



**City of Powell, Ohio**  
**Powell Planning & Zoning Commission**

Brian Lorenz, Vice Chairman  
Jim Hrivnak

Kevin Futryk, Chairman  
Donald Emerick  
Bill Little

Richard Fusch  
Dan Wiencek

**MEETING MINUTES**  
**FEBRUARY 11, 2009**

A regular meeting of the Powell Planning & Zoning Commission was called to order by Chairman Kevin Futryk at 7:00 p.m. on Wednesday, February 11, 2009. Commissioners present included Donald Emerick, Jim Hrivnak, Bill Little and Dan Wiencek. Richard Fusch and Brian Lorenz were absent. Also present were David Betz, Director of Development; Eric Fischer, Development Planner; Susie Ross, City Clerk; interested parties and members of the Press.

**ELECTION OF COMMISSION CHAIRMAN AND VICE CHAIRMAN**

Commissioner Wiencek moved to appoint Kevin Futryk as the Chairman of the Planning and Zoning Commission. Commissioner Hrivnak seconded the motion.

**VOTE: Y 4 N 0 Abstain – Futryk**

Commissioner Wiencek moved to appoint Brian Lorenz as the Vice Chairman of the Planning and Zoning Commission. Commissioner Hrivnak seconded the motion.

**VOTE: Y 5 N 0**

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

Chairman Futryk opened the public comment session. Hearing none, he closed the public comment session.

**APPROVAL OF MINUTES**

MOTION: Commissioner Wiencek moved to approve the minutes of November 12, 2008 as amended. Commissioner Emerick seconded the motion.

**VOTE: Y 5 N 0**

The City Clerk issued an oath to those attending who intended to speak at the meeting.

**COUNCIL RESOLUTION 2008-16**

**Continuation of Public Hearing with respect to amending Section 1147.16, pursuant to Ordinance 2008-23.**

Chairman Futryk said City Council asked the Planning & Zoning Commission to study this code section and make a recommendation to Council regarding changes. Mr. Betz said the ordinance enacted requirements regarding large non-residential retail establishments within the Sawmill Parkway corridor which includes an area on one-half mile of each side of the Parkway. He said Council adopted Ordinance 2008-23 under the requirements of the Charter and then referred it to the Commission for comment. He said this is the third public hearing and public testimony was also received at the reading of the ordinance. Mr. Betz said Staff has provided documentation per the requests of the Commission. He said Staff did not put a lot of time into detailed economic models but they did review the current City zoning code and made recommendations (Exhibit "A").

Mr. Betz reviewed Staff's proposed definition changes within the zoning code:

- 1147.15(b) (1) "Large Non-Residential Establishment" (changed current definition due to change in downtown district guidelines)
- 1123.01(19) "Business, Retail Sales" (added definition)
- 1123.01(112) "Pedestrian Scale" (added general definition because it is a subjective term based on proportion and relationship)

Mr. Betz said he believes the Commission has the information they need to make a recommendation to City Council. He said Staff recommends Ordinance 2008-23 be repealed because of the following reasons:

- It infringes upon the individual property rights within the corridor.
- It could cause legal non-conforming situations within the corridor.
- The code as adopted through Ordinance 2008-23 is contradictory to the previously adopted zoning code.
- It is detrimental to the health, safety and welfare for many existing property owners.
- The current Section 1147.15 is sufficient to regulate Large Non-Residential Establishments consistent with the Comprehensive Plan and other code provisions.

Chairman Futryk stated written correspondence was received by the Clerk indicating residents' point of view and it will be entered into the formal record as exhibits. (Exhibit "C")

Peggy Guzzo, 4800 Aberdeen Avenue, Liberty Township, stated she is present at the invitation of the City of Powell and as a supporter of the initiative efforts by the residents of Powell. She said she is present as an individual Liberty Township Trustee and as a private citizen who chairs the Political Action Committee CAPP (Citizens Action Protecting the greater Powell). She read a written statement (Exhibit "B") which she indicated will clarify several items.

Sherry Dugic, Timberside Drive, Powell, said when she first came to Powell she thought it was a special place. She said she was hardly unpacked when the growth and traffic exploded. She said she does not want this portion of Sawmill Parkway to look like the other end of Sawmill Road. Ms. Dugic said Golf Village was portrayed as a special golf resort type of place and now she is finding she is living next to a possible Target Store. She said the people on the other end of Sawmill do not pay the assessment she pays to live next to a Target. Ms. Dugic said she is worried about how everything is turning out compared to how this has been portrayed to community.

Hearing no further comments, Chairman Futryk closed the Public Hearing.

