



**PLANNING & ZONING COMMISSION
MEETING MINUTES
MARCH 9, 2022**

I) CALL TO ORDER/ROLL CALL

Planning & Zoning Commission members present include Donald Emerick, Ferzan Ahmed, Elizabeth Bailik, Shawn Boysko, and Ryan Herchenroether. Bill Little and Shaun Simpson were absent. Also present were Claudia Husak, Planning Director; Elise Schellin, Development Planner; Steve Reynolds, Architectural Advisor; and Pam Friend, Administrative Assistant. Steve Reynolds, Architectural Advisor was absent.

II) STAFF ITEMS

a) ADMINISTRATIVE APPROVAL

[Armita-Pedego Approval.pdf](#)

Planning Director Husak began by stating the Zoning Code allows Staff to complete certain administrative approvals, and Staff is informing the Commission of such an approval in this packet.

This particular Administrative Approval is for a new business where Pinot's Pallet used to be and it is an electric bike sales and rental facility. The owners requested to use the patio space to have bikes outside the front door and Staff has ensured no negative impacts to stormwater management and requested landscaping be replaced elsewhere on the site.

III) HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Chairman Emerick opened the floor for comments for visitors to be heard on items not on the agenda, and hearing none, this portion of the meeting was closed.

IV) APPROVAL OF MINUTES

Planning Director Husak stated she wanted to advise they did in fact receive a note from Commission Member Herchenroether about the mis-identification of one of the applicants for Ivybrook and asked Chairman Emerick to come in some other time to sign the minutes to include the correction.

MOTION: Ryan Herchenroether moved to adopt the Planning & Zoning Commission Meeting Minutes of February 9, 2022 as amended. Shawn Boysko seconded. Chairman Emerick called for a roll call for passage: Ferzan Ahmed, yes; Elizabeth Bailik, yes; Shawn Boysko, yes; Ryan Herchenroether, yes; and Donald Emerick, yes.

VOTE: Y 5 N 0 AB 0

Minutes approved 5-0-0.

V) NEW CASES

a) SKETCH PLAN REVIEW (2022-04SP) - APPLICATION WITHDRAWN

Applicant: 1857 Development LLC

Location: 137 N Liberty St

Existing Zoning: DR – Downtown Residence District

Request: Review and feedback for a Sketch Plan to demolish a garage, split a ±.882-acre site, and build two single family homes.

b) FINAL DEVELOPMENT PLAN REVIEW (2022-05FDP)

Applicant: EQ Lily Reserve, LLC, c/o Eric Newland VP of Development

Location: 285 W Olentangy St

Existing Zoning: PC – Planned Commercial District

Request: Review and recommendation of approval to city council of a Final Development Plan for an approximately 13,000-square-foot retail center on a ±1.5-acre site.

[1. Lily Reserve FDP Staff Report.pdf](#)

[2. Lily Reserve Retail Center Final Development Plan.pdf](#)

[3. Lily Reserve History.pdf](#)

Commission Member Boysko recused himself for this Final Development Plan Review.

Development Planner, Elise Schellin began with the Staff Presentation. This is the third and final review the Planning & Zoning Commission will have with this project. This was reviewed as a Sketch Plan on December 15, 2021, and as a Preliminary Development Plan on February 9, 2022, and following this meeting, Staff will work with the applicant to get this project on the agenda for approval by Council, if the Planning & Zoning Commission approves it at tonight's meeting.

The proposal is for a 13,000-square-foot retail center building, including 72 parking spaces. The two curb cuts on the site will remain which are shared access with the Vet Clinic to the east. There is also a proposal for an 8-foot asphalt bike path to be connected to close the gap of our trail system along W. Olentangy St. along with a decorative fence.

Ms. Schellin stated the Final Development Plan is more of a detailed version of the Preliminary Development Plan, and the site plan changes are minimal. However, the applicant did include signage criteria, specifically for the tenant wall plaques so we can determine the correct font and size of those panels when they come in for permits. There were also development text updates per Staff comments at the Preliminary Development Plan stage. Architectural materials were also simplified, and as the Architectural Advisor was not able to make the meeting this evening, a memo was included in the packet from him for the Commission's review. The underground detention system was moved north to minimize impact to the southern shared access drive as requested by the City Engineer, and a Stormwater Analysis was provided as well as a letter from the Liberty Township Fire Department approving both the turning radius and the fire hydrant locations.

She continue by highlighting the deviations: the parking landscaping, the building foundation landscaping, the off- street parking, the front set-backs, the accessories set-backs, multi-tenant monument sign and the tenant signage. There were also some neighborhood concerns, specifically from the HOA to the south and the Vet Clinic to the east. The applicant has tried to create as minimal an impact to those neighbors as possible and the neighbors are present tonight, and there was some concern about the proposed dumpster location, and wanting to relocate the dumpster more on the west side of the site. However, she advised Staff has some concerns with that location because it would be the first thing anyone would see when driving onto the site as well as it would be highly visible from Murphy Parkway.

She spoke of the walkability and connectivity. She stated Staff was pleased the bike path connection is being made along W. Olentangy Street, but we as a City, have discussed walkability to the downtown area, and we would like the applicant to speak with Staff about the possibility of creating a more walkable neighborhood by adding a sidewalk on the eastern portion of the site along Murphy Parkway, to safely get the neighborhood residents to the main street and to the downtown area as well.

