



**PLANNING & ZONING COMMISSION
MEETING MINUTES
DECEMBER 14, 2022**

CALL TO ORDER/ROLL CALL

Chairman Bill Little called a meeting of the Planning & Zoning Commission to order at 6:30 p.m. Commissioners present included Elizabeth Bailik, Shawn Boysko, Ferzan Ahmed, Ryan Herchenroether, Bill Little, and David Lester. Staff present included Claudia Husak, Planning Director; Elise Schellin, Development Planner; Andrew White, City Manager; Jeffrey Tyler, Assistant City Manager/Community Development Director; Jason Nahvi, HR Business Partner; Yazan Ashrawi, Law Director; Steve Reynolds, Architectural Advisor; and Peyton Kaman, Development Technician/Clerk. Shaun Simpson was absent.

STAFF ITEMS

None

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

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

APPROVAL OF MINUTES

November 9, 2022 Meeting Minutes
[11092022 PZ DRAFT MINUTES.pdf](#)

MOTION: Shawn Boysko moved to approve the Planning & Zoning Meeting Minutes of November 9, 2022. Elizabeth Bailik seconded the motion.

Chairman Little requested a roll call for passage: Ferzan Ahmed, yes; Elizabeth Bailik, yes; Shawn Boysko, yes; Ryan Herchenroether, yes; Bill Little, yes; and David Lester, yes.

VOTE: Y 6 N 0 (None) AB 0 (None)

Planning & Zoning Meeting Minutes of November 9, 2022, approved with a vote of 6-0-0.

ITEMS FOR REVIEW

a. AMENDMENT TO A FINAL DEVELOPMENT PLAN (2022-28AM)

Applicant: The Ohio State University, c/o Aaron L. Underhill, Esq.
Location: 7171 Sawmill Parkway
Existing Zoning: PC – Planned Commercial District
Request: Review and recommendation of approval to City Council of
an amendment to an Approved Development Plan to construct Phase 1 of an
Ohio State University ambulatory care medical facility on 29.562 acres located at
the northeast corner of Sawmill Parkway and Home Road.

1. [12142022_OSU Report.pdf](#)
2. [OSU WMC Outpatient Care Powell Development Plan.pdf](#)
3. [Infrastructure Support.pdf](#)
4. [OSUWMC Powell Zoning Text Amended FDP.pdf](#)

Claudia Husak, Planning Director, presented the Staff Report and said this site is zoned Planned Commercial District, and is regulated by the Codified Ordinances of Powell, Section 1143.15 – PC – Planned Commercial District. Medical office facilities, hospitals and clinics are permitted uses in this zoning district.

Based on the proposed site plan and discussions with the applicant team, the amended final development plan proposal will require deviations from the code, as was the case with the previously approved final development plan. These deviations are outlined with an updated development text.

Staff recommends the Commission recommend approval to City Council of this Amendment to a Final Development Plan with the requested deviations and the following conditions:

- 1) That the applicant ensure all maintenance responsibilities for the Sawmill Parkway frontage are included in the landscape plans.
- 2) That the applicant work with Staff to consider a shade structure within the main open space.
- 3) That the applicant landscape around the mechanical area at the south side of the proposed building until the construction of the second phase.

Steve Reynolds, Architectural Advisor stated following his review of the landscape plan, he had contemplated the idea of the shade structure if it is truly integrated into the walking paths, as of day one, a lot of the tree plantings will not provide the shade desired. He also mentioned the additional screening being sensitive to where the generator is located.

The applicant, Aaron Underhill, Esq., representing The Ohio State University Wexner Center, 8000 Walton Parkway, New Albany, Ohio, gave a brief presentation.

Chairman Little opened the floor for public comment.

Les Wibberly, 5005 Bayhill Drive, Powell, Ohio, Chairman of the OPAL Trails Committee, began by stating they are strongly in favor of this facility, in addition to the desire of ensuring safe and equitable access to the community. The key of interest for OPAL Trails are the two main trail systems of the complex. They would request the ramp on the east side be upgraded to a safe ramp that accommodates both pedestrians and bicycles. The second trail system discussed does not provide access to the entrance of the facility. They would request regarding this second trail system, have a paved trail that is wide enough to accommodate pedestrians and bicycles and also provide trail access to the new trail on Home Road.

Mark Stock, 3236 Rossmore Circle, Powell, Ohio, president of the Kinsale Village Condo Association. He stated their early concerns revolved around water run-off and what is the relationship that assures the village does not have special assessments to make things happen.

Chairman Little, hearing no further public comment, closed public comment.

Commissioner Ahmed asked Planning Director Husak if the Sawmill Parkway Shared Use Path is not a part of a regional plan, does Delaware County have a regional plan for bike paths and shared use paths?

Planning Director Husak replied that section of Sawmill Road is in the City of Powell, and the City does not have path requirements currently in the code.

Commissioner Ahmed spoke about Mr. Wibberly's comments and inquired to Mr. Underhill's thoughts about them.

