



ORDINANCE 2024-15

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN WITH DEVIATIONS AND ASSOCIATED SITE IMPROVEMENTS FOR A NEW COMMERCIAL SPACE AT THE CORNER OF WEST CASE AVENUE AND LINCOLN STREET OWNED BY DREW & MICHELE DIMACCIO. THE SITE IS ZONED PC – PLANNED COMMERCIAL DISTRICT AND CONSISTS OF ±.403-ACRE.

WHEREAS, at the April 10, 2024 meeting, the Planning and Zoning Commission of the City of Powell recommended approval of this proposal to City Council with conditions; and

WHEREAS, the Final Development Plan has been submitted to City Council by the Planning and Zoning Commission pursuant to the provisions of Section 1143 of the Codified Ordinances of Powell; and

WHEREAS, City Council has determined that the implementation and approval of the Final Development Plan is in the best interest of the residents of the City of Powell.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, COUNTY OF DELAWARE, AND STATE OF OHIO, AS FOLLOWS:

Section 1: That the Final Development Plan referenced as Exhibit “A” for the property described in the legal description attached hereto are accepted and approved by the Council of the City of Powell as submitted; subject to and contingent upon the conditions as recommended by the Planning and Zoning Commission as submitted with the following deviations and conditions:

Deviations

- 1) The building setbacks are reduced to what is shown on the plans for the front, rear and side yards.
- 2) That 14 parking spaces are permitted for the site with the shared parking agreement with the 75 Lincoln Street parcel as well as additional spaces at the 82 Lincoln Street site.

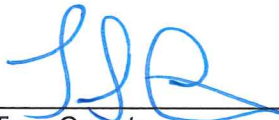
Conditions

- 1) That the parking space dimensions meet Code requirements;
- 2) That the applicant coordinate with staff to provide a fence around the detention basin;
- 3) That the applicant work with staff to ensure the screening fence meets Code requirements;
- 4) That the dumpster enclosure matches the materials of the building.

Section 2: That the submission of the Final Development Plan constitutes a formal request for an amendment addition to the zoning of the property, and upon final approval by Council becomes the zoning of the subject property, in accordance with the Powell Zoning Code.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

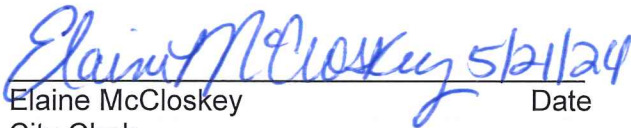
Section 4: That this Ordinance shall take effect on the earliest period allowed by law.



Tom Counts
Mayor

5/21/24

Date

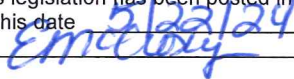


Elaine McCloskey
City Clerk

5/21/24

Date

EFFECTIVE DATE: June 21, 2024

This legislation has been posted in accordance with the City Charter on this date 5/22/24


City Clerk

Elise Schellin, Development Planner, presented the Staff Report, which recommends the Commission provide the applicant/owner with comments regarding the above topics and additional items the Commission wishes to discuss. The Commission should indicate whether or not there is support to combine the reviews for Preliminary and Final Development Plans.

Drew DiMaccio, 680 Woods Hollow Lane, Powell, the applicant gave a presentation on the request and answered questions from the Commission.

Chair Bailik opened the floor for public comment on the application. Hearing none, Chair Bailik closed public comment.

Commissioner Lester thanked the applicant for sharing his story. He said the barn-dominium is a unique look and he likes the renderings of the building. He asked if they are planning to have indoor seating or just carryout and the applicant said there will be some seating but it will be more for carryout food.

Commissioner Ahmed likes the renditions. He talked about the site being awkward and may require variances. He asked staff about conversations they will have with the applicant to work out items such as setbacks and staff confirmed they will work with the applicant. He would like to see fencing along the railroad tracks. He is glad to see someone from Powell building their business here.

Commissioner Simpson thanked the applicant, especially as a resident investing in Powell. He recommended he talk with the neighbors to be sure there are not any concerns with lighting, etc. He wondered about whether the applicant has received cost estimates, and if not, how cost could change the plan. He would like to see the path on both sides of the drive.

Commissioner Griffin likes the look of the building and is pleased it was designed by a local architect. He is concerned about the four-sided architecture since it will be seen from Nocterra and is also concerned about fencing with people trying to cross the railroad tracks from his business to Nocterra. He would like to see the sidewalk on both sides of the drive as well.

Chair Bailik thanked the applicant for being at the meeting and talking about the project because it helps the Commission understand what the motivation is for the plan. She agreed it is good to talk with the neighboring residents about the plans. She likes the inclusion of the sidewalk because Powell is a very walkable community. She wondered if they are planning to have and utilize a basement and/or a second floor because those areas could affect the load and parking requirements. She talked about all the amount of details needed before coming back for a combined Preliminary and Final Development Plan.

OTHER BUSINESS – None.

ADJOURNMENT - Meeting adjourned by consensus at 7:10 p.m.

MINUTES APPROVED: Wednesday, September 13, 2023


Elizabeth Bailik, Chair

9/13/23
Date


Pam Friend, Admin. Assistant

9/13/2023
Date



**PLANNING & ZONING
MEETING MINUTES
WEDNESDAY, AUGUST 9, 2023**

CALL TO ORDER/ROLL CALL

Chair Elizabeth Bailik called the August 9, 2023 Planning & Zoning Commission meeting to order at 6:30 p.m. Commission Members present included, Shaun Simpson, Elizabeth Bailik, Ferzan Ahmed, David Lester and Ryan Griffin. Ryan Herchenroether and Steven MacGuidwin were absent. Staff included Claudia Husak, Planning Manager; Elise Schellin, Senior Planner; Pam Friend, Administrative Assistant and Elaine McCloskey, City Clerk.

STAFF ITEMS

Ms. Husak introduced new City Clerk, Elaine McCloskey to the Commission.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chair Bailik opened the floor for visitors to address the Commission for items not on the agenda. Hearing none, Chair Bailik closed public comment.

APPROVAL OF MINUTES

July 12, 2023 Meeting Minutes
[07122023_PZ_Draft_Min.pdf](#)

MOTION: Commissioner Lester moved to approve the July 12, 2023 Planning & Zoning Commission Minutes. Commissioner Simpson seconded.

Chair Bailik requested a roll call for passage: Elizabeth Bailik, yes; Ferzan Ahmed, yes; David Lester, yes; Ryan Griffin, yes; and Shaun Simpson. Motion passed.

VOTE: Y – 5 N – 0 AB – 0

ITEMS FOR REVIEW

SKETCH PLAN REVIEW (2023-19SP)

Applicant: Drew & Michele DiMaccio
Location: 150 West Case Avenue, Parcel Number 31942602003000
Zoning: PC - Planned Commercial District
Request: Review and feedback of a Sketch Plan to construct a new carryout restaurant on a ±0.403-acre site.

1. Staff Report_El Padrino_2023-19.pdf
2. El Padrino Completed and Combined App.pdf
3. EL PADRINO SKETCH PLAN - Engineer Comments.pdf

complex and agrees that more information on both the structure and the purpose is needed before this proposal can go before City Council.

Ted Klecker echoed the concerns expressed by Steven Reynolds. He thinks that there should be more done with the southern elevation and would like to see the interior floor plan before recommending that the proposal go before City Council.

Shaun Simpson stated that the proposal matches the areas Planned Commercial zoning. He agrees that more detail is needed. The south elevation is weak, and there needs to be more information about lighting, as the development should be sensitive to the residents surrounding the property. Mr. Simpson would like to see an agreement from the city on no parking and speed limit signs along West Case Street. He noted that the overall design is good, but there needs to be more information.