The engineering concern which has not been addressed is the adding of the pedestrian easement for the bike path along W. Olentangy Street, and the Architectural Advisor's Memo include details and comments that need to be addressed prior to final approval.

She advised Staff is recommending approval of the Final Development Plan subject to the following conditions:

1. The applicant work with Staff to address any inconsistencies between the Development Text and Development Plan.
2. The applicant work with the City to explore the inclusion of a sidewalk along the Murphy Parkway frontage.
3. The applicant establishes a Pedestrian Easement along W. Olentangy St. for the bike path.
4. The applicant finalize any maintenance agreements prior to receiving an Occupancy Permit subject to approval by Staff.

Eric Newland, VP of Development with Equity, did not think he had a presentation to give and thanked Staff for their thoroughness. He stated regarding the dumpster enclosure, they are looking at it several ways.

He advised they were open to configuration if the Commission has any suggestions, and they are able to amend the location. He spoke of the landscape plan, regarding the screening buffer and announced they walked the site with the HOA and their contractor and they would be contracting directly with the contractor of the HOA to avoid any off-site easement and issues of the like. He added they would be installing six Norway Spruces and 13 arborvitaes along the buffer screening. He spoke of the sidewalk to the east, he loves the idea of making this more walkable. He stated they were not opposed at all in putting the sidewalk in, but has a concern as it abuts the HOA, and they probably have 1,300 linear feet of costs burden on themselves as well. He asked the Commission as well as the City that he would like to find a way for all to work with the HOA to provide the resources to continue that momentum. He added if they could find a way to elegantly provide crossing locations, he feels would be a great solution and would like to study this more.

Planning Director Husak responded this is what the Staff is asking, understanding if we are starting here, we are setting an expectation this may eventually continue along that side of Murphy Parkway, and there are some utilities in there we would have to figure a way to accommodate. She further stated this was a very late ask but given the recent income tax increase, there is a potential of assistance or coordination should Council chose, so we wanted to bring the question up here to give the applicant an opportunity to at least weigh-in on the matter.

Chairman Emerick opened the floor for public comment. Tom Ritchie, 230 Hopewell Ct., 275 W. Olentangy Street, part owner of the Best Friends Veterinary Hospital, spoke of his concern of the dumpster. The idea was to move it so they were not in view of it as well as it be further away from the condos. His understanding is the enclosure will be a pretty nice enclosure, so he's not sure how bad that view will be on Murphy Parkway, and with the quality they are doing everything else, he feels that would look very nice and would like some consideration on this issue. He thanked Eric Newland for taking his calls and working with him on that.

Bernard Palchick, 52 Murphy's Oval, is the current president of the Village at Murphy's Crossing Condo Association. He wanted to thank Mr. Newland also for working with the Condo Association for his accommodation in finding a green buffer consisting of 6 Norway Spruces and 13 Green Giant arborvitaes, giving sufficient screening for the condos. During the walkthrough with our contractor and Mr. Newland, there was discussion of the possibility of low shrubs that would be planted at the very end of the roadway of the retail center and the Veterinary Clinic. Due to the fact the businesses are open until 10:00 p.m., this would not allow headlights to shine into the windows of the condos. He commended Mr. Newland of a fine job he has done by taking on their concerns, and he looks forward to the final solution.

Chairman Emerick closed the public comment portion of this meeting.

Chairman Emerick turned the floor over to the Commission for their comments.

Ferzan Ahmed began by commending Mr. Newland for being a good neighbor. He agreed with Planning Director Husak with regard to the sidewalk, for this should be looked into, setting this standard in the City of Powell, and he appreciates Mr. Newland in working with the City to provide the same.

Elizabeth Bailik also thanked Mr. Newland for his proactive behavior. She concurs with Staff's comments to date, and agrees with Staff regarding relocating the dumpster near Murphy Parkway is not the best location from an aesthetic standpoint off of Murphy Parkway, and based on what she has seen so far, any dumpster they design or create will be aesthetically pleasing.

Ryan Herchenroether stated he felt it was a missed opportunity of the condos the berm didn't continue in front of the houses. He feels the deviation for the front set-back is appropriate and he has no issue with that. He added this was a commercial site and should be developed commercially, so why are we putting folks through multiple steps that they shouldn't need to go through?

Chairman Emerick thanked Mr. Newland for taking the Commission's comments into account, responding to them and working with the Vet's office and the HOA. He commented on the dumpster stating maybe rotating the dumpster 90 degrees so it opens up more toward the applicant's building rather opening up to the Vet's office.

MOTION: Elizabeth Bailik moved to approve the Final Development Plan for EQ Lily Reserve, (2022-05FDP), per Staff comments. Ferzan Ahmed seconded. Chairman Emerick called for a roll call for passage: Elizabeth Bailik, yes; Ryan Herchenroether, yes; Donald Emerick, yes; and Ferzan Ahmed, yes.

VOTE: Y 4 N 0 AB 1 (Boysko)


Planning Director clarified the Commission is recommending approval to City Council for this particular item and sometimes it gets a little murky in the record, just wanted to verify this will be forwarded to City Council for their approval, and if the samples could be left here for their view.

VI) OTHER BUSINESS

VII) ADJOURNMENT

Meeting was adjourned by consensus at 7:29 p.m.

MINUTES APPROVED: APRIL 13, 2022


Donald Emerick,
Chair

Date


Amy Deere,
City Clerk

Date

