MEETING MINUTES

Planning Commission

Tuesday, January 5, 2021 – Virtual Meeting

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

Chair Oyster asked for a moment of silence and the Pledge of Allegiance. Roll was taken, and the following members were present: Mr. Jim Rauck, Mr. David Frea, Chair Julie Oyster, Mr. Mike Linder, and Mr. Larry Titus. Other staff members present: Kyle Rauch, Development Director; Kim Shields, Community Development Manager; Jimmy Hoppel, Development Planner; Dash Logan, Development Planner; Hannah White, Development Assistant; Jennifer Readler, Frost Brown Todd; Roby Schottke, City Council Member; Tami Kelly, City Council Clerk; Cindi Fitzpatrick, Public Service Director; Mike Boso, Chief Building Official; and Alyx O'Day, Council Intern.

Organizational Items:

Chair Oyster noted a quorum was present and asked for approval of the December 8, 2020, Planning Commission minutes. Mr. Linder moved to approve the minutes. Mr. Rauck seconded the motion, and the minutes were approved 5-0.

Chair Oyster was experiencing connectivity issues and Vice Chair Mike Linder assumed the role of meeting Chairperson.

A point was brought forward by Mr. Linder, discussing the possibility of postponing two items on the agenda (3985 Broadway Patio Enclosure – Certificate of Appropriateness and Cottages at Brown's Farm Section 1 - Plat) per previous conversations had by the Development Department and Planning Commission. Mr. Rauch, in recognizing that both respective applicants were present, recommended to continue with the standing meeting agenda and discuss postponement possibility during the item presentation. Planning Commission agreed and the meeting went forward as noted on the agenda.

New Items:

ITEM #1 – Beulah Park Subarea D – Lot Split **PID #202012210063**

Mrs. Shields presented the Development Department's findings. She stated that the applicant was requesting to split 1.281 acres from the 34.658 acres on the Beulah Park site, within Subarea D.

The area to be split was shown on both Brookpark Middle School and Beulah Park Section 2 Roadways Development Plans, both approved in 2020. If Planning Commission approved the split, it would then be finalized with Franklin County.

The proposed split is in line with previously approved plans including the Beulah Park Section 2 Roadways Plan, where it was shown as Reserve C, and the Development Plan for Brookpark Middle School. The area to be split would be incorporated into the Brookpark Middle School site, which will include a portion of the Middle School building. Ms. Shields noted that as the Lot Split was in line with the previous plans, the Development Department recommended Planning Commission approval as submitted.

Ms. Rebecca J. Mott, Plank Law Firm, was present to speak to the item and welcomed questions from the Planning Commission.

There being no questions or discussion, Mr. Titus moved to recommend approval of the Lot Split as submitted.

Mr. Frea seconded the motion, and it was approved 5-0.

ITEM #2 – 3985 Broadway Patio Enclosure – Certificate of Appropriateness **PID #202011170059**

Mrs. Shields presented the Development Department's findings. She stated that the applicant was requesting approval of a Certificate of Appropriateness to enclose an existing outdoor seating area at 3985 Broadway.

Mrs. Shields stated that a Special Use Permit for the outdoor seating area was previously approved in 2011 and that the current proposal was to enclose a portion of the seating area to the south of the building and place a roof over another portion. The structure being located within the Historical Preservation Area (HPA), a Certificate of Appropriateness is required for new construction.

Mrs. Shields explained that submitted plans show the enclosed portion being 645 square feet, aligning with the front setback of the existing building. The rear portion of the outdoor seating area is shown as remaining open, but with a roof covering, and both additions were proposed on the south side of the existing building within the area previously approved for outdoor seating. Mrs. Shields added that a landscape bed was proposed along the south side of the addition and would contain a combination of evergreen shrubs and perennials, and that the existing 10-foot Public Access Corridor Easement between the seating area and Cultivate to the south would remain open.

