



**PLANNING & ZONING COMMISSION  
MEETING MINUTES  
WEDNESDAY, JULY 12, 2023**

**CALL TO ORDER/ROLL CALL**

Elizabeth Bailik, Chair, called the Planning & Zoning Commission meeting of Wednesday, July 12, 2023 to order at 6:30 p.m. Commission Members present included, Shaun Simpson, Elizabeth Bailik, Ryan Herchenroether, and Stephen MacGuidwin. Commission Members Ferzan Ahmed, David Lester, Ryan Griffin were absent. Staff included Claudia Husak, Planning Manager; and Elise Schellin, Development Planner.

**HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA**

Elizabeth Bailik opened the floor for visitors to address the Commission on items not on the agenda. Hearing none, Ms. Bailik closed public comment.

**APPROVAL OF MINUTES**

MOTION: Shaun Simpson moved to approve the June 14, 2023 Planning & Zoning Commission Minutes. Stephen MacGuidwin seconded. Motion passed.

Elizabeth Bailik requested a roll call for passage: Elizabeth Bailik, yes; Ryan Herchenroether, yes but noted a typo on page 4 where it says tapper, that should be taper; Stephen MacGuidwin, yes; and Shaun Simpson, yes.

VOTE:            Y – 4            N – 0            AB – 0

**CODE UPDATE (2023-20ADM)**

Applicant:        City of Powell

Request:          Review and approval to City Council of an amendment to the Zoning Code to address uses in the Downtown Business District and expectations for the upkeep of residential premises.

Claudia Husak, Planning Manager, gave a summary of the miscellaneous Zoning Code updates and stated the Development Committee reviewed the proposed amendments at their June 6, 2023 meeting and requested staff proceed with processing the Code updates through both the Planning & Zoning Commission and City Council based on Zoning Code Chapter 1131.

She first discussed that staff has been approached by businesses in the Downtown Business District with regards to operating entertainment uses for various locations and as an example mentioned an axe throwing event. Currently the "Use Section" of the Downtown Business District is limited and does not include any such use.

Shaun Simpson asked if this is an indoor amendment only and Ms. Husak stated the outdoor is already addressed and this refers to indoor venues. Mr. Simpson said he is in favor of the update.

Ryan Herchenroether asked about these updates going before the larger update that staff is working on. Ms. Husak stated it is due to the number of request they have received recently. It was decided that these needed addressed now.

Stephen MacGuidwin stated he had no questions and he thinks these are needed changes.

Elizabeth Bailik wants to make sure it does not affect the occupant load and parking in the downtown area and asked about conditional uses. Ms. Husak said they had talked about adding conditional use language, but because they are trying to streamline the process it was not added.

Ms. Husak continued by discussing the Residential Premise Expectations update due to a lack of enforcement ability for the maintenance of residential premises in a manner as to not constitute objectionable and noxious conditions. Further, she gave an example of a recent incident where neighbors complained about the state of a residential property and activities taking place.

Shaun Simpson and Ryan Herchenroether both said they had no questions or comments.

Stephen MacGuidwin asked if the legal department had reviewed the update since the language was taken from another source. Ms. Husak said it was reviewed and they had no issues.

Elizabeth Bailik asked if the language should apply to only residential properties or should it include all properties in the City of Powell. Ms. Husak said that is something they will take into account when it goes to City Council.

Ms. Husak continued by stating staff is recommending the Planning & Zoning Commission recommend approval of the updates to City Council.

Ms. Bailik opened the floor for public comment on the matter. Hearing none, closed public comment.

**MOTION:** Ryan Herchenroether moved to recommend approval to City Council Case 2023-20ADM for the following Zoning Code updates:

1. Adding the use "Commercial recreation and entertainment facilities, indoors" to Code Section 1145.16.2 DB-DOWNTOWN BUSINESS DISTRICT.
2. Adding the term of "Event Space" to the Commercial entertainment facilities definition in Section 1123.01.
3. Adding "Standards and Maintenance of residential premises" to Section 1145.19 OBJECTIONABLE, NOXIOUS, OR DANGEROUS USES, and PRACTICES OR CONDITIONS.

Shaun Simpson seconded. Motion passed.

Elizabeth Bailik requested a roll call for passage: Stephen MacGuidwin, yes; Shaun Simpson, yes; Elizabeth Bailik, yes; and Ryan Herchenroether, yes.

VOTE:            Y – 4            N – 0            AB – 0

**SKETCH PLAN REVIEW (2023-19SP)**

Applicants:    Drew & Michele DiMaccio  
Location:       150 West Case Avenue, Parcel Number 31942602003000  
Zoning:          PC – Planned Commercial District  
Request:        Review and feedback of a Sketch Plan to construct a new carryout restaurant on a ±.403-acre site.

The applicant was not in attendance, so Chair Bailik requested a motion to table the Sketch Plan Review for Case 2023-19SP.

MOTION: Ryan Herchenroether moved to table Case 2023-19SP for a Sketch Plan Review as submitted by applicants Drew & Michele DiMaccio until the Commission reconvenes on Wednesday, August 9, 2023. Shaun Simpson seconded. Motion passed.

Elizabeth Bailik requested a roll call for passage: Elizabeth Bailik, yes; Shaun Simpson, yes; Stephen MacGuidwin, yes.

VOTE:            Y – 4            N – 0            AB – 0

**OTHER BUSINESS**

**CRA Membership – Community Reinvestment Area Board**

Ms. Husak talked about a program that offers reinvestment dollars to property owners in the downtown business district. There is a board that oversees the use and distribution of funds. The Planning & Zoning Commission is charged with appointing one member to the board, which can be a member of the Commission, but does not need to be.

**Development Staff Intern**

Elise Schellin introduce Taylor Casey, who is a Cleveland State student interning with the Development Department for the summer.

**NEXT MEETING**

Wednesday, August 9, 2023 at 6:30 p.m. in Council Chambers.

**ADJOURNMENT**

Meeting adjourned by consensus at 7:36 p.m.

  
Elizabeth Bailik, Chair                      8/9/23  
Date

  
Pam Friend, Admin. Assistant                      Date