Stephen MacGuidwin agrees with Mr. Simpson's comments that the proposed development is not inconsistent with the comprehensive plan. He still has questions on the architectural review, especially as to the south elevation. However, he believes that the issues can be fixed before the proposal goes before City Council.

Kurt Ramsey asked if speed bumps could possibly be added to Traditions Way to help alleviate the attempted cut through traffic. He also stated that he would like to know if Mr. DiMaccio had plans for live music or other plans for the patio.

Elizabeth Bailik stated that she agrees with her fellow commissioners' comments and with the public's concerns. She said that city ordinance will require more information such as the floor plans, square footage and usage before a recommendation can be made to approve this proposal to go before City Council. Ms. Bailik also feels that the public has raised several concerns regarding parking, cut troughs and the maintenance of their private road.

MOTION: Shaun Simpson moved to table the preliminary development plan indefinitely until

VOTE: Y-5 N-1 (MacGuidwin) AB-0

VI. OTHER BUSINESS

VII. ADJOURNMENT

Elizabeth Bailik adjourned the meeting at 7:15 pm

	<u>3/10/24</u>		<u>4-10-24</u>
Elizabeth Bailik, Chair	Date	Kara Prem, Clerk	Date

Jessica Reuter
185 West Case Street
Powell, Ohio 43065

Jessica Reuter noted that she lives adjacent to the proposed development and is speaking for several of her neighbors. She feels that the proposal is deceptive as 3000 square feet plus a patio does not sound like a carryout. Ms. Reuter is concerned that people will park on West Case even though street parking is not permitted. Additionally, she is concerned about patio noise. They already contend with noise from Nocterra and is afraid that they'll now be dealing with two different establishments with an unlimited amount of bands, performers, etc. that they don't have any control over competing to be heard over one another. She asked that the Commission not approve the proposal.

Laura Hooker
187 West Case Street
Powell, Ohio 43065

Laura Hooker stated that she has the same concerns as Ms. Reuter, noting that people drive 40-50 miles per hour down the street, and she is concerned about more traffic adding to the situation. She stated that when there is no traffic, their development is very serene and peaceful, and would like to see decreased speed limits, and possibly flashing speed limit signs installed on West Case and Lincoln Streets if the development goes through. Ms. Hooker is also concerned that Traditions Way already has an issue with people driving into the complex hoping to cut through to West Case from Powell Road and she fears that this traffic will increase. She is also concerned about the noise and parking.

Patrick Grubbe
65 Traditions Way
Powell, Ohio 43065

Patrick Grubbe stated that he has lived in the Traditions complex for five years. He reiterated that there is a lot of non-resident traffic on Traditions Way, including delivery and construction drivers who are attempting to cut through. This is causing undue wear and tear on the road, the repair of which will lie on the HOA. Mr. Grubbe is concerned that the development will increase traffic on Traditions Way. Mr. Grubbe would like to see the City extend Case all the way to Murphy Parkway to help prevent cut through issues. Additionally, he expressed concern over the nature of the development, will it truly be a carry out or will it be a sit-down restaurant?

Chair Bailik verified that no more members of the public wished to comment and closed public participation. Chair Bailik then opened up the floor for Commission member feedback and discussion.

David Lester understands some of the concerns that have been brought up. He does not believe that this proposal is ready for City Council. There are questions that need cleared up, such as the issues of signage and parking. Mr. Lester feels that the proposal is a great idea, but need more information to be presented.

Ryan Griffin would like the purpose of the restaurant to be addressed. Will this be a sit-down restaurant or a carry out? He understands the concerns of the residents from the Traditions

Request: Review and approval of a preliminary and final development plan for a new commercial space at the corner of West Case Street and Lincoln Street owned by Drew & Michele DiMaccio. The site is zoned PC – Planned Commercial District and consists of ±.403 acre.

Chair Bailik read Case 2024-04_PDP/FDP into the record. Claudia Husak provided a staff presentation. The project is located at a vacant site located at the east of the West Case Street at the Lincoln Street intersection, west of the CSX railroad tracks. Right-of-way will be dedicated to the City at the intersection and the new proposed property line will curve to meet the condition of the existing public streets. The Sketch Plan was reviewed in August 2023.

The applicant is proposing to construct a mainly carry-out restaurant on south end of the site. Encroachments to the setbacks are being requested and Staff supports those due to the odd shape of the parcel. Staff has conditions proposed for adding additional detailing to some of the elevations. The proposed two story building will have approximately 3,000 square feet with a patio on the north side. The applicant has secured a parking agreement with the building to the south of the Traditions to secure the two spaces that they are short on their property.

A variety of uses are encouraged within this district and the use is permitted within the zoning district. Staff recommends that the Commission recommend approval to City council of this submitted Combined Preliminary and Final Development Plan with the six conditions outlined. A recommendation to City Council with all final details will be required at the next step.

Steven Reynolds, Architectural Advisor, noted that he does not have floor plans as of yet. He would like to know more about the ingress and egress, which doors are for the public. He has concerns about the massing / scale of the beams on either side of the fireplace, as they look different in the side versus north views. He would like to know more about what type of landscape lighting the applicant plans to use and would like more information on the side elevations. Mr. Reynolds asked if there could be embellishment of some sort to the South façade possibly bringing some of the beams from up front back to the rear. Mr. Reynolds also mentioned adding a stone water table at least on the south and west facades. He would also like more information on the windows and the overhangs.

APPLICANT

Drew DiMaccio
680 Woods Hollow Lane
Powell, Ohio 43065

Drew DiMaccio stated that the beam structures would be a wrapped component. His wife, who is an interior designer is working with the chef and a professional kitchen company on the plans for the interior. He wants this business to be an asset to the community. Mr. DiMaccio is trying to do due diligence with the neighborhood, speaking with the owner of the property to the west along with the owner of Metro Heating and Cooling. He has spoken with some of the neighbors from the Traditions condominium complex and has received positive feedback. The site will be wrapped in fencing structure as he feels that is the right thing to do for the neighborhood. Mr. DiMaccio states that they want to be an asset to the community.

Chair Bailik opened Case 2024-04_PDP/FDP for public comment.



**PLANNING & ZONING
COMMISSION MEETING
MINUTES MARCH 13, 2024**

I. CALL TO ORDER/ROLL CALL

Chair Bailik called the Wednesday, March 13, 2024 Planning & Zoning Commission meeting to order at 6:00pm. Commission members present included Elizabeth Bailik, Ryan Griffin, Ted Klecker and Shaun Simpson. Commission members Kurt Ramsey, David Lester and Stephen MacGuiden arrived after roll call. Staff Members present included Claudia Husak, Planning Manager/Zoning Administrator and Steven Reynolds, SHYFT Collective, City of Powell Architectural Advisor.

II. STAFF ITEMS

Review of Planning and Zoning Commission Rules and Regulations

Ms. Husak conducted a brief review of the Rules and Regulation for the Planning & Zoning Commission which were put into place on April 12, 2023. She also provided an abbreviated guide to Robert's Rules of Order.

III. HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

IV. APPROVAL OF MINUTES

- a. Approval of the February 15, 2024 Meeting Minutes.

MOTION: Shaun Simpson moved to approve the minutes from the February 15, 2024 meeting. Ryan Griffin seconded. Motion passed.