Aaron Underhill stated they do not see any need or desire after public money has been spent, with respect to the sidewalk along that frontage to do anything there. He spoke of the internal circulation and their hesitancy to provide a bike path coming into the center of the site. They felt this would create conflict with traffic, and when you get to that point, it may be best to walk the bike the rest of the way to avoid the conflicts of traffic.

Todd Cunningham, of EMH&T, 5500 New Albany Road, Columbus, Ohio, spoke of the connection being referred to located north, the path is made on the west side of the island eight feet to reach the bike racks. It was felt they were being sensitive to the fact the bicycle traffic will need a larger pathway to get to the bike rack location. The change of the ramp, they will look into this.

Commissioner Ahmed asked if the employees who ride their bikes also park their bikes at the same bike racks. Mr. Cunningham replied no parking assignments have been established currently.

Commissioner Herchenroether said the precast concrete is very well done as he saw in Dublin. He inquired the Endoscopy Wing, and wondered if it was two stories on the west elevation and one story with the mechanical pent house on the east side.

Bryce Shirley, of the DLR Group, 262 Hopewell Dr., Powell, Ohio, affirmed Commissioner Herchenroether's question.

Commissioner Herchenroether asked what type of businesses they expect could spill over into the community.

Aaron Underhill stated there is a forty-two unit twin single family neighborhood going on down on west on Home Road, which is a direct result of this project. Obviously, there is a lot of land to be developed in the area, and there are many opportunities to capitalize on the traffic coming.

Commissioner Lester spoke of the library that should be opening soon.

Commissioner Bailik said they have done a superior job in creating pathways for the community. She spoke of the possibility to move the bike racks further out into the landscaping to accommodate OPAL's concerns.

Garth Dadah, 5044 Grassland Dr., Dublin, Ohio, spoke of Dublin's facility and showed where they were located and stated they would definitely consider the option.

Commissioner Boysko spoke of the connectivity to the paths. Mark Stock responded their concern was mainly of the two units close to the boundary.

Commissioner Boysko also brought up lighting and he was advised there would be lighting in the parking lot.

Chairman Little thanked OSU for choosing Powell. He added he looks forward to seeing the plan come to fruition.

MOTION: Elizabeth Bailik moved to approve an Amendment to a Final Development Plan, Case 2022-28AM for the property located at 7171 Sawmill Parkway, to construct Phase 1 of an Ohio State University ambulatory care medical facility on 29.562 acres located at the northeast corner of Sawmill Parkway and Home Road. Shawn Boysko seconded the motion.

Chairman Little requested a roll call for passage: Elizabeth Bailik, yes; Shawn Boysko, yes; Ryan Herchenroether, yes; Bill Little, yes; David Lester, yes; and Ferzan Ahmed, yes.

VOTE: Y 6 N 0 (None) AB 0 (None)

Motion passed with a vote of 6-0-0.

b. PRELIMINARY DEVELOPMENT PLAN REVIEW (2022-30PDP)

Applicant: Anthony Kish
Location: 236 South Liberty Street
Existing Zoning: DB – Downtown Business District
Request: Review and feedback of a Preliminary Development Plan
to convert an existing single-family residence to a commercial use with proposed
property improvements including a building addition, patio, and parking facility.

1. 12.14.22_Staff Report_Kish Kitchen_PDP.pdf
2. 236 S. Liberty St. 10-28-2022_LTFD.pdf
3. Kish Kitchen Combined Application.pdf
4. Case 2022-25SP_236SL_Staff Report_10122022.pdf

Elise Schellin, Development Planner, presented the Staff Report and said the validity of this proposal moving forward relies on the Commission granting a parking reduction. If this plan continues to a Final Development Plan submission, additional details will be required. This will include the applicant submitting overall site development statistics comparing this plan with zoning code requirements to understand the requested code deviations.

This proposal is also included within the bounds of the Downtown Overlay District, Section 1143.18. Under 1142.18(l)(2), the Planning and Zoning Commission may ask the Historic Downtown Advisory Commission to review a Certificate of Appropriateness application with City Staff and provide written comments and recommendations to the Planning and Zoning Commission for consideration. Application for Certificate of Appropriateness shall be judged using the adopted Powell Architectural Guidelines.

As the applicant is requesting demolition of the detached garage, demolition-hearing procedures will need to follow 1143.18(l).

Staff requests the Commission, per Section 1143.16.2(g)(7), consider the requested reduction to the parking requirements.

If the Commission determines that a parking reduction is acceptable for this development, Staff recommends approval, with the following conditions:

1. The applicant continue to work with Staff and the Architectural Advisor to address comments made within this report and by the Commission during plan review prior to HDAC and Final Development Plan submission.

Steve Reynolds, Architectural Advisor, stated he was assuming this plan would also be reviewed by HDAC, and the redemption of that building would be helpful. He also stated there was many further items to be looked at.

