



Planning & Zoning Commission
Donald Emerick, Chairman
Bill Little, Vice Chairman

Shawn Boysko

Ed Cooper

Trent Hartranft

Shaun Simpson

Elizabeth Bailik

MEETING MINUTES January 13, 2021

Chairman Donald Emerick called a meeting of the Powell Planning & Zoning Commission to order on Wednesday, January 13, 2021 at 7:00 p.m. via Zoom. Commissioners present included Elizabeth Bailik, Ed Cooper, Donald Emerick, Bill Little, Trent Hartranft and Shaun Simpson. Commissioner Shawn Boysko was absent. Also present Megan Canavan – Assistant City Manager/Communications Director, Jeffrey Tyler – Community Development Director, Claudia Husak – Director of Planning, Elise Schellin – Development Planner, Pam Friend – Planning & Zoning Clerk, Aaron Scott – Assistant City Engineer and interested parties.

STAFF ITEMS

Elise Schellin: We are excited to introduce you to Claudia Husak our new Director of Planning. Claudia has joined our team after being with the City of Dublin. Claudia would you like to say a few words?

Claudia Husak: I am very excited to be here and meet everyone even though it is virtual. Hopefully someday we can meet in person. I am looking forward to having a great relationship with all of you going forward.

Jeff Tyler: Claudia and I have worked together over most of her 17 year career, so I am extremely thrilled to have her on staff. I know for the Planning & Zoning Commission this is the direction that the City Manager and City Council really wants us to move to kind of raise the bar, if you will, of professionalism. Claudia is the latest and greatest addition. We hope to be able to show you just how effective this team will be in the future.

Chairman Emerick: Welcome Claudia we look forward to working with you.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Emerick: We will skip item number three on the Agenda and go to Approval of the Minutes from our December 9th meeting.

APPROVAL OF MINUTES

MOTION: Commissioner Cooper moved to approve the minutes of December 9, 2020 as written. Commissioner Little seconded the motion. By unanimous consent of all Commission members present, the minutes were approved as written.

VOTE: Y – 6 N – 0 (Commissioner Boysko – Absent)

EXTENSION OF APPROVED FINAL DEVELOPMENT PLAN

Applicant: The Ohio State University Wexner Medical Center
Location: 3315 Royal Belfast Boulevard
Zoning: (PC) Planned Commercial District
Request: To review an extension request for a previously approved plan.

Chairman Emerick: Elise, who do we have speaking on behalf of Ohio State?

Ms. Schellin: Aaron Underhill will be speaking tonight.

Mr. Tyler: I would like to address the Commission before Aaron speaks. We received some correspondence with concerns about our notification process for the previous meetings. I would like to assure the Commission that we are going to do our best to follow up on those bits of correspondence to talk about those particular cases. We have done some research at this point and to date what we are finding is that we followed our notification practices on the four different occasions, actually three if you exclude the Sketch Plan. As you know, we have three different ways to notify either by posting at the site, sending out notices within a 250 foot radius and posting on the website. We feel pretty confident that all though there could be some discrepancies about the 250 foot radius, which we will check into, we feel we have met our due process requirements with respect to notification and therefore we would move forward with this particular case. Let me also remind the Commission that what you have before you is an extension of the previous approval. Any of the outstanding conditions that were part of the previous approval still have to be met. Those items, such as stormwater, landscape and lighting have yet to be submitted for review. Therefore, we don't have any comments to make on those, until such time those items are submitted and go through the correct process. I know one of the bits of correspondence was concern about stormwater calculations or the stormwater management system. Again, I want to assure you that we have not received that information and therefore there has not been a formal review. With that being said I feel pretty confident that we can move forward with this particular case unless there are any questions from the Commission.

Chairman Emerick: Thank you Jeff. I think that should answer most questions and, unless someone has a question we, will have Elise give the Staff Report.

Ms. Schellin: The proposal we are reviewing tonight is an extension for the Approved Final Development Plan for Ohio State University Wexner Medical Center for an ambulatory care medical facility, which is on a 35 acre site at the northeast corner of Sawmill Parkway and Home Road. These parcels were annexed into the City of Powell from Liberty Township back in 2018 along with the Final Development Plan Approval. You have seen this starting in 2018 with the Sketch Plan and the Preliminary Plan, as well as, two readings of the Final Development Plan in the beginning of 2019. Because construction did not start within the first two years of approval we need to go through this extension process. By February 5, 2021 we would need approval from the Planning & Zoning Commission and Council to extend this for another two years. Nothing has changed from the original approval, but I would like to note that keeping with the conditions of the original approval that the plans infrastructure, pathway connections, landscaping plans, lighting, trash management and signage will all need to come back before Planning & Zoning for approval because it was not done to the detail the Commission was comfortable with the first time around. Staff remains very supportive of this project and we think it will be great for the local economy as well as create more jobs in the city and create an area of medical care. Staff recommends approval of the extension with the original conditions.