VOTE: Y-7 N-0 AB-0

V. ITEMS FOR REVIEW

- a. **IL PADRINO**

PRELIMINARY/FINAL DEVELOPMENT PLAN (2024-04_PDP/FDP)

Applicant: Drew DiMaccio
Location: 150 West Case Street, Parcel 318-426-02-003-000
Existing Zoning: PC-Planned Commercial District

Elise Schellin, Development Planner, presented the Staff Report, which recommends the Commission provide the applicant/owner with comments regarding the above topics and additional items the Commission wishes to discuss. The Commission should indicate whether or not there is support to combine the reviews for Preliminary and Final Development Plans.

Drew DiMaccio, 680 Woods Hollow Lane, Powell, the applicant gave a presentation on the request and answered questions from the Commission.

Chair Bailik opened the floor for public comment on the application. Hearing none, Chair Bailik closed public comment.

Commissioner Lester thanked the applicant for sharing his story. He said the barn-dominium is a unique look and he likes the renderings of the building. He asked if they are planning to have indoor seating or just carryout and the applicant said there will be some seating but it will be more for carryout food.

Commissioner Ahmed likes the renditions. He talked about the site being awkward and may require variances. He asked staff about conversations they will have with the applicant to work out items such as setbacks and staff confirmed they will work with the applicant. He would like to see fencing along the railroad tracks. He is glad to see someone from Powell building their business here.

Commissioner Simpson thanked the applicant, especially as a resident investing in Powell. He recommended he talk with the neighbors to be sure there are not any concerns with lighting, etc. He wondered about whether the applicant has received cost estimates, and if not, how cost could change the plan. He would like to see the path on both sides of the drive.

Commissioner Griffin likes the look of the building and is pleased it was designed by a local architect. He is concerned about the four-sided architecture since it will be seen from Nocterra and is also concerned about fencing with people trying to cross the railroad tracks from his business to Nocterra. He would like to see the sidewalk on both sides of the drive as well.

Chair Bailik thanked the applicant for being at the meeting and talking about the project because it helps the Commission understand what the motivation is for the plan. She agreed it is good to talk with the neighboring residents about the plans. She likes the inclusion of the sidewalk because Powell is a very walkable community. She wondered if they are planning to have and utilize a basement and/or a second floor because those areas could affect the load and parking requirements. She talked about all the amount of details needed before coming back for a combined Preliminary and Final Development Plan.

OTHER BUSINESS – None.

ADJOURNMENT - Meeting adjourned by consensus at 7:10 p.m.

MINUTES APPROVED: Wednesday, September 13, 2023


Elizabeth Bailik, Chair
9/13/23
Date


Pam Friend, Admin. Assistant
9/13/2023
Date



**PLANNING & ZONING
MEETING MINUTES
WEDNESDAY, AUGUST 9, 2023**

CALL TO ORDER/ROLL CALL

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STAFF ITEMS

Ms. Husak introduced new City Clerk, Elaine McCloskey to the Commission.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chair Bailik opened the floor for visitors to address the Commission for items not on the agenda. Hearing none, Chair Bailik closed public comment.

APPROVAL OF MINUTES

July 12, 2023 Meeting Minutes
[07122023_PZ_Draft_Min.pdf](#)

MOTION: Commissioner Lester moved to approve the July 12, 2023 Planning & Zoning Commission Minutes. Commissioner Simpson seconded.

Chair Bailik requested a roll call for passage: Elizabeth Bailik, yes; Ferzan Ahmed, yes; David Lester, yes; Ryan Griffin, yes; and Shaun Simpson. Motion passed.

VOTE: Y – 5 N – 0 AB – 0

ITEMS FOR REVIEW

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Shaun Simpson stated that the proposal matches the areas Planned Commercial zoning. He agrees that more detail is needed. The south elevation is weak, and there needs to be more information about lighting, as the development should be sensitive to the residents surrounding the property. Mr. Simpson would like to see an agreement from the city on no parking and speed limit signs along West Case Street. He noted that the overall design is good, but there needs to be more information.

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Kurt Ramsey asked if speed bumps could possibly be added to Traditions Way to help alleviate the attempted cut through traffic. He also stated that he would like to know if Mr. DiMaccio had plans for live music or other plans for the patio.

Elizabeth Bailik stated that she agrees with her fellow commissioners' comments and with the public's concerns. She said that city ordinance will require more information such as the floor plans, square footage and usage before a recommendation can be made to approve this proposal to go before City Council. Ms. Bailik also feels that the public has raised several concerns regarding parking, cut troughs and the maintenance of their private road.

MOTION: Shaun Simpson moved to table the preliminary development plan indefinitely until

VOTE: Y-5 N-1 (MacGuidwin) AB-0

VI. OTHER BUSINESS

VII. ADJOURNMENT

Elizabeth Bailik adjourned the meeting at 7:15 pm

Elizabeth Bailik, Chair

Date

Kara Prem, Clerk

Date

Jessica Reuter
185 West Case Street
Powell, Ohio 43065

Jessica Reuter noted that she lives adjacent to the proposed development and is speaking for several of her neighbors. She feels that the proposal is deceptive as 3000 square feet plus a patio does not sound like a carryout. Ms. Reuter is concerned that people will park on West Case even though street parking is not permitted. Additionally, she is concerned about patio noise. They already contend with noise from Nocterra and is afraid that they'll now be dealing with two different establishments with an unlimited amount of bands, performers, etc. that they don't have any control over competing to be heard over one another. She asked that the Commission not approve the proposal.

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Laura Hooker stated that she has the same concerns as Ms. Reuter, noting that people drive 40-50 miles per hour down the street, and she is concerned about more traffic adding to the situation. She stated that when there is no traffic, their development is very serene and peaceful, and would like to see decreased speed limits, and possibly flashing speed limit signs installed on West Case and Lincoln Streets if the development goes through. Ms. Hooker is also concerned that Traditions Way already has an issue with people driving into the complex hoping to cut through to West Case from Powell Road and she fears that this traffic will increase. She is also concerned about the noise and parking.

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Chair Bailik verified that no more members of the public wished to comment and closed public participation. Chair Bailik then opened up the floor for Commission member feedback and discussion.

David Lester understands some of the concerns that have been brought up. He does not believe that this proposal is ready for City Council. There are questions that need cleared up, such as the issues of signage and parking. Mr. Lester feels that the proposal is a great idea, but need more information to be presented.

Ryan Griffin would like the purpose of the restaurant to be addressed. Will this be a sit-down restaurant or a carry out? He understands the concerns of the residents from the Traditions

Request: Review and approval of a preliminary and final development plan for a new commercial space at the corner of West Case Street and Lincoln Street owned by Drew & Michele DiMaccio. The site is zoned PC – Planned Commercial District and consists of ±.403 acre.

Chair Bailik read Case 2024-04_PDP/FDP into the record. Claudia Husak provided a staff presentation. The project is located at a vacant site located at the east of the West Case Street at the Lincoln Street intersection, west of the CSX railroad tracks. Right-of-way will be dedicated to the City at the intersection and the new proposed property line will curve to meet the condition of the existing public streets. The Sketch Plan was reviewed in August 2023.

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A variety of uses are encouraged within this district and the use is permitted within the zoning district. Staff recommends that the Commission recommend approval to City council of this submitted Combined Preliminary and Final Development Plan with the six conditions outlined. A recommendation to City Council with all final details will be required at the next step.

