



**PLANNING & ZONING COMMISSION
MEETING MINUTES
WEDNESDAY, JUNE 14, 2023**

CALL TO ORDER/ROLL CALL

Chair Elizabeth Bailik called the June 14, 2023 Planning & Zoning Commission meeting to order at 6:30 p.m. Commission Members present included, Elizabeth Bailik, Ryan Herchenroether, Ferzan Ahmed, and Ryan Griffin. Shaun Simpson and Steven MacGuidwin were absent. Staff included Claudia Husak, Planning Director; Elise Schellin, Development Planner, and Pam Friend, Administrative Assistant.

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

May 10, 2023 Planning and Zoning Commission Meeting Minutes
[05102023 PZ_Draft_Minutes.pdf](#)

MOTION: Ferzan Ahmed moved to approve the May 10, 2023 Planning & Zoning Commission Minutes. Ryan Griffin seconded the motion.

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

VOTE: Y – 4 N – 0 AB – 0

CERTIFICATE OF APPROPRIATENESS REVIEW (2023-17CA)

Applicant: CCC Home Road LLC

Location: Home Road, Parcel Number 31923001003004

Zoning: PC - Planned Commercial District

Request: Review and approval of a Certificate of Appropriateness for the architectural and landscape elements of the Middlebury Crossing multi-family subarea.

1. 06142023_Staff Report_Middlebury_Residential.pdf
2. 23_0525 Middlebury Multi Family COA Submittal.pdf

Elise Schellin, Development Planner, presented the Staff Report for the request and reviewed Ordinance 2019-25 for Middlebury Crossing, which was approved with fifteen (15) conditions, of which two from the residential portion, need satisfied with review by the Planning and Zoning Commission. Staff is recommending approval of the Certificate of Appropriateness.

Claudia Husak, Planning Director, informed the Commission that staff has reviewed the application with the City Architectural Advisor and he confirmed materials and elevations are consistent with what was previously approved.

Gary Smith, owner of G2 Planning and Design, representing the applicant, gave a brief presentation for the request and was there to answer any questions.

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

Commissioner Ahmed asked if there is a requirement for mounding. Ms. Schellin said the previous adjacent property owner had requested it be added to his property, but the current owner is not requesting it. Ms. Husak said it is more of a private issue and the buffering requirement in the Code is fulfilled.

Commissioner Herchenroether asked if all planned landscaping will still be go in. Ms. Schellin said it would.

Commissioner Griffin asked if all fifteen (15) original conditions have been met. Ms. Schellin said the only remaining condition would be signage, which if no changes, is reviewed by staff.

Chair Bailik had no additional comments and requested a motion to approve the request.

Commissioner Herchenroether moved to approve Case 2023-17CA for the applicant CCC Home Road LLC for a Certificate of Appropriateness for the architectural and landscape elements of the Middlebury Crossing multi-family Subarea C, for parcel 31923001003004. Commissioner Griffin seconded the motion.

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

VOTE: Y – 4 N – 0 AB – 0

COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN REVIEW (2023-18PDP/FDP)

Applicant: Compton Addy - Attn: Mark Wilhoite

Location: Woodcutter Drive, Parcel Number 31924001011006

Zoning: PC - Planned Commercial District

Request: Review and recommendation of approval to City Council of a Combined Preliminary and Final Development Plan to construct a new Starbucks with a Drive-thru on a 1.303-acre site.

1. Starbucks PDP-FDP Staff Report_06142023.pdf
2. Starbucks Combined Application.pdf

Ms. Schellin, presented the Staff Report for the request, which recommends the Planning & Zoning Commission recommend approval to City Council for the combined Preliminary and Final Development Plans with the following conditions:

1. The applicant add a 12-foot wide pedestrian easement along the Woodcutter Drive frontage for a future sidewalk or multi-use trail.

Mark Wilhoite, representing Compton Addy, the applicant, gave a brief presentation on the proposed Starbucks and was there to answer any questions.

Chair Bailik opened the floor for public comment on the application.

Frank Weiss, 3294 Winding Woods Drive, talked about his concerns with the traffic coming and going from the site. He asked about the traffic study and if a light would be added at Home Road and Woodcutter.

Elyse Weiss, 3294 Winding Woods Drive, talked about her concern of cars clogging Woodcutter Drive in both directions coming from either Sawmill Parkway or Home Road. She would like to see a light put in at Home Road.