The applicant, Anthony Kish, 391 Vinwood Lane, Powell, Ohio, gave his presentation.

Chairman Little opened the floor for public comment. Hearing none, Chairman Little closed public comment.

Commissioner Lester stated being new to the Commission, he would like to watch this project unfold with the Commission.

Commissioner Bailik stated her biggest concern is the parking. She stated she was not sure if they had enough parking to be considered for a carryout.

There was further discussion about City code and what it entailed regarding mandatory parking spaces.

Shawn Bogenrife, of Bogenrife Architecture, 4400 N. High St., Columbus, Ohio, stated the patio would be used in warmer months when walking would be more of an option.

Commissioner Bailik continued by stating she does not think this is a good fit for this site.

Commissioner Boysko stated he liked the idea but wondered how the deviations were going to be addressed.

Anthony Kish responded it was agreed to allow the City to have a portion of the front yard, which is for the right-of-way easement and for the sidewalk build. Due to this, it is creating an issue. This is the only major setback currently.

Commissioner Boysko asked what additional amenities were going to offset the deviations? He spoke of the patio and how much of a setback is there from the new right-of-way?

Claudia Husak, Planning Director, advised the patio does not encroach into the right-of-way.

Elise Schellin, Development Planner, stated the front set back is a minimum of twenty feet and a maximum of twenty-five feet.

Commissioner Boysko asked the Liberty Township Fire Chief if there was enough room for a fire truck to get back to the rear of the property. Liberty Township Fire Chief stated they would not pull the fire truck back there; they would work off the street. If they had to, the drive is wide enough, but they would work off Liberty Street and have no issues with that.

Commissioner Boysko stated he thought this was a great idea, but there were so many deviations and missing pieces in this project and he cannot support something that is not complete.

Commissioner Ahmed asked Claudia Husak, Planning Director, if it was feasible to plan a downtown business district which each business would have their own parking as required by the code. Claudia Husak, Planning Director, advised pursuant to the parking study, a look at the code and the requirements is something that is very important, especially in what is intended to be a walkable district with mixed uses, we are not there yet.

Commissioner Ahmed stated he would support any kind of plan where there is municipal/public parking that can be used and then walk five minutes. He asked the applicant if he felt he could make this a successful business and why. Anthony Kish stated he has no doubt. It has been proven and done before, he knows the product and the product is un-parallel.

Commissioner Herschenroether said generally, this walkable story is a fantasy as this is a third of a mile from the four corners. People in Ohio do not walk a third of a mile for a crepe. The other businesses downtown are able to succeed because their location is closer to the shared parking. He added that he does not feel the applicant is giving the Commission the ammunition to get it done.

Chairman Little thanked the applicant for coming in and presenting his plan. He added he seemed to struggle with the business model as it moves a bit. He stated that he does not believe the way the applicant has envisioned this in its current situation, is not feasible. He believes there are two issues. One being the parking is not sufficient to support this business. Also, they layout of the parking lot would be a mess. That being said, the way things are being looked at currently, is in conflict as we as Planning and Zoning are tasked to evaluate. He stated the land use in this case is not appropriate due to the size of the business. The relationship between uses, public facilities, streets and pathways, currently the way it is proposed, it will overload the neighboring street networks and business due to the parking and traffic issues. Additionally, he does not think it could be justified, given the location and the proposed volume.

MOTION: Elizabeth Bailik moved to table a Preliminary Development Plan, Case 2022-30PDP for the property located at 236 South Liberty Street, to convert an existing single-family residence to a commercial use with proposed property improvements including a building addition, patio, and parking facility. Shawn Boysko seconded the motion.

Chairman Little requested a roll call for passage; Shawn Boysko, yes; Ryan Herschenroether, yes; Bill Little, yes; David Lester, yes; Ferzan Ahmed, yes; and Elizabeth Bailik, yes.

VOTE: Y 6 N 0 (None) AB 0 (None)

Motion passed with a vote of 6-0-0.

OTHER BUSINESS

Chairman Little presented Commission Boysko a certificate of appreciation and thanked him for all of his work on the Planning & Zoning Commission, as this would be his last meeting.

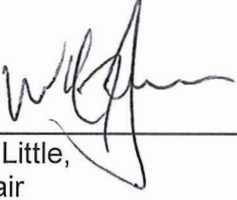
He also mentioned a training type of activity and discussion of this training is ongoing.

Chairman Little also wished everyone Happy Holidays and a safe and prosperous new year.

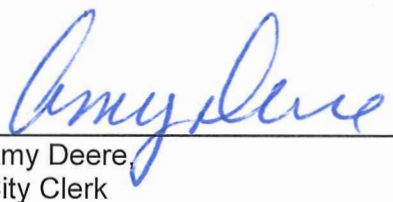
ADJOURNMENT

Chairman Little adjourned the meeting at 7:50 p.m.

MINUTES APPROVED:

 3-8-23

Bill Little, Date
Chair

 3/14/23

Amy Deere, Date
City Clerk