Steven Reynolds, Architectural Advisor, noted that he does not have floor plans as of yet. He would like to know more about the ingress and egress, which doors are for the public. He has concerns about the massing / scale of the beams on either side of the fireplace, as they look different in the side versus north views. He would like to know more about what type of landscape lighting the applicant plans to use and would like more information on the side elevations. Mr. Reynolds asked if there could be embellishment of some sort to the South façade possibly bringing some of the beams from up front back to the rear. Mr. Reynolds also mentioned adding a stone water table at least on the south and west facades. He would also like more information on the windows and the overhangs.

APPLICANT

Drew DiMaccio
680 Woods Hollow Lane
Powell, Ohio 43065

Drew DiMaccio stated that the beam structures would be a wrapped component. His wife, who is an interior designer is working with the chef and a professional kitchen company on the plans for the interior. He wants this business to be an asset to the community. Mr. DiMaccio is trying to do due diligence with the neighborhood, speaking with the owner of the property to the west along with the owner of Metro Heating and Cooling. He has spoken with some of the neighbors from the Traditions condominium complex and has received positive feedback. The site will be wrapped in fencing structure as he feels that is the right thing to do for the neighborhood. Mr. DiMaccio states that they want to be an asset to the community.

Chair Bailik opened Case 2024-04_PDP/FDP for public comment.



**PLANNING & ZONING
COMMISSION MEETING
MINUTES MARCH 13, 2024**

I. CALL TO ORDER/ROLL CALL

Chair Bailik called the Wednesday, March 13, 2024 Planning & Zoning Commission meeting to order at 6:00pm. Commission members present included Elizabeth Bailik, Ryan Griffin, Ted Klecker and Shaun Simpson. Commission members Kurt Ramsey, David Lester and Stephen MacGuiden arrived after roll call. Staff Members present included Claudia Husak, Planning Manager/Zoning Administrator and Steven Reynolds, SHYFT Collective, City of Powell Architectural Advisor.

II. STAFF ITEMS

Review of Planning and Zoning Commission Rules and Regulations

Ms. Husak conducted a brief review of the Rules and Regulation for the Planning & Zoning Commission which were put into place on April 12, 2023. She also provided an abbreviated guide to Robert's Rules of Order.

III. HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

IV. APPROVAL OF MINUTES

- a. Approval of the February 15, 2024 Meeting Minutes.

MOTION: Shaun Simpson moved to approve the minutes from the February 15, 2024 meeting. Ryan Griffin seconded. Motion passed.

VOTE: Y-7 N-0 AB-0

V. ITEMS FOR REVIEW

- a. **IL PADRINO**

PRELIMINARY/FINAL DEVELOPMENT PLAN (2024-04_PDP/FDP)

Applicant: Drew DiMaccio
Location: 150 West Case Street, Parcel 318-426-02-003-000
Existing Zoning: PC-Planned Commercial District

Commission. Ms. Husak said that the owners would not if a new use was a permitted use.

Stephen MacGuidwin is supportive of the use. He asked if the parking numbers were up to the code now that it is a sit down restaurant. Claudia Husak verified that with the additional parking agreements, there are more spots than required by code.

Kurt Ramsey asked questions about the fencing and the applicant answered them.

Elizabeth Bailik appreciates that the applicant secured more parking. She asked what the retail space shown on the interior plans would be used for. Mr. DiMaccio stated that the plan was to sell wine and food products like olive oils and vinaigrettes.

MOTION: David Lester moved to approve the Preliminary and Final Development Plans for Il Padrino with the deviations and conditions provided by Staff. Ryan Griffin seconded. Motion passed.

VOTE: Y-7 N-0 AB-0

b.

AMMENDMENT TO AN APPROVED FINAL DEVELOPMENT PLAN (Case 2024-09AM)

This is a request for review and recommendation of approval to City Council for a ± 2,700 SF expansion to a daycare facility at 419 West Olentangy Street, on the south side of West Olentangy Street, east of Sawmill Parkway. The site is zoned PC – Planned Commercial District and the applicant is Burkhold RE, LLC, Rebecca Burkholder, c/o Sands Decker, Scott Sands, P.E.

Applicant: Burkhold RE LLC., Rebecca Burkholder

Location: 419 West Olentangy Street

Existing Zoning: PC - Planned Commercial District

Request: Review recommendations of approval to City Council for a ± 2,700 SF expansion to a daycare facility at 419 West Olentangy Street on the south side of West Olentangy Street, east of Sawmill Parkway. The site is zoned PC - Planned Commercial District and the applicant is Burkhold RE, LLC, Rebecca Burkholder, c/o Sands Decker, Scott Sands, P.E.

Chair Bailik read Case 2024-09AM into the record. Claudia Husak provided a staff presentation. A development plan for an 8,000-square-foot Goddard school daycare was approved in 2002. Once built, the daycare has operated at the site. The site is 1.23 acres and is the last parcel within the City boundary on the south side of West Olentangy Street.

South of the site is Murphy Park, to the east is a commercial development and to the west is the Oxford Automotive site. Access for the site is a right-in/right-out curb cut off West Olentangy Street and there is a joint access drive south of the site off Murphy

Drew DiMaccio stated that he felt that the presentations thus far had explained what he has done since the last meeting. He did clarify that originally, the plans had been for more of a carryout, but now he has decided to make the property more of a sit-down restaurant with carryout and delivery options. They plan on using their own delivery drivers rather than selling through Door Dash and similar apps.

Chair Bailik opened Case 2024-04_PDP/FDP for public comment.

Jessica Reuter
185 West Case Street
Powell, Ohio 43065

Jessica Reuter stated that many residents of the Traditions of Powell have concerns about this plan. The lot is odd shaped and she feels that the City will be granting too many concessions. She is concerned about deliveries on top of patrons – she is worried the road will be blocked by delivery trucks. She is concerned about the noise that may come from the patio as the neighborhood already deals with noise from Nocterra. She does not believe that the parking is sufficient as patrons will consider the street to be more convenient for parking. People already speed on this road. She is also concerned with cut throughs on Traditions Way noting that those streets are maintained by their Home Owners Association. Finally she would like to know what the signage will look like.

Chair Bailik verified that no more members of the public wished to comment and closed public participation. Chair Bailik then opened up the floor for Commission member Feedback and discussion.

David Lester asked how much parking has been added with the new agreement. Mr. DiMaccio said that 10 spots have been added with the property to the south. Mr. Lester asked what the partial basement would be used for, and the applicant said that it would be used as a cooler and a wine cellar. After finding out that the second floor would be an office for the applicant, Mr. Lester said that he has no issues with the plans.

Ryan Griffin appreciates that the applicant came forward and mentioned that he was moving towards a restaurant concept instead of a carry out. Mr. Griffin asked if there were any plans for entertainment. Mr. DiMaccio answered that he doesn't know that he wants to have entertainment. Mr. Griffin finished by stating that he likes the redesign.

Ted Klecker thanked the applicant for providing more details and addressing the architectural advisor's concerns. He asked for more details on the patio, and the applicant stated that it will not be enclosed, it will be used in warm weather only. Mr. Klecker also asked if the garage doors on the building will open in warm weather, and Mr. DiMaccio said that they will.

Shaun Simpson asked about the logistics of deliveries and the applicant stated that there was plenty of room in the parking lot for deliveries – the road will not be blocked. Mr. Simpson asked if the city could add no parking signs and Ms. Husak said that his has been discussed with the City Engineer. Mr. Simpson then asked if the restaurant were to close, would the building owner have to come back before the

Request: Review and approval of a preliminary and final development plan for a new commercial space at the corner of West Case Street and Lincoln Street owned by Drew & Michele DiMaccio. The site is zoned PC-Planned Commercial District and consists of ± .403 acre.

