would like the ability to use seed in certain places around the units. He believes there is a requirement for sod around single-family homes, and since this is something different, he would like the Planning Commission to consider changing this requirement.

Mr. Titus asked if the one-bedroom units would be $1,900 and the two-bedroom units would be $2,500. Mr. Underhill stated that this was correct.

Mr. Rauck asked Staff if there was an agreement in place with the Metro Parks to move their entrance. Mr. Rauch responded that there have been discussions between the City and the Metro Parks; however, he has not personally been involved in those discussions. It's his understanding that they are in agreement with the relocation of the entrance to the north to align with Holton Road. There have been no formal agreements, but conversations are being held and no objections have been raised by either party.

Mr. Rauck asked if the funding was in place. Mr. Rauch stated that the City has funded the initial engineering costs for the relocation of the intersection. The actual bid documents will come following the final design of the roadway. At that time, the City will see what the dollar amount is and match it with a funding source (General Funds, TIF Funds from an area investment, etc.). At this time, no monies have been allocated, but there are funds available – primarily through a TIF.

Mr. Rauck asked what the timeline was for the roadway upgrades. Mr. Rauch stated that he'll have more information at a future date. The engineering firm (EMH&T) is currently working on the design.

Mr. Rauck asked the timeline for ground-breaking of this development if this plan is approved through City Council. Mr. Steven Hicks, Treplus Communities, stated that pending approvals, they are planning on beginning final engineering in January 2020. The goal would be to break ground in April or May and build through next year, with completion in spring 2021.

Mr. Rauck asked if the roadway realignment would trail behind the construction of this development. Mr. Rauch stated that they would coordinate with the developer. The City wouldn't want to put money into a project that could possibly get torn up by construction of the development and vise versa. There will be coordination efforts to align time-frames. If everything is approved by Planning Commission and City Council, Mr. Rauch stated that he foresees several meetings to coordinate these efforts, including the private utilities.

Mr. John Sherron, 1080 Holton Road, asked to speak to the item. He commented that on the Staff Report there are at least three instances that talk about narrow streets to prevent traffic from detouring through the site. He stated that he couldn't imagine anyone wanting to go through the development to get to St. Rt. 104 from Holton Road. It's listed as a good thing; however, it doesn't seem like it's something people would choose to do. The density is another item that is referred to which is a big concern of his. In the GroveCity2050 plan, it talks about an appropriate transition from the existing suburban housing along Buckeye Parkway East to Scioto Grove Metro Park. It goes on to discuss that the proposed density of 5 units per acre is higher than the identified density of 0.5 to 1.5. Not only is it higher, but it's 10 times higher. He stated that while this might be a good project, this is not a good location for it.

Mr. Linder reminded everyone, that Planning Commission is a "recommending body" only and approvals are handled by City Council.

There being no additional discussion, Mr. Titus moved to recommend approval of the Development Plan to City Council with the four stipulations as noted in the Staff Report.

1. The gravel pathway to the proposed stormwater basin in the southeast corner shall be extended to connect with the site's internal sidewalk network.

2. Trees shall be added along the west and south property lines where screening is not adequate as deemed by the Urban Forester.

3. The trash compactor shall have an enclosure constructed of masonry matching that of the buildings and with stained 100 percent opaque wood gates.

4. Outstanding landscaping issues noted in the staff report shall be addressed to the satisfaction of the Urban Forester prior to construction plan approval.

At this time, Ms. Shields stated that it was outlined in the Staff Report that in regards to the two curb-cuts, the one on Holton Road and the one on Jackson Pike, the zoning text actually restricts the cut on Holton Road to be "no left turn" onto Holton Road. The plans, however, show full access. Staff is supported of the plans as shown, with full access onto Holton. To clarify, what's being approved, it would be appropriate to add a deviation to allow for access onto Holton Road as shown on the plans – which is full access.

Mr. Titus restated his motion to recommend approval of the Development Plan to City Council with the four stipulations noted in the Staff Report and to add the following deviation:

5. A deviation shall be added to allow for full access onto Holton Road.

Mr. Linder seconded the motion; however, it was disapproved by a vote of 3-1 with the following votes: Mr. Titus, yes; Mr. Linder, no; Dr. Dubos, no; Mr. Rauck, no.

Mr. Underhill asked what the rules were for reconsideration. He stated that this is the second time before Planning Commission where they have received a "no" vote after very little discussion. He asked if there was a possibility to open up the discussion to see if they could address whatever concerns there are since they're complying with all the zoning requirements that have already been approved. The plan they're bringing through meets all of these requirements. He continued to state that since no concerns were raised, this is very surprising. Mr. Linder responded that they are not required to give any explanation as to why they voted how they did. Planning Commission is solely a recommending body and City Council gives all of the approvals.

New Business:

Mr. Don Plank, Plank Law Firm, asked to address the Planning Commission. He stated that he is representing the Beulah Park Developers, and they would like to discuss several Lot Splits that are needed by the end of the year. They currently don't have the legal descriptions, but they do have the actual splits on the map. All of the splits are created by a physical obstruction, which is the roadway. It's currently all one lot, but the roadways that have been approved and are in the process of being platted. They would like to physically divide them into separate lots. They anticipate that a good portion of the western part will be transferred to Pulte Homes by the end of the year. There is one parcel that is not split by the roadway, parcels 4 and 5, which is being split because a portion will be commercial and the other part will be transferred to the City. This all needs to be accomplished by the end of the year.

Mr. Plank asked if he is required to request a special meeting. Ms. Shields stated that Staff could send out an email to formalize a special meeting to happen before the end of the year. Mr. Linder asked if these lot splits could be approved at this meeting without the City having a chance to review it. Ms. Shields stated that the boundaries have been set by the Plat, they even have all the Metes and Bounds for the areas because they were delineated on the Plat; however, Staff does not have the formal legal descriptions for them, which is why they are being held up from formally proceeding with the application. They have submitted an application to the Development Office and have paid the fee. Staff is trying to figure out the best way to move forward. Ms. Shields stated that she doesn't feel they're ready to approve something today, they just wanted to bring it to the board's attention. Mr. Linder told Mr. Plank that Staff would arrange a special meeting to be held before the end of the year.

Having no additional items, Vice-Chair Linder adjourned the meeting at 2:03 p.m.

Mary Havener

Mary Havener, Secretary

Mike Linder, Vice-Chair