



**PLANNING & ZONING
MEETING MINUTES
AUGUST 10, 2022**

CALL TO ORDER/ROLL CALL

Bill Little, acting Chairman, called a meeting of the Planning & Zoning Commission to order at 6:30 p.m. Commissioners present include Elizabeth Bailik, Shawn Boysko, Shaun Simpson and Bill Little. Commissioners Ferzan Ahmed and Ryan Herchenroether were absent. Staff present included Claudia Husak, Planning Director; Elise Schellin, Development Planner; Chris Huber, City Engineer; Pam Friend, Administrative Assistant and Steve Reynolds, Architectural Advisor.

STAFF ITEMS

None

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Commissioner Little opened the floor for public comment for items not on the Agenda. Hearing none, he closed public comment.

APPROVAL OF MINUTES

July 13, 2022 Meeting Minutes
[07132022 PZ_Draft_Min.pdf](#)

MOTION: Commission Boysko moved to approve the July 13, 2022 Planning & Zoning Minutes as written. Commissioner Bailik seconded the motion. Minutes approved.

VOTE: Y – 4 N – 0

NEW CASES

SKETCH PLAN REVIEW (2022-19SP)

Applicant: 15 NL LLC, c/o John Wicks
Location: 15 North Liberty Street
Existing Zoning: DB – Downtown Business District
Request: Review and feedback of a Sketch Plan to renovate an existing structure and construct a new structure for a restaurant/bar/entertainment use on a ±0.244-acre site.
1. Case 2022-19SP_15NL_Staff Report.pdf
2. 15NL LLC Sketch Plan Combined.pdf

Elise Schellin, Development Planner, presented the Staff Report and advised the Commission that according to the Zoning Code, "the Commission shall review the Sketch Plan with the owner and provide the owner with comments during the meeting, it being understood that no statement by officials of the City shall be binding upon either". This submission is informal and for the purpose of establishing communication and discussing the concept for developing the tract. No formal action will be taken on the Sketch Plan.

Staff recommends the Commission provide the applicant/owner with comments regarding the following questions and any other topics the Commission wishes to discuss:

1. Does the proposal adhere sufficiently to the Comprehensive Plan, particularly in terms of land use?
2. Does the Commission support the proposed building type and architectural character?
3. Does the Commission desire input from the Historic Downtown Architectural Commission as part of a future review step?
4. What are the Commission's comments on the proposed parking?
5. Other comments by the Commission.

John Wicks, 15 N. Liberty Street, thanked the Commission for the opportunity to present the Sketch Plan and Ms. Schellin for her thorough report. He talked about discussions with former City Zoning Staff regarding a similar plan, which had a new building in the current green space. After talking with City Staff, it was suggested he move the structure to the north due to massing. He recognizes, like other businesses in downtown, they are short on parking. He would like more information on shared parking based on uses and hours of operations. He's here to see if the project is viable and get feedback.

Commissioner Little opened public comment up and stated they received an email from Kimberly's Diamond Corner regarding their concerns with the proposal. He asked if there were others that wanted to speak about the proposal.

Ralph Renninger, Kimberly's Diamond Corner, 1 N. Liberty Street, discussed his concern regarding parking and stated his customers have no place to park or their concerned about getting out of their vehicles on Olentangy Street with traffic speeding past. His customers are also concerned about walking from his store several blocks after making a valuable purchase. He said many employees of local businesses do not use the other designated lots, they park in front of businesses all day. He suggested 1 hour parking signs limiting the time vehicles can be parked in spots until 6:00 p.m. to ensure customers can find a safe place to park. They have been in business for over 35 years and admitted his building has been land locked since 1944 with no onsite parking.

Steve Reynolds, Architectural Advisor said he is in favor of the green space for gathering. He feels from a use perspective there is a need for this, but there certainly is a concern for parking. He said the building needs a great deal more work to make sure from a historical perspective that it fits in with massing and scale on Liberty Street.

Commissioner Bailik thanked the applicant and asked about what parking options they have investigated. She feels there is a big difference between deviations from the code for an existing building and those for a new one.

She is concerned that between traffic, parking and size of the building that it's just not a good fit. She doesn't see how they can make it work and feels the City does not want to set a precedent allowing new businesses or new buildings that lack the required parking.

Mr. Wicks said they show parking along the alley and he has talked to the owner of the gravel lot behind Megan's Savvy Pet Grooming LLC about an agreement to pave, stripe, and create dedicated spaces in their lot. He hopes to talk with the City about a maintenance agreement, if lot is opened to the public after hours. He designed the circulation to keep traffic moving, especially if the alley were one-way, which he talked to carryout property owners about and they were in favor of the one-way. He said the building could be scaled back, but the proposed DORA space is land locked with no access from Liberty and not ideal for parking.

Commissioner Boysko appreciates what they are trying to do and likes the use. He said the challenge is how you fit it in. He would like them to look at historic nature of downtown and massing for the design. He gave examples of businesses that expanded in downtown and struggled to get approved due to lack of parking. He discussed allowances in the code for reduction to parking counts, but based on the proposed building and occupancy load he feels there's still a significant amount of parking needed. He suggested they investigate leasing or purchasing land for a parking lot. He talked about the Keep Powell Moving study on parking that originally showed excess parking and he wonders if it should be updated. Also, he suggested developing the existing building and utilizing the outdoor space for dining, which with a good landscape architect could be a really cool urban space. He feels the proposed building looks disconnected from the current structure on the site.