Chair Bailik asked the applicant to talk about the drive-thru stacking planned for the location. Mr. Wilhoite said most of the Starbucks projects are designed with heavy drive-thru use. He showed via the visual presentation, the stacking of 15 vehicles with room for 15 additional vehicles. In addition, he talked about striping of lanes as a result of the traffic study, which will provide in and out left turn lanes.

Mrs. Weiss also voiced her concern regarding tractor trailers parking along the road, possibly overnight, which will affect the thoroughfare.

Ms. Husak said she does not believe tractor trailers should be parking along the public road for an extended period of time and staff will notify the police department.

Mr. Wilhoite asked staff about the 12-foot wide path easement, which Ms. Schellin talked about the bike trail advocacy group wanting a 10-foot wide path. The 12-foot easement is requested to accommodate the construction.

Commissioner Griffin talked about the high school being close to Starbucks and wondered what route kids would take to the site. There was a discussion amongst the Commission, staff and the residents in attendance with the majority feeling the most likely route being a left turn off of Sawmill Parkway onto Home Road at the light, then make a right on to Woodcutter.

Ms. Husak pointed out a 2,200-square-foot Starbucks does not require a traffic signal at this location, however with additional development in this location a light would most likely be warranted.

Commissioner Herchenroether said the traffic study is suggesting 600 trips per day, but only 5% will be turning left or south down Woodcutter and 95% will turn right to go north to Home Road, which he hopes addresses some of the concerns.

Further, Commissioner Herchenroether pointed out the report does talk about the developer providing a left-turn lane on Woodcutter with 75-foot storage and wonders if it should be a condition in the approval.

Ms. Schellin said there was correspondence between the City Engineer and the developer to update the site plan to include the left-turn lane. Mr. Wilhoite acknowledge the plan is being updated to include the left-turn lane requirements.

Commissioner Herchenroether feels the horizontal nature of the site does help with the stacking for a drive-thru. He does wonder with the site setting low, if they are planning for a large sign. Mr. Wilhoite responded the sign would be at the road, but they had to raise the building height, so they believe that will help as well.

Commissioner Ahmed thanked Mr. and Mrs. Weiss for coming forward and sharing their concerns. He agreed there is a need to be vigilant of future development in this area to determine at what point there needs to be a signalized intersection. Further, he is happy to see the 10-foot wide path and asked if the path will connect to something.

Ms. Husak said there is no plan to install the path at this time, but rather staff has been more vigilant about understanding the need for path easements and asking applicants to include them in their plans, so they can be included in the CIP in the future.

Chair Bailik thanked Mr. and Mrs. Weiss, as well and reiterated the importance of public input at these meetings. She said a lot of projects have been made better because of residents voicing their opinions and concerns. She thanked the applicant for working with the City of Powell to make the requested adjustments to the project.

Commissioner Herchenroether moved to recommend approval to City Council of the Preliminary and Final Development Plans for Case 2023-18PDP/FDP, as presented by developer Compton Addy, which proposes to construct a 2,200 square foot Starbucks with a drive-thru on a 1.303-acre site at the southeast corner of Home Road and Woodcutter Drive, also known as parcel number 31924001011006 subject to the following conditions:

1. Applicant add a 12-foot wide pedestrian easement along the Woodcutter Drive frontage for a future sidewalk or multi-use trail;
2. Applicant restripe Woodcutter Drive to provide a left-turn lane with 75-feet of storage and a 50-foot taper per the traffic study.

Commissioner Ahmed seconded the motion.

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

VOTE: Y – 4 N – 0 AB – 0

OTHER BUSINESS

Ms. Husak discussed the need for quorum, as well as the updated rules and regulations, which require members to notify staff or Chair if they are unable to attend a meeting. Chair Bailik had not heard from the absent members but said she would reach out to them for confirmation.

Ms. Schellin reviewed when agendas and packets are posted to the City of Powell website, which is the link sent to Commission members the week prior to a meeting by the Development Department. Since the meeting dates are set for the year, if a Commission member needs to review packet materials and is having difficulty accessing them on their devices, they can find those materials on the website. Also, she suggested anyone needing assistance with their devices they receive City of Powell emails on, should contact Wes Blake, the new City IT Manager.

Ms. Husak talked about the Council Chambers refresh beginning at the beginning of July, which will require the July meeting to be held in the Police Department rollcall room. Commissioners Ahmed and Griffin said they would not be able to attend the July 12, 2023 meeting.

ADJOURNMENT

Meeting adjourned by consensus at 7:30 p.m.

 7/12/23
Elizabeth Baillik, Chair Date

 7/12/23
Pam Friend, Administrative Assistant Date