Mrs. Shields stated that the east/front side of the building would be finished in brick veneer matching the existing building and that the south and west sides were proposed to be finished in stucco painted to match that of the "mink" color on the HPA Color Palette. Furthermore, the roof over the open seating area was proposed to be finished in grey asphalt shingles and large windows were proposed along the front that would be of the same size, color, and style of those on the existing building. Mrs. Shields added that the existing black awning was also proposed to be extended along the front.

Mrs. Shields spoke to the most current status of the application, stating that since issuing the Staff Report, staff was contacted by the property owner with some requested amendments to the submitted application, including; increasing the proportion of the enclosed versus open area, changing the roof to be metal in place of shingles, and replacing the windows on the south elevation with garage doors.

Mrs. Shields recommended approval with the four stipulations noted in the presentation, to address the concerns of the property owner. Mrs. Shields added that some additional conversations should be had to ensure a unified plan is being implemented.

Mr. Dino Herbert, Herbert Architectural Consulting, was present to speak to the item. He explained that although the concerns of the property owner were brought forward last minute, the changes would not, in Mr. Herbert's opinion, be major, and that Planning Commission could move forward with a vote, and that any tweaks to be made could happen in the interim between the January 5 Planning Commission meeting and the City Council meeting, if it was agreeable to Planning Commission to do so.

Mr. Linder acknowledged Mr. Herbert's suggestion and questioned the word "may" used in stipulation number one and three. He asked if that was a requirement put forth by the owner and asked for clarification on that matter.

Mrs. Shields answered that the wording was chosen to address the fact that Staff was supportive of the submitted proposal, as it was in character with the area, but since these items were potentially qualities the property owner wanted to change the description left room to be expanded upon pending further discussion and collaborative work moving forward.

Mr. Linder then asked about the potential garage doors, questioning the number of doors, the spacing between them and how they may appear in general.

Mr. Herbert answered by explaining that in the plan sheets depicting the south side elevation, there were overhead doors currently illustrated. He stated that these doors stopped at a sill standing about 14"-16" above the ground and that this was to accommodate a City stipulation from 2011 to include planting areas south of the area. Mr. Herbert explained that this stipulation had not been addressed when the outdoor seating area was initially installed. He added that the property owner is requesting that these doors go all the way to the ground instead of stopping at sill, and that this does not significantly change elevation plans. To answer Mt. Linder's question of door quantity, Mr. Herbert said that there would be four doors total, but that number would increase to six if the enclosed portion expands to the west.

Mr. Linder asked for clarification, asking if what he saw in the plans as large windows were the potential location for the floor-length garage doors.

Mrs. Shields stated that Staff was never provided plans that illustrated the "windows" in question as garage doors, adding that what was being viewed as windows would be the location of the potential garage doors and that the addition of two more garage doors would potentially be considered in what was shown as an open space to the west.

Mr. Linder than asked if there was any type of walkway between the garage doors and the 10-foot corridor and if a person walking from the doors would immediately be on the corridor.

Mrs. Shields explained that upon exiting the garage doors a person would be immediately entering the walkway corridor.

Chair Oyster asked if the west/rear fencing was illustrated in the plans as extending past the property lines, stating that it looks larger than the current property.

Mr. Herbert answered that the open area lines up with the current area, not increasing the footprint of the current outdoor seating area.

Mr. Frea questioned the planting feature, asking if the placement in front of the garage doors was to inhibit customers from moving inside to outside onto the corridor.

Mr. Herbert answered by explaining that he had not yet had an opportunity to speak with the property owner about this detail of adding floor-length garage doors. Noting again that the planting bed was a required feature intended for initial installation in 2011, Mr. Herbert's plan was to incorporate the features in the current application.

Mr. Frea then asked if the purpose of the doors was to have the ability to "roll-up" during good weather.

Mr. Herbert answered that that was the intention.

Mr. Frea then questioned the quality of the materials of the addition, pointing out that it was similar to an enclosed porch and if the materials would be of the same or lesser quality of those found in the existing facility construction.

Mr. Herbert explained that per Ohio Building Code, the addition would not require rated walls, given the size and height of addition. He added that this would follow code of a standard commercial construction including, aluminum frame doors, 4-inch face brick on the main portion to match the existing building, 3 5/8-inch metal studs, insulation, stucco on the south and west, and a 3/12 pitch on the enclosed portion.