Mr. Wicks believes there is an updated parking study, which shows some underutilized spaces. He is s hoping the City will work with them to help solve the problem. Unfortunately, the current building was built in the 1800's and it is not viable to utilize as a restaurant. They plan to continue to use this space for offices. He would have torn it down, but was told he is not allowed.

Commissioner Simpson thanked the applicant and asked Staff if a parking agreement would prevent someone from developing their land.

Claudia Husak, Planning Director, said ultimately it comes down to not knowing what happens in the future. She used Megan's parking lot as an example, that if they gave five spaces, what is the timing? Is it a 2 year or 5 year agreement, so not knowing what the future holds, any parking agreement is temporary.

Commissioner Simpson said from a use and income standpoint he thinks it's fantastic. He feels the front elevation needs a ton of work. Site size for a restaurant needs to be figured out to include dumpsters, etc. The building size needs to be adjusted and parking needs to be figured out. He feels the applicant has been a great partner with the City. He hopes it can all be worked out.

Commissioner Little thanked the applicant and appreciates the money they've invested in the existing building, since it is part of Powell's history. He was hoping they could incorporate it into the plan, but perhaps because of ADA and other issues it is cost prohibitive. It's in the historical district so they need to come up with a structure HDAC and P&Z are both comfortable with. The use and idea are good, but he thinks the bigger issue is the parking.

He mentioned the project at Olentangy and Grace Drive, where there could be up to 100 people at one time. He feels more work is needed on the architecture and he can't see adding more pressure to the intersection until the City has a community parking solution.

SKETCH PLAN REVIEW (2022-20SP)

Applicant: Grand Communities LLC
Location: East Case Avenue, Parcel Number 31942601024000
Existing Zoning: DB – Downtown Business District
Request: Review and feedback of a Sketch Plan to construct 21 single-family residential homes on a ±2.275-acre site.
1. Case 2022-20SP_McClurg Property_Staff Report.pdf
2. McClurg Combined Sketch Plan.pdf

Elise Schellin, Development Planner, presented the Staff Report and advised the Commission that according to the Zoning Code, "the Commission shall review the Sketch Plan with the owner and provide the owner with comments during the meeting, it being understood that no statement by officials of the City shall be binding upon either". This submission is informal and for the purpose of establishing communication and discussing the concept for developing the tract. No formal action will be taken on the Sketch Plan.

Staff recommends the Commission provide the applicant/owner with comments regarding the following questions and any other topics the Commission wishes to discuss:

1. Does the proposal adhere sufficiently to the Comprehensive Plan, particularly in terms of land use?
2. Does the Commission support the proposed building type and architectural character?
3. Does the Commission desire input from the Historic Downtown Architectural Commission as part of a future review step?
4. What are the Commission's comments on the proposed parking?
5. Other comments by the Commission.

Steve Reynolds, Architectural Advisor, said it's a great use for the parcel since this type of housing is not currently available in Powell. He's concerned about the density and suggested a few less units might provide more breathing room around the courtyard areas or sidewalks. The next step would be to meet with Fischer Homes to look at the home options to see how they fit with the historic guidelines for downtown Powell. He would like the units to be reoriented to give a front porch view for esthetics rather than garages. He does have some concerns about the connector street going straight through. He would like the street to have a more residential feel.

Jason Wisniewski, Grand Communities LLC, gave a presentation as the land development company for Fischer Homes. He spoke about the urban portfolio, which they feel is an underserved product. The appeal of the site is the walkability to downtown Powell and all the amenities it has to offer. He pointed out these homes are fee-simple sites. The alley is a separate parcel that will be maintained by the HOA. They have rear entry attached garages. The average price point would be in the \$600,000 range and is targeted to empty nesters and young professionals.

Mr. Wisniewski talked about the constraints of the property with the railroad line. They've identified the stormwater and retention are a challenge. He talked about adding a curve to the road so that Depot Street does not go straight through to Morris Station, but they think you lose the urban pattern by doing so.

Dan McClurg, McClurg Properties, he is the owner of the property in question and talked about the development plan and determining whether the parcel is best suited for Commercial or residential. Once Morris Station went in he decided residential would be the best fit. He had three offers on the project with one more lucrative than the Fischer product, but he owns neighboring properties and has invested in several historical buildings downtown so he wanted to make sure it was the right product. He talked about being a good neighbor to the Morris Station development and that Fischer Homes checked all the boxes for the criteria he set.

Commissioner Little opened the item up for public comment. Hearing none, he closed public comment.

Commissioner Simpson thanked the applicants and asked staff about the transfer of the right-of-way. Ms. Husak, said it is ultimately part of the development deal. The City has been in negotiations with Mr. McClurg to figure out how to get the right-of-way for the Depot Street extension and then the City would vacate the right-of-way strip that would get incorporated into the parcel and will change the lot acreage slightly. Commissioner Simpson asked her if Nocterra currently has a parking agreement for the southern portion of this lot. Ms. Husak said she does not know what parking requirements were approved when Nocterra went in.