Chair Bailik read Case 2024-04_PDP/FDP into the record. Claudia Husak provided the staff presentation. The project is located at a vacant site located at the east of West Case Street at the Lincoln Street intersection, west of the CSX railroad tracks. Right-of-way will be dedicated to the City at the intersection and the new proposed property line will curve to meet the existing public streets.

The Sketch Plan was reviewed in August 2023, and the preliminary and final development plans were tabled at the March 13, 2024 Planning & Zoning Commission in light of inconsistencies on the submitted plans and specific architectural details missing from the submission. The applicant has revised the plans and updated the application to address comments from the City of Powell Architectural Advisor, including window styles, massing details and lighting. No stone foundation has been added. Details for lighting have also been approved. The applicant has secured parking agreement with the site to the south in addition to the parking across the street that had already been secured.

Staff recommends the Commission approve the Preliminary and Final Development Plans with the following deviations and conditions:

Deviations

- 1) The building setbacks are reduced to what is shown on the plans for the front, rear, and side yards.
- 2) That 14 parking spaces are permitted for the site with the shared parking agreement with the 75 Lincoln Street parcel as well as additional spaces at the 82 Lincoln Street site.

Conditions

- 1) That the parking space dimensions meet Code requirements.
- 2) That the applicant co-ordinate with staff to provide a fence around the detention basin.
- 3) That the applicant work with staff to ensure the screening fence meets Code requirements.
- 4) That the dumpster enclosure matches the materials of the building.

Steven Reynolds, Architectural Advisor stated that he has met with the applicant to work on the issues that were discussed at the March meeting. He wants to work more on aligning the scale of the beams on the front of the property. He would like to see the final window design, but said that the applicant satisfactorily explained why there are no windows in some places on the building.

APPLICANT

Drew DiMaccio
680 Woods Hollow Lane
Powell, Ohio 43065



**PLANNING & ZONING
COMMISSION MEETING MINUTES
APRIL 10, 2024**

I. CALL TO ORDER/ROLL CALL

Chair Bailik called the Wednesday April 10, 2024 Planning & Zoning Commission meeting to order at 6:30pm Commission members present included Elizabeth Bailik, Ryan Griffin, Ted Klecker, David Lester, Stephen MacGuidwin, Kurt Ramsey, and Shaun Simpson. Staff members present included Claudia Husak, Planning Manager/Zoning Administrator, Jeffrey Tyler, Assistant City Manager and Development Director, Sean Hughes, Economic Development Administrator, Steven Reynolds, SHYTFT Collective, City of Powell Architectural Advisor and Kara Prem, Administrative Assistant.

II. STAFF ITEMS

Chair Bailik provided background on the responsibility of the Planning and Zoning Commission.

III. HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

IV. APPROVAL OF MINUTES

MOTION: David Lester moved to approve the Minutes from the March 13, 2024 Planning and Zoning Commission meeting. Ryan Griffin seconded. Motion passed.

VOTE: Y-7 N-0 AB-0

a. Meeting Minutes 3-13-2024

V. ITEMS FOR REVIEW

a.

PRELIMINIARY & Final DEVELOPMENT PLAN (2024-04PDP/FDP) – II PADRINO

A request for review and recommendation of approval to City Council for the construction of a new commercial space to be occupied by a carry-out/restaurant at 150 West Case Avenue owned and represented by Drew and Michele DiMaccio. The site is ± .403 acre zoned PC-Planned Commercial District at the corner of West Case Avenue and Lincoln Street

Applicant: Drew DiMaccio

Location: 150 West Case Street, Parcel 318-426-02-003-000

Existing Zoning: PC-Planned Commercial District

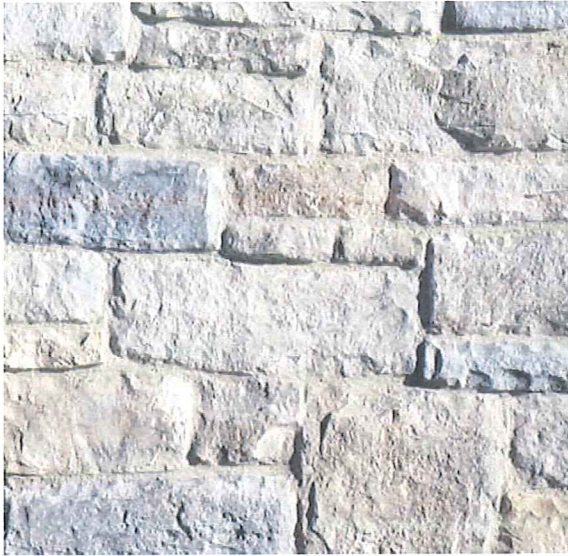
FLOWERING PLUM



AZALEA



DECORATIVE STONE



WINDOWS- BLACK

**Grille
Patterns**

Choose from a variety of grille patterns for the traditional look of divided light.*



**6-Lite
Prairie**



**9-Lite
Prairie**



**9-Lite
Prairie
Top Sash Only**



Traditional



**Traditional
Top Sash Only**



**Top
Row**



**Custom
Equally Divided**

LANDSCAPING

LIGHTING (19" HIGH)