Mr. Rauch spoke to the item, adding that the Development Department received concerns from the property owner late, and that it may be worth extra time to allow Staff to work through the concerns with the involved parties, taking a close look at materials being used and that any reallocation of space would not inhibit a pedestrian pathway.

Mr. Linder, in agreement to Mr. Rauch's suggestion, informed the applicant that Planning Commission could either table the item or move forward with a vote.

Mr. Herbert agreed to table the Certificate of Appropriateness, assuming that further changes and discussions would happen with Development Staff.

Mr. Linder informed him that was the process and that a Special Meeting was possible to address collaborative work that happens in the meantime.

There being no further questions or discussion, Mr. Frea moved to postpone the item to the next meeting to allow Staff and the involved parties sufficient time to work through the recommendations and concerns brought forth, focusing on construction materials and the access to the walkway corridor.

Oyster seconded the motion, and the item was tabled, 5-0

ITEM #3 – 3271 Park Street Addition – Certificate of Appropriateness **PID #202012150062**

Mrs. Shields presented the Development Department's findings. She stated that the applicant was requesting approval of a Certificate of Appropriateness to allow for an addition to the rear of the home at 3271 Park Street, located within the Historic Preservation Area (HPA).

Mrs. Shields explained that the request originated with an application to the Building Division, who were able to approve several improvements to the structure administratively including residing the home, new window installation, and removing the chimney. The expansion of the building however, necessitated approval from Planning Commission and City Council.

Mrs. Shields stated that the addition would be on the rear of the existing structure, would be two stories and approximately 500 square feet. The original administrative Certificate of Appropriateness to the Building Division included a request to remove the shutters from the building, which was denied through Building. The applicant has appealed this decision, making the request to remove shutters also a part of the application review through Planning Commission.

Mrs. Shields added that as previously noted, the material and color of the addition were approved by the Building Division administratively as part of the improvements to the rest of the structure. She stated that Staff was supportive of the proposed building expansion, as it would match the existing home in both architectural style and materials, however, Staff was not supportive of the appeal request regarding removing the shutters from the home. Mrs. Shields noted that a number of residential structures in the area feature shutters on their Park Street façade, and because Staff believes including shutters on the home would add architectural interest to the structure, Staff recommended approval with the stipulations to obtain all necessary permits through the Building Division, and to include shutters where they existed prior to the proposed renovations.

Mr. Troy Strohm, property owner, was present to speak to the item. He presented his stance on the shutter stipulation, explaining that he disagreed with the requirement, pointing out several similar houses in the area that did not have shutters. Mr. Strohm also stated that he spoke with neighbors about a potential petition in which they reportedly agreed to sign in support of the removal of shutters.

Chair Oyster spoke to the matter and explained that upon driving through the area she did notice quite a few residences with shutters. She also explained that she could see where the shutters had been taken down from the dwelling, and personally believed the inclusion of shutters would add to the overall look of the property. Chair Oyster asked Staff to clarify stipulation two, asking if it applied to just the previous location of the shutters or if the stipulation would add further shutter additions.

Mrs. Shields answered that shutters would just be required to be installed in their previous location.

There being no further questions or concerns, Chair Oyster moved to recommend approval of the Certificate of Appropriateness with the following 2 stipulations:

1. All necessary permits shall be obtained through the Building Division prior to construction.

2. Shutters appropriate in scale, color and material shall be installed where they existed prior to the proposed building renovations to provide architectural interest to the structure.

Mr. Titus seconded the motion, and it was approved 5-0.

Before moving on, Mr. Linder suggested Mr. Strohm to bring his discussion of shutter removal before City Council, where the ultimate decision would be made.

Mrs. Shields presented the Development Department's findings. She stated that the applicant is requesting approval of a Plat for the first phase of the Cottages at Brown's Farm, east of Haughn Road.

Mrs. Shields explained that the Plat would create the first phase of the lots and reserves as originally shown on the Development Plan approved by City Council in 2019 and then further refined during the final engineering plans last year (2020). She added that once the Plat is approved by City Council, it can be recorded to allow the developer to sell lots to individual homeowners.

