



**PLANNING & ZONING COMMISSION
MEETING MINUTES
OCTOBER 11, 2023**

CALL TO ORDER/ROLL CALL

Commissioner Shaun Simpson, acting as Chair, called the Wednesday, October 11, 2023 Planning & Zoning Commission meeting to order at 6:30 p.m. Commission Members also included; Ferzan Ahmed, Ryan Griffin, and David Lester. Commission Members Elizabeth Bailik, Ryan Herchenroether, and Stephan MacGuidwin were absent. Staff present included; Claudia Husak, Planning Manager, and Pam Friend, Administrative Assistant.

HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA

Commissioner Simpson opened the floor for visitors wanting to address the Commission for items not on the agenda. Hearing none, he closed public comment.

APPROVAL OF MINUTES

Meeting Minutes September 13, 2023

[09132023 PZ_Draft_Min.pdf](#)

Commissioner Simpson asked if any changes were needed to the September 13, 2023 meeting minutes. Commissioner Griffin asked for the addition to his comments on page 4, to read "the Planning & Zoning Commission is no rubber stamp", which was his response to someone who spoke in opposition to the Horsepower Farms project.

Noting the change Commissioner Simpson asked for affirmative vote on the September 13, 2023 Minutes, which passed by a unanimous vote of all members present.

ITEMS FOR REVIEW

SUBDIVISION WITHOUT PLAT (2023-27SR)

Applicant: The Market at Liberty Crossing, c/o Heather King, EMH&T

Location: 3952 West Powell Road

Zoning: Planned Commercial District

Request: Review and approval of a subdivision without plat to split a 22.85-acre lot to create a 2.88-acre lot for future commercial development, east of Farmington Drive and north of SR 750.

[1. Market at Liberty Staff Report_101123.pdf](#)

[2. Market at Liberty Submission.pdf](#)

Claudia Husak, Planning Manager, presented the Staff report, which recommends approval of the Subdivision without Plat.

Heather King, representing EMH&T, did not give a presentation but was there to answer any questions from the Planning & Zoning Commission.

Commissioner Simpson opened the matter up for public comment. Hearing none, he closed public comment.

Commissioner Griffin said he is in support of the request.

Commissioner Lester said he is good with it.

Commissioner Ahmed agrees it is a straightforward request.

Commissioner Simpson said he had no questions either and supports the request.

MOTION: Commissioner Lester moved to approve the Subdivision without Plat to split the 22.85 acre lot to create a 2.88 acre lot for future commercial development, east of Farmington Avenue and north of SR 750. Commissioner Ahmed seconded.

Commissioner Simpson requested a roll call for passage. Commissioner Ahmed, yes; Commissioner Lester, yes; Commissioner Griffin, yes; and Commissioner Simpson, yes. Motion passed by a unanimous vote of all members present.

VOTE: Y – 4 N – 0 AB – 0

AMENDMENT TO AN APPROVED DEVELOPMENT PLAN (2023-28AM)

Applicant: The Cody Coughlin Company c/o Ted Tinkler
Location: Northwest corner of Steitz Road and Home Road, parcel 31923001003004
Zoning: Planned Commercial District
Request: Review and recommendation of approval to City Council for an amendment to the Middlebury Crossing Final Development Plan, Subarea C to replace the townhomes with more of the garden apartment units already approved for the site, and other amended site amenities.

1. Middlebury Crossing Staff Report_101123.pdf
2. Middlebury Crossing Submission.pdf
3. Middlebury Crossing Amended FDP Fire Truck Exhibit PDF

Ms. Husak presented the Staff Report, which staff is recommending the Commission recommend approval of the amendment to City Council, with the following conditions:

1. The applicant provides a Lighting Plan, including photometric data to reduce light pollution on neighboring sites.

Gary Smith, G2 Planning & Design, 720 E. Broad Street, Columbus spoke on behalf of the applicant and discussed that construction cost estimates are higher than originally planned and therefore changes needed to be made to the plan.

Commissioner Griffin is concerned about the quality of the development being diminished by fewer building, taking away the pool and replacing it with a Pickleball court.

Mr. Smith explained the cost of the pool and future maintenance has caused its removal from the plan, but the quality of the units and site will not be diminished.

Commissioner Lester asked if the rent schedule will change with the garden apartments. Ted Tinkler, 5505 Aryshire Drive, Dublin, representing Cody Coughlin Company, said they did a market study and the rents will not change. Instead of 32 garden units they will have 62 garden units.

Commissioner Simpson opened the matter up for public comment.

Nicole Fowles, Communications Director, Delaware County District Library, 84 E. Winter Street, spoke about their concern for where the dumpster enclosure is located in relationship to the drive-up window at the library, which could cause traffic to back up. Mr. Smith responded they would certainly have a conversation with Chris Vince and the library regarding the dumpster location as it relates to the library.

Commissioner Simpson, closed public comment and asked Ms. Husak if the Commission can direct staff to handle the relocation of the dumpster. Ms. Husak responded the motion should include a request to have the applicant(s) work with staff to relocate the dumpster.

Commissioner Lester asked whether the southwest corner entrance would be a right-in, right-out because he is worried about drivers trying to make a left out onto Home Road. Mr. Smith said the City and the City Engineer have approved it for full access. Commissioner Lester also encouraged them to include a tennis court along with the Pickleball court.

Commissioner Ahmed asked staff about the necessity for the request and Ms. Husak explained while nothing else is changing what triggered the review is the townhomes now becoming garden apartments and the buildings being in different locations. Commissioner Ahmed also asked Mr. Smith if they plan to add any other buildings to the site in the future. Mr. Smith said at this time they do not, which Ms. Husak pointed out would trigger them going through the process again.

Commissioner Simpson said if he was a neighboring property, the new layout would appeal to him more than the previous design because of the additional buffering.

MOTION: Commissioner Lester moved to recommend approval of the amendment to City Council, with the following conditions:

1. The applicant provides a Lighting Plan including photometric data to reduce light pollution on neighboring sites.
2. The applicant works with City staff and the commercial property developer to relocate the dumpster to ensure it does not impede library drive-thru traffic.

Commissioner Griffin seconded. Commissioner Simpson requested a roll call for passage. Commissioner Ahmed, yes; Commissioner Lester, yes; Commissioner Griffin, yes; and Commissioner Simpson, yes.

Motion passed by a unanimous vote of all members present.

VOTE: Y – 4 N – 0 AB – 0

OTHER BUSINESS

Ms. Husak asked the Commission to please make sure their City of Powell email addresses are working because this is where staff will be sending updates regarding meetings.

Also, Ms. Husak informed the Commission the Wednesday, November 8, 2023 meeting will need to be moved to Thursday, November 9 due to Election Day pumping the City Council meeting to November 8.



Per Ms. Husak's comment, Elizabeth Bailik has confirmed she can attend the Thursday, November 9, 2023 Planning & Zoning meeting. Commissioner's Simpson and Lester said they would be there. Commissioner Griffin has a previous commitment, but will try to make the meeting. Commissioner Ahmed is unable to attend the meeting.

Staff will reach out to Commission Members Ryan Herchenroether, and Stephen MacGuidwin to confirm availability.

ADJOURNMENT

Commissioner Simpson moved to adjourn the meeting at 7:05 pm.

MINUTES APPROVED: Thursday, November 9, 2023

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Shaun Simpson,
Acting Chair
Date

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Pam Friend,
Administrative Assistant
Date