Chairman Emerick: Thank you Elise, is Mr. Underhill going to say a few words about the project?

Aaron Underhill, Attorney – Underhill & Hodge – 8000 Wolten Parkway, New Albany: I think this is a prime example of how Covid has affected all of our lives. I think when we began this process we were pretty forthright that we did not believe construction would start for at least a couple of years. Unfortunately with the pandemic having hit, OSU has obviously had to scramble their resources, determine where they were making their investments in the shorter term and that has resulted in this project being moved back slightly. I wanted to make sure you know the project is alive and well, but this is a consequence of the reality we have all been living in. The good news is the University actually purchased this site shortly after the Planning & Zoning Commission and Council approved this project. At the time we were still in the process of designing other projects along with this one, so as Elise and Jeff have mentioned we will be coming back with further details, when we are ready to move forward and when we are at a point of beginning construction. Economic factors of the pandemic have led to this request and we respectfully ask for your approval. Nothing has really changed from the plan we presented and again as a result of a lot of work with your previous administration, council and even economic development, all of those agreements remain in place. One other thing that is worth mentioning is by extending this we make sure we don't revert back to a situation where we have the previous zoning on this property, which was for a shopping center. Not that there is anything wrong with that, but I think in terms of what is a great use for Powell and economic development, bringing jobs to the community and the services that are involved here this is obviously a much better use and we just need a little more time to bring it to reality. With that being said, I would like to add that you have assembled an excellent team here. I have worked with Jeff and Claudia for seventeen years myself in Dublin. Great people, great professionals, tough professionals and I am looking forward to working with them. I have really gotten to know Elise in the last six months and have appreciated my time with her as well. I will leave you with that and will be happy to answer any questions.

Chairman Emerick: Thank you. At this point Elise do we have any public comments from the chat room?

Ms. Schellin: Yes, it looks like Mark Stock would like to speak.

Mark Stock, 3236 Rossmore Circle, Powell: Good evening, I would like to thank the Powell Planning & Zoning Commission for the opportunity to speak to you tonight. I am here on behalf of the Kinsale Village Condominium Association, as Board President and as an individual that will be impacted by this development project. First and foremost I would like to note that to my knowledge and after my review of association documents, I do not believe that the association received proper notice of the former proceedings approving these proposals and therefore did not have an opportunity to be heard until now. The association is the owner of common elements of Kinsale Village and therefore lies within the boundaries of the required notice. I am here because as an owner and Board President there are a number of concerns that will directly impact Kinsale Village. The most important issue to be raised relates to the stormwater management issues during construction and use of the property once developed. After downloading and reviewing the proposal from your website, including the engineers report for the stormwater management, we have our attorney reviewing the report and gathering information on the issues contained in the proposal and the report. Specifically, it is our understanding that the surface runoff will tie into the storm retention basins within the association. As you can imagine that will raise issues as to the maintenance or erosion to these areas to no fault of the association or its members. Cost to maintain or repair such basins should not be at any cost to the association or its owners. We are also concerned whether the stormwater management in this area can even hold the amount of runoff that this large development will undoubtedly create. The report itself explains that concern and I would remind you that the plan will asphalt an area sufficient to construct 1665 parking spaces in addition to the space needed for the buildings. While our main concern, of course, is the stormwater management there are a number of issues that need to be addressed by the city and or the applicant prior to construction commencing. I submitted a letter to this panel on Monday of this week that provides written notice of these concerns but I would like to make a record now of further objections so we have the opportunity to be heard. Not only are we concerned about the heavy traffic that this development will attract, we are concerned about the literal heavy traffic that it will attract in our main entry road, Royal Belfast Boulevard, by construction vehicles with cement trucks and a continuous construction for an extended period of time. Further, the association is losing a main road that is used as ingress and egress from the association to Home Road, namely Limerick Lane. This will directly impact the association homeowners and add to the impact it will create on the association entryway. Further concerns include light pollution, the insufficient landscaping standards in the proposal and the financial impact the project will have on home values within the association. While we understand this proposal has already been approved, we want to reserve our right to be heard and we request this panel stay any proceedings and stay the commencement of construction. We also request that this panel provide the association an opportunity to have an engineer review the stormwater management report and make its own observations. This Commission and the City of Powell must take into consideration the substantive structural issues this development will have on the stormwater management in the City of Powell and the abutting property of Kinsale Village Condominium Association as a part of Liberty Township in Delaware County. As I stated, our attorneys are trying to work with the City of Powell to gather information and will likely reach out to the applicant's attorney to work together hopefully to resolve our concerns. Ladies and gentlemen I appreciate your time and consideration.