Commissioner Wiencek said he is in favor of defining "pedestrian scale" but he does not think the proposed definition is adequate. He said he thinks they can be more specific without being overly specific. He said he believes the goal of Council was to at least incorporate the initiative ordinance into the current ordinance but he feels most of the new wording is duplicative and unnecessary. Commissioner Wiencek said he is convinced most residents who signed the initiative petition were unaware the City already had a large non-residential establishment limitation. He said the size within that limitation is a more appropriate place to draw the line than 10k sq. ft. He said "pedestrian friendly" cannot be defined strictly by a size number. He said he believes the 10k sq. ft. limitation is overly restrictive and problematic. He cited three examples of establishments and/or expansions which would not be permitted in the City under the initiative petition code: the Kroger Store expansion at Sawmill Parkway and Powell Road, the Powell Road Giant Eagle improvements, and the True Value Hardware which has been approved by Liberty Township. Commissioner Wiencek said these are current, acceptable businesses over 10k sq. ft. He said the ordinance is also problematic because it would eliminate all further annexations into the City. He said explained why both the Township and the City benefit by business annexations into the City. Commissioner Wiencek said until recently the only commercial within Golf Village was in the Township and they are not subject to City regulations. He said people say that the Sawmill Parkway corridor is "overly commercial" but they are talking about an area outside of the City.

Commissioner Wiencek said the City of Powell ordinances are applied city-wide and they have the appropriate tools to allow them to determine if a development is appropriate. He said there is no "Target Loophole"; he stated that anyone who participated in the drafting of the CEDA and the Golf Village annexation knew it was clear that there were three parcels that would not be affected by the big box ordinance when it was adopted and the Target site was one of those. Councilman Wiencek said the Golf Village development standards must be followed according to the Township standards. He said there is no loophole; the zoning as passed by the Township permits the Target Store. He said the Courts will make the ultimate determination.

Commissioner Wiencek said before the adoption of Ordinance 2008-23, 35k sq. ft. was the size which required special considerations and requirements and 65k sq. ft. is the maximum per single user. He asked the Architectural Advisor if he had a suggestion for the definition of "pedestrian scale." He made several suggestions regarding criteria which could be used to determine a definition. Mr. Meyers said he is sensitive to the development in the area because he designed the Kinsale Golf Club and he feels it is "pedestrian friendly" and approachable. He said a Target store would be in another league. He said

equating this term with a square footage can be dangerous. He said they need to consider particular conditions at a site because they could have a disproportionate scale that meets the square footage. Mr. Meyers said "pedestrian friendly" is not easily defined. He said he has resources from the Council of New Urbanism, the United States Building Council, and the book "Close Encounters with Buildings" that could provide guidance and criteria. He said the Target web page contains information about how their buildings may be modified to address scale and proportion. Mr. Meyers suggested they pull together some of these resources to determine a definition. He said if they go with a "one rule fits everything" definition, they will limit their opportunity to evaluate architecture on a case-by-case basis. He said a definition should be guidelines to be followed and goals to be met.

Councilman Wiencek suggested several items which should be considered when determining if a building is "pedestrian friendly." He said a comprehensive, specific list with non-specific guidelines will assist the architects and developers as well as the Commission. Mr. Meyers said this type of information will help architects make a development fit a particular site. Commissioner Wiencek asked if they should be incorporating this definition into the design of all buildings, not just those over 35k sq. ft. Mr. Meyers said there should be an awareness of good design in all buildings. He said if not, they may find developers hovering under the 35k sq. ft. number to keep from having to meet the criteria; he said the criteria should meet needs of the community. Mr. Meyers said he would like to draft a report regarding the definition of this term.

Commissioner Emerick said he discussed this with an architect who said there is no definition of "pedestrian scale" or "pedestrian friendly" within the professional ranks. He said this Commission has a history of successfully working with applicants to accomplish good architecture and it is important to find a definition on which they all agree. Commissioner Emerick referred to an article from The Ohio State University that attributes the success of big box legislation to having the ability to work with developers to find designs that fit within the community. He said they should avoid hard, fast, unrealistic square footage requirements.

Commissioner Little said when the applicant proposed the addition of the patio on the side of the Stavroff building the Commissioners discussed how it would all come together. He said that was an issue of "pedestrian scale." He said he agrees that a particular square footage cannot necessarily define "pedestrian scale." Mr. Meyers said every building is different and there should be connectivity between the inside and outside of a building.

Commissioner Little asked Mr. Betz if it is appropriate to address the code changes separately. Mr. Betz said they can address them within the motion and also tell Council they are working on additional items. He said the "pedestrian friendly" term is used in 1147.15 in the current code. He said how it is defined in the Golf Village development plan text is another matter; he said it was specifically defined in the text and the City's code would not apply to it. Commissioner Little said they will need to be careful in the future that they do not have ambiguous or contradictory terminology. Chairman Futryk said they will need more information from Mr. Meyers before they can propose a definition to "pedestrian friendly." He said they should let Council know they will continue to work on the definition.