Further, Commissioner Simpson said for this size parcel he does not have a problem with the added density due to the public good of the street connection. He wonders whether zoning has to be changed. Ms. Husak said the downtown business district allows for residential and then residential zoning is applied. Also, there will be numerous deviations that will need to be approved by the Commission and ultimately Council.

Commissioner Simpson added he likes the architecture and feels it fits with the Nocterra and Morris Station. He wants to be sure the fire department is good with it. He does have concern about phasing because this has been an issue in the past. He loves the use and feels walkable housing is very much needed.

Commissioner Bailik thanked the applicants and thinks the connector is a great idea. She appreciates them working with the City to open it up. She asked that they address the four-sided architecture. She likes the walkability and hopes it includes accessibility. She agrees that HDAC should look at it and give feedback. Also, she's concerned about the density and how that will look with sidewalks or on street parking.

Mr. Wisniewski said they are having the site surveyed so they know how much room they have to work with. Hopefully they can get to a level of detail where they can show exactly how much room they have, how wide the sidewalks are and where they connect.

Commissioner Bailik added she thinks it is a great addition to downtown. She agrees more people are looking for this type of housing.

Commissioner Boysko said because the submission leaves a lot to the imagination. They would need to better define missing information such as the building setbacks, what are the deviations, what are the parking setbacks and those deviations. Mr. Wisniewski said every home has an attached two-car garage. There are seven dedicated spaces in the alley. He said they will be short of a four-cars per unit parking ratio, but that is something you would find in Olentangy Ridge or Golf Village not this type of community.

Commissioner Boysko said they need to provide information on the drawings and not rely on staff to provide it. In place of the deviations he would like to see what amenities are being offered. Also, he would like them to provide examples of other developments they have done with this type of density. He thinks the walkability is great for this area, but he does not see that in this plan. They will want to see streetscape, sidewalks, curbing, lighting and trees with the preliminary plan.

Commissioner Boysko asked Chris Huber what the right-of-way is on Depot Street. Mr. Huber said he thought it was 40 feet. Mr. Wisniewski said he thinks Morris Station is 30 feet. There was a discussion on whether 30 feet allows for on street parking.

Commissioner Boysko said he is concerned about how they will transition from the exiting Depot Street to this proposed development to Morris Station, especially with how busy Nocterra is and the lack of parking there. Further, he suggested they turn the homes 90 degrees so the front doors face Depot Street, which lends itself to a walkable community. He thinks if they have park space along the railroad tracks they could create a connection to Morris Station and Adventure Park. He does think this is a great opportunity but they've got a long way to go.

Commissioner Little thanked applicants for presenting the proposal and their past investment in the community. He talked about a previous proposal for this area with really great architectural design and suggested trying to locate the plan to take cues from it. He thinks it is a good use for the property. He said there may be some opposition due to traffic. He agrees the Depot Street connection is clearly needed, they just need to make sure it is not a speedway, so a traffic study may be needed. He has a dream to have affordable housing in Powell but at \$650,000 he doesn't think it gives people just starting out wanting to be in Powell that opportunity. He asked who is paying for the street improvements. Mr. Wisniewski said it had not been discussed in very much detail yet.

Commissioner Little said he is not overly concerned about the density, but he agrees with Shawn that if they work with the City and there's some give and take everybody can win and achieve a great addition to downtown Powell. He does think the four homes on the east side may be pushing it and agrees that maybe realigning it to create some parking there could help them hit the parking ratios. He did say the Commission can work with them on the parking numbers. He looks forward to them coming forward with the preliminary development plan and including more details that the Commission is looking to see.

Mr. Wisniewski admitted there is a whole lot of work that needs to be done to get where they need to be. He feels he accomplished what he came for by determining if this project is a good fit for Powell and he feels with the Commissions feedback that it is.

Commissioner Boysko asked about a parking agreement for Nocterra on Case Street. If that is unavailable due to the proposed development then what does that do to their parking situation.

Commissioner Little asked Mr. McClurg if he owns the pad at the end of Case Street used by Nocterra and his other tenants. Mr. McClurg said that was always meant to be temporary parking and originally the City wanted to sign it over to him. Then the City decided they would give him a longer term lease for \$1 a year rather than sign it over. He said he has space and has considered adding parking behind 94 W. Olentangy Street, off of Depot Street.

Ms. Husak said they have searched for the proposal that Commissioner Little talked about from seven years ago and have not been able to locate it. She also stated that before the proposal could move forward certain agreements would need to be worked out. Commissioner Little said ultimately what you need to do is create a parking area.

OTHER BUSINESS

Ms. Husak said Staff does not have any additional business to discuss.

ADJOURNMENT

Commissioner Little moved for adjournment. By unanimous consent the meeting adjourned at 8:10 p.m.

MINUTES APPROVED: September 14, 2022



Bill Little,
Acting Chair

9-14-22

Date



Pam Friend,
Administrative Assistant

9.14.22

Date