Mrs. Shields stated that the proposed Plat would create 52 single-family condominium lots and four reserve areas. Three of the four reserves would be four open space and stormwater management, while one reserve would contain the private roadways through the development, while all reserves would be owned and maintained by the HOA.

Mrs. Shields went on to explain that the Plat includes easements for future multi-use paths and provides for public access. She stated that since issuance of the Staff Report, Staff was made aware of concerns from an adjacent property owner regarding the placement of the bike path through Reserve A. While the location of the bike path easement was in accordance with the approved site engineering plans, slightly modified from the approved Development Plan, Staff was informed that this placement was not the location agreed upon between the property owner and the developer.

Mrs. Shields went on to say that conversations were being had with the developer to resolve the issues and to amend the Plat correctly, however, Staff was not comfortable with the current state of the Plat and recommended to Planning Commission a postponement until the concerns could be resolved.

Jason Francis, M/I Homes of Central Ohio, LLC, was present to speak to the item. He expressed his understanding of the potential to table the Plat but also wanted to take the opportunity to further commit to his agreement with the property owner. Mr. Francis reflected on meeting and committing to an agreement with Mr. Michael Absten (property owner) over path placement and shared his intention on building a path further to the south to give Mr. Absten a better buffer. Mr. Francis explained that the submitted Plat extensively dimensioned easement and path alignment and did not leave the room to accommodate the agreement. Mr. Francis went on to explain that an updated Plat did not dimension the path and instead added a note, indicating the entire reserve will be placed at an easement allowing for a path, adding text that says "Path alignment as shown on Reserve A is schematic. It reflects the location per the approved site plan. Actual path alignment will be shifted, where possible, south, away from the northern property line. Path alignment shall be established in the field with help from Grove City staff and easement is hereby granted over the entire Reserve A, for said path."

Mr. Francis explained that this was an attempt to accommodate the adjacent property owner (Mr. Absten), who, like others in attendance, may not have seen the most recent change. He added that a vote for approval would be welcomed but understands the desire to table the Plat if approval is not practical.

Mrs. Shields explained that Staff had seen some of text expressed by Mr. Francis and wished to look at the details due to concern over how it may relate to other areas on the same plat. She stated that the intent for postponement was to create clear and concise language, as the path will be an important connection to a larger trail network, eventually connecting to Orders and Hoover Road.

Mr. Linder wanted to clarify that Staff was requesting more time to properly address concerns and recent changes made.

Mrs. Shields expressed that since so many changes had only occurred the morning of the Planning Commission meeting, Staff and Planning Commission had not been able to look over a current and amended Plat.

Mr. Linder, speaking to Mr. Francis, noted the previous item's postponement and offered a similar explanation; that upon an update Plat submittal there could be a Special Meeting to accommodate the forward movement of the item.

Mr. Francis expressed gratitude for the understanding and his intent to get an updated Plat in front of Planning Commission as soon as possible.

Mr. Rauch spoke to Mr. Francis' willingness to work with Staff in addressing the concerns, as they were found out late in the process. Mr. Rauch explained that Mr. Francis was accommodating in the entire process and that he looked forward to getting a Special Meeting scheduled in a timely manner.

Mr. Titus moved to table the Plat to allow time to properly address concerns and recent changes.

Chair Oyster seconded the motion, and the Plat was postponed 5-0.

Mr. Rauch then introduced Mr. Absten as having raised his hand. Mr. Absten took the time thank Mr. Francis in his accommodations, and to also apologize for the last-minute message of concern. He explained that upon seeing the Notice of Public Hearing sign on the property he became worried that conversations had between he and Mr. Francis would not be committed to after a Planning Commission approval. Mr. Absten did explain that Mr. Francis reached out to him to accommodate shortly after the concern was raised to the Development Department and was appreciative of Mr. Francis' ongoing work to facilitate the agreement over path location.

There being no additional discussion, Mr. Linder adjourned the meeting at 2:16 p.m.

Hannah White, Secretary

Julie Oyster, Chair