Chairman Emerick: Thank you. At this point we will turn to the Commission for their comments. Beth has recused herself, so we will start with Shaun Simpson.

Commissioner Simpson: Considering this is a project that was fully approved I see no problem with the extension due to the economic and Covid related concerns. I appreciate the concerns from Kinsale Village, however, I looked into the timeline and the Sketch Plan review, which was in July 2018. There were five meetings after that, which ranged all the way into February 2019 and I feel there was ample opportunity for them to be heard. We did at the time have concerns over stormwater and landscaping, which is why they have to come back to the Commission regarding those issues, so hopefully the City will work with the community association, as well as the developer, but I am good going forward with the extension.

Commissioner Hartranft: I am ok with the extension, but I am not ok with the extension for the period of two years. I don't think it is normal for us to do an extension for two years and I don't remember us doing it in the past. We have had people come in front of us and we have done six months or one year, but we have never done a flat out two year extension so I am not in favor of that. I think a one year extension would give us time to get a hold on things and where things are going and then review at that time.

Commissioner Cooper: I personally don't have a problem with the two year extension. The other issues that were brought up by the condominium association concerning stormwater, landscaping, etc. all is yet to be addressed anyway and I am sure they can get involved in that process if they wish, but I would be in favor of the extension.

Commissioner Little: I think we had several meetings and a lot of discussion about how this was a phenomenal opportunity for the City of Powell and southern Delaware County economically with improved healthcare. It's a really

beneficial development for us. I think for the gentleman from the HOA, Mr. Stock, if my memory serves me right there were several of your residents in attendance at several of those meetings. We can probably look that up and find out who those people were. I think in the world of Covid and a project of this magnitude personally I don't think a two year extension is unreasonable so I would be in favor of the two year extension.

Chairman Emerick: I would take the same position with the size of this project and the conditions we are all living under right now, I am perfectly happy with the two year extension. We have had the understanding from the outset that Mr. Underhill mentioned that this was not going to be a fast track project by any stretch of the imagination. With that being said do we have a motion?

Commissioner Little: We do have a motion, but I guess we need to resolve the period of the extension. Do we have enough votes to go with a two year extension?

Chairman Emerick: We do.

MOTION: Commissioner Little moved to approve the extension of an existing Approved Final Development Plan for the property located at 3315 Royal Belfast Boulevard as represented by The Ohio State University Wexner Medical Center with the following conditions:

1. The Commission will provide an extension with a deadline of May 31, 2023 for commencement of construction for the proposed development pursuant to the Approved Final Development Plan.
2. In addition, an extension shall provide a deadline of May 31, 2025 to complete the first phase of the development project.
3. The conditions stated at the Approved Final Development Plan shall remain in place.

Commissioner Cooper seconded the motion. Motion Passed.

VOTE: Y – 4 N – 1 Hartranft

(Commissioner Boysko – Absent, Commissioner Bailik – Recused)

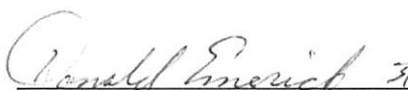
Mr. Underhill: Thank you very much for your consideration. We really appreciate it and we remain excited about the project and hope to be coming to you sooner rather than later with the rest of the details.

Chairman Emerick: The next scheduled meeting is February 10, 2021 or February 24, 2021.

ADJOURNMENT

MOTION: Chairman Emerick moved at 7:30 p.m. to adjourn the meeting. By unanimous consent, the meeting adjourned.

DATE MINUTES APPROVED:

 3/29/2021
 Donald Emerick Date
 Chairman

 3/29/21
 Pam Friend Date
 Planning & Zoning Clerk