POST 84" WITH LIGHT



BOXWOOD



EXTERIOR SIDING – COLOR TO BE CHARCOAL GREY



HEAVY TIMBER APPEARANCE FOR EXPOSED STRUCTURE – SIM TO WHAT SHOWN HERE



IL PADRINO - POWELL, OHIO

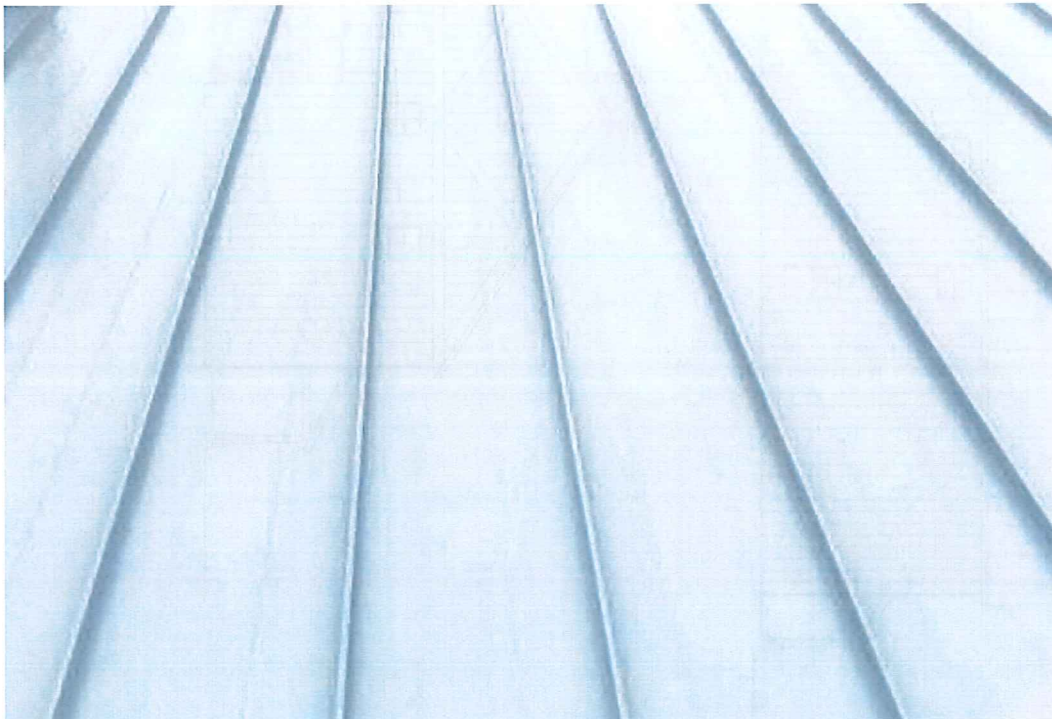
BUILDING

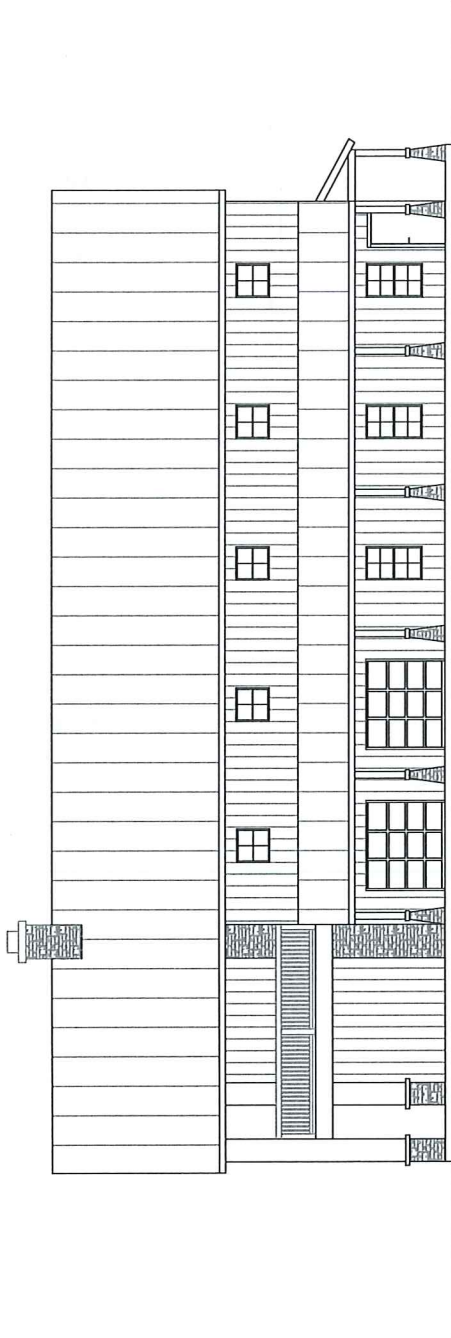
EXTERIOR LIGHTING



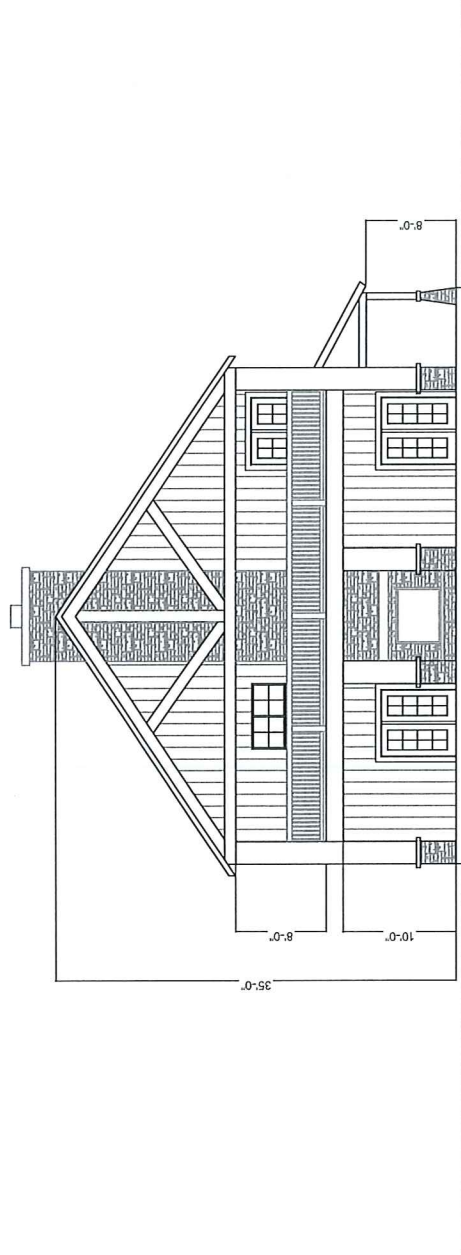
Neihart 18 1/4" High Rustic Bronze RLM
Outdoor Wall Light

STANDING SEAM METAL ROOF- DARK GREY





1 SIDE (WEST) ELEVATION
3/32 = 1'-0"

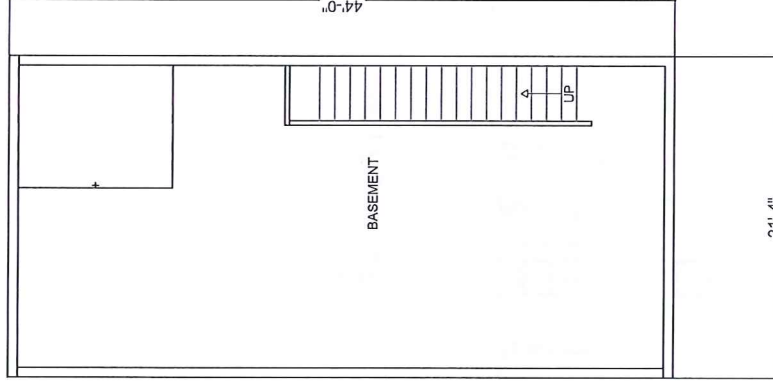


1 FRONT ELEVATION
3/32 = 1'-0"

IL PADRINO
CASE ROAD
POWELL, OHIO 43065

03/22/24

BUILDING DATA		
TENANT	SQUARE FOOTAGE	OCCUPANCY
EL PADRINO	857 SF	3
TOTAL GROSS AREA	857 SF	TOTAL - 3

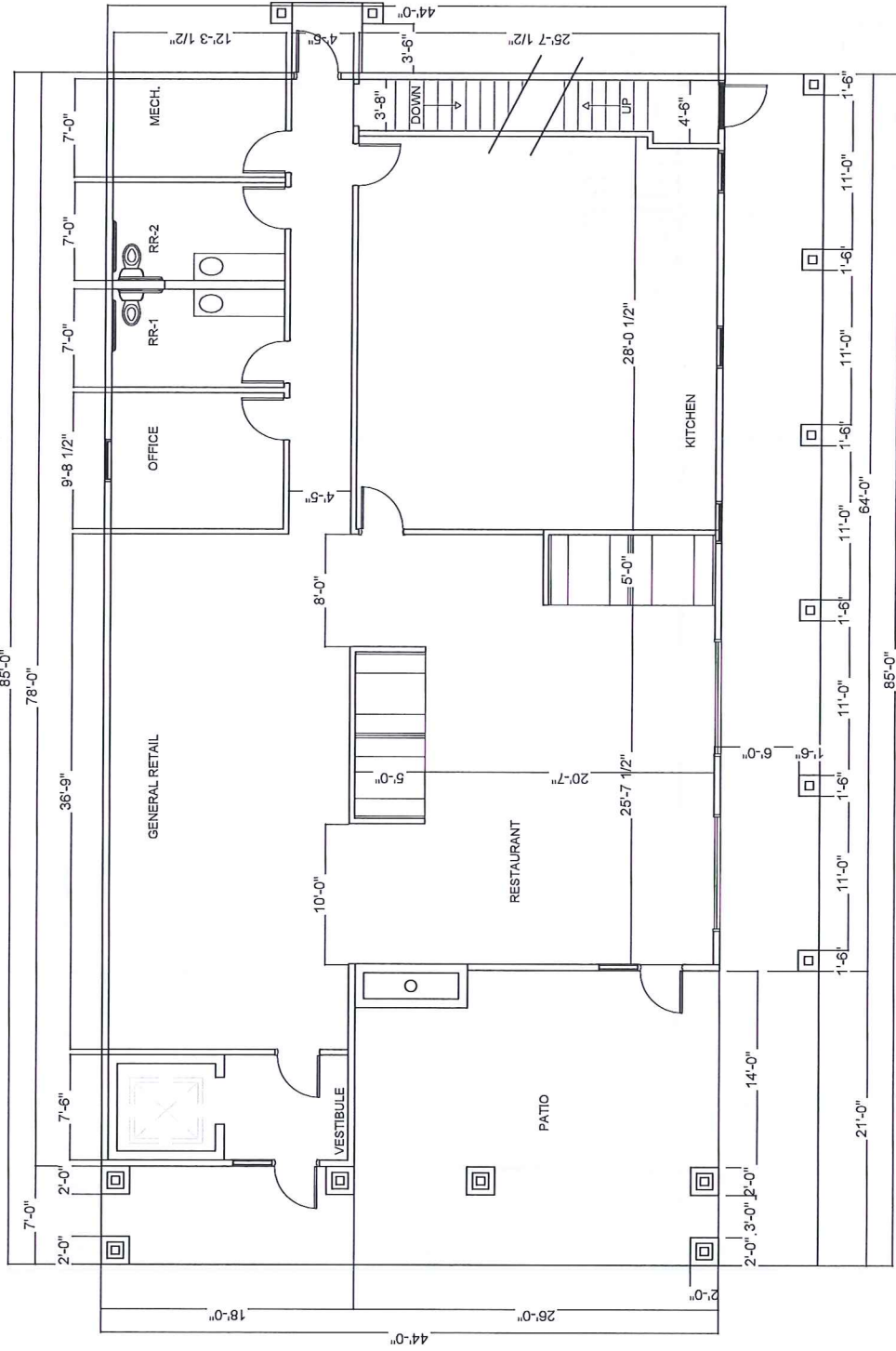


IL PADRINO
 CASE ROAD
 POWELL, OHIO 43065

1 BASEMENT PLAN
 1/8" = 1'-0"

03/22/24

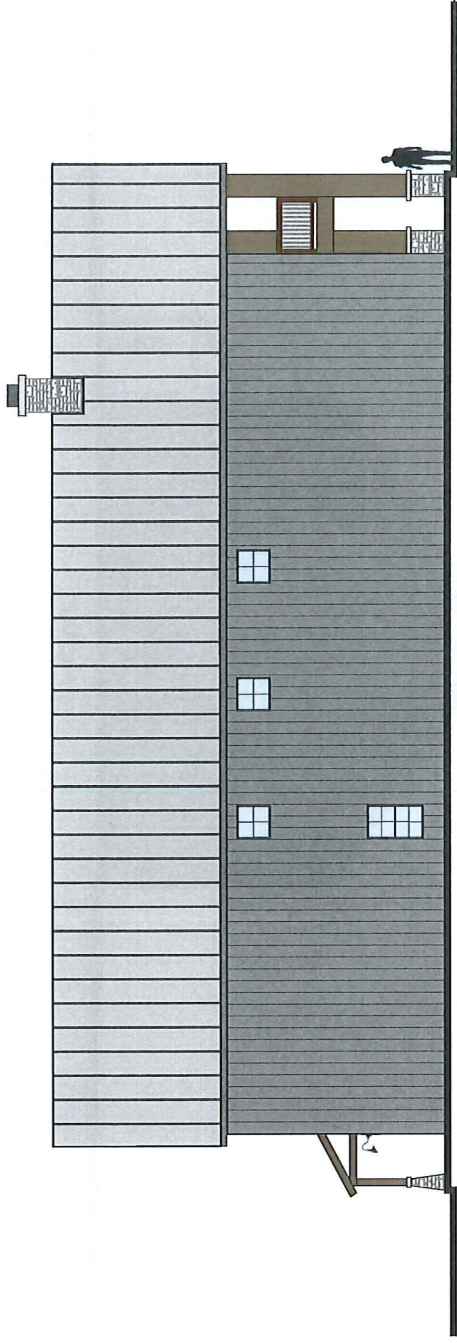
BUILDING DATA		
TENANT	SQUARE FOOTAGE	OCCUPANCY
RESTAURANT	613 SF	41
SALES AREA	681 SF	12
KITCHEN / RR	1,278 SF	13
OTHER	365 SF	
TOTAL NET AREA	2,937 SF	TOTAL - 66



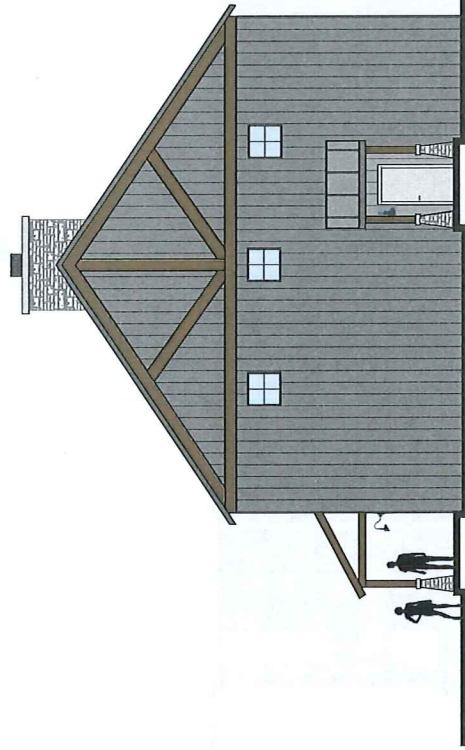
1 FIRST FLOOR PLAN
1/8" = 1'-0"

IL PADRINO
CASE ROAD
POWELL, OHIO 43065

03/22/24

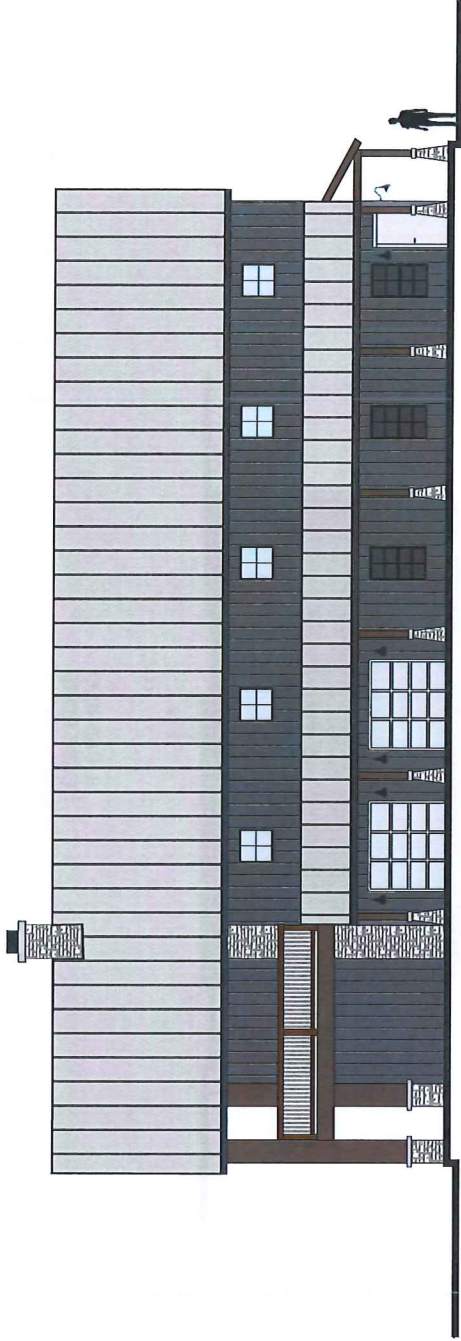


1 SIDE (EAST) ELEVATION
3/32 = 1'-0"

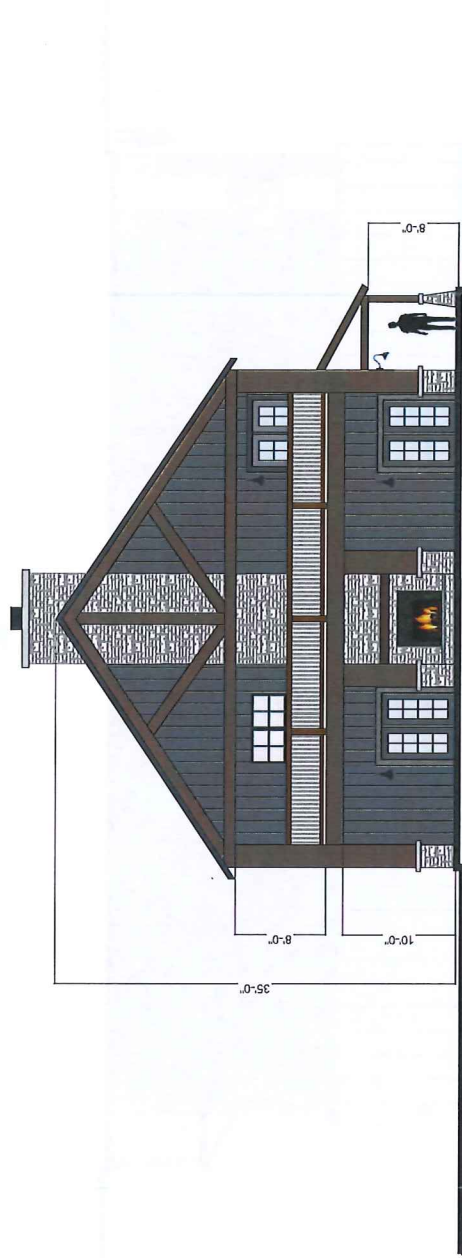


1 SOUTH ELEVATION
3/32 = 1'-0"

IL PADRINO
CASE ROAD
POWELL, OHIO 43065



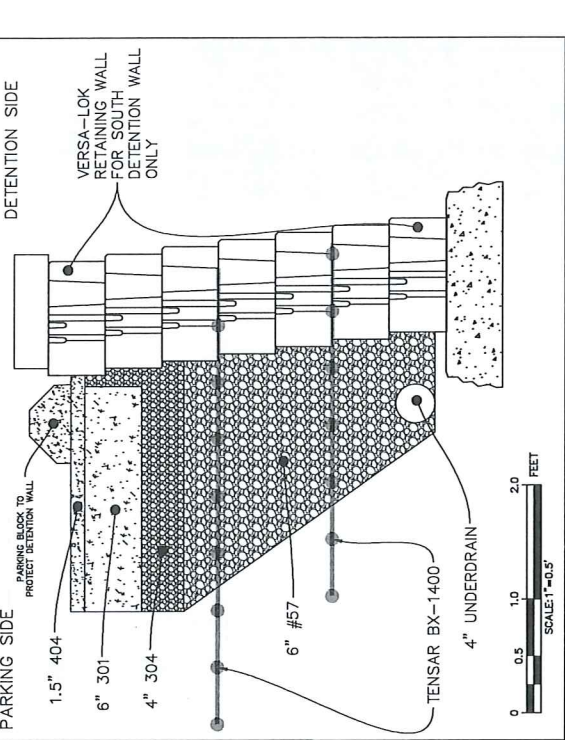
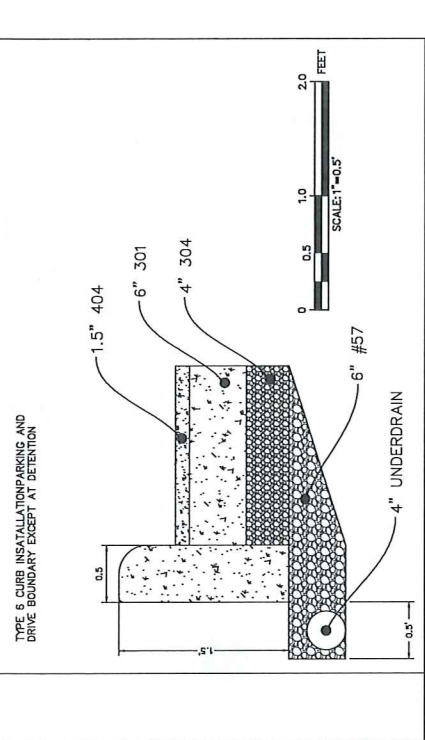
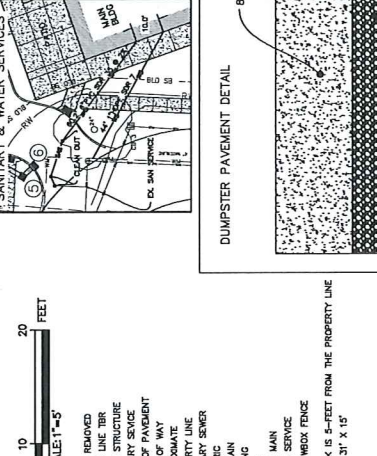
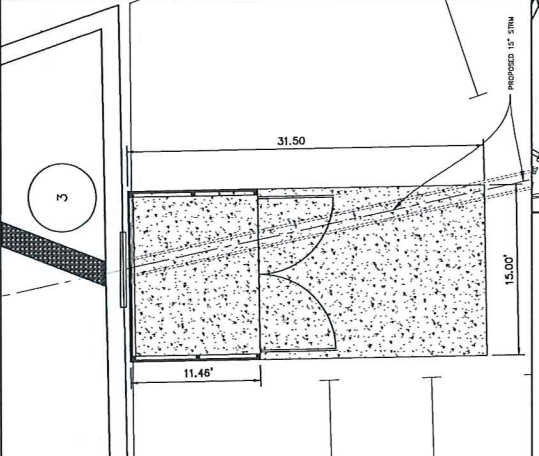
1 SIDE (WEST) ELEVATION
3/32 = 1'-0"



1 FRONT ELEVATION
3/32 = 1'-0"

IL PADRINO
CASE ROAD
POWELL, OHIO 43065

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EASEMENT REFERENCE		REVISIONS		PLANS PREPARED BY:	
NO.	DATE	NO.	DESCRIPTION	NAME	DATE

PROJECT TITLE:	IL PADRINO POWELL, OH
DIVISION USE ONLY:	
DESIGNER:	
CHECKER:	
SCALE:	SHEET 6 OF 12
CONTRACT NUMBER:	RECORD PLAN NUMBER

CITY OF POWELL	DIVISION USE ONLY
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SITE DIMENSION PLAN

SCALE 1"=0.5' FEET

SCALE 1"=20' FEET

SCALE 1"=5' FEET