Commissioner Little asked for clarification from Ms. Guzzo. He asked her to speak to the 10k sq. ft. and its relation to: Golf Village north of Home Road, south of Home Road other than Golf Village, and the area within Golf Village. Ms. Guzzo said Golf Village south of Home Road, when approved, had to adhere to the Northwest Area Plan. She said the designated corner of Home Road and Sawmill Parkway was to have neighborhood retail, which was defined as no larger than 3k sq. ft. or 10k sq. ft. per acre. She said it was never envisioned to have big box in Golf Village because it was supposed to be "pedestrian friendly"; it was supposed to be small. Commissioner Little asked about Golf Village north of Home Road versus Golf Village south of Home Road. Ms. Guzzo said the area north of Home Road is not Golf Village and she was not a part of those decisions. She said the Township did not allow for any retail/commercial north of Home Road. Ms. Guzzo provided clarification regarding Liberty Crossing and the proposed Wal-Mart site. Commissioner Little asked if it is her position that there is a 10k sq. ft. limit south of Home Road in Golf Village. Ms. Guzzo said they are more restrictive than the City. Commissioner Little asked if the buildings at Liberty Crossing already exceed the 10k sq. ft. limit. Ms. Guzzo said they are individual users so it does not exceed the limit. Commissioner Little asked if she believes the 10k sq. ft. limitation would apply to the Target and/or Wal-Mart properties. She said the residents felt that "pedestrian scale" was not big box and when they asked for a limitation she went with what was defined as neighborhood development in the Northwest Area Plan. She said the right to govern allows the residents the right to trump the limitation. She said the residents want to define "pedestrian scale" and prevent big box in the

entire area. Commissioner Little said he wants to clarify how the limitations differ between the City of Powell and Liberty Township. He said this ordinance addresses the community within one-half mile of the Parkway and he is trying to understand why there would be a limitation imposed within the City and not within the Township. Chairman Futryk asked Ms. Guzzo how this ordinance applies to the Target site if it is within the CEDA territory. Ms. Guzzo said the citizens through their legislative power can trump any other provisions. She said it does not contradict the CEDA; it only defines "pedestrian scale." Chairman Futryk said it puts a further limitation on the items within the CEDA agreement. Ms. Guzzo disagreed. She said the lawyer who helped them said the voters have the right to pass a law which would apply to everything in the City. Chairman Futryk asked if the Giant Eagle changes and Kroger addition were considered non-conforming and that would allow them. He asked if the hardware store is considered non-conforming as well. Ms. Guzzo said it meets the limitation because it is a stand-alone building. Commissioner Wiencek said it would not meet the limitation if it were in the City and subject to the initiative petition code. Ms. Guzzo said that may be something the Township wants to adopt as well. She said when it comes to retail, they have over-commercialized the community. She said it makes sense that Powell annex that portion of the retail because the Township retains 97% of the tax and retail requires more police service. She said the residents were concerned with "pedestrian scale" being defined and not used against them. She said as an individual Trustee she is willing to work together to have a community they can agree with.

Commissioner Wiencek said Ms. Guzzo believes this initiative supersedes the Golf Village development plan and the City's legal counsel is not of that opinion. He said the City's position is that they are required to administer the zoning as passed by the Township in 2002. Mr. Betz said a contract cannot be broken by a zoning law. Chairman Futryk said his concern is that if this limitation is imposed, any other Township zoning law changes made since the CEDA would need to be imposed as well. He said that would be a case of retroactive zoning. He asked about the thought process regarding the half mile area on either side of the Parkway. Ms. Guzzo said she does not know the rationale but the citizens may have wanted to realistically define the area. Chairman Futryk asked if the entire Liberty Crossing development falls within the 65k sq. ft. ceiling. He said under the initiative petition, none of those buildings would be allowed if they were located in the City. Ms. Guzzo disagreed.

Commissioner Hrivnak said he feels the large non-residential legislation must be combined into the previous code. He said the code should apply to all areas of Powell and the definitions are key. He said he likes numbers but in this case the term "pedestrian scale" cannot be defined by numbers and must be defined by characteristics. Commissioner Hrivnak said the code must allow for reconstruction of existing structures or Powell will end up with an old community that will wither away. He said this type of situation can be seen in areas of Columbus that are not being updated and renovated. Commissioner Hrivnak said he looks forward to information from Mr. Meyers regarding definitions.

Chairman Futryk said he appreciates and understands that it is every citizen's right to petition their government for redress of grievances. He said this code change was directed at a Target store that this does not apply to. He said this puts the City at a significant economic disadvantage and its businesses at a competitive disadvantage. He said this change would not allow damaged buildings to be rebuilt. Chairman Futryk said they have shown multiple examples within the Township that exceed this limit. He said he agrees they should maintain "pedestrian scale" in the area. He said Mr. Meyers has put forth some challenging thoughts about how they can look at buildings in a different manner. He said the City has adequate ordinances on the book to deal with big box that were developed jointly with the Township. Chairman Futryk said the ordinance before them creates a huge divide. He said he supports the recommendation to Council that this ordinance be repealed.

Chairman Futryk asked the members of the Commission if they want to look at additional guidelines and make a separate recommendation. Commissioner Hrivnak suggested they make one recommendation which encompasses all of the changes. He said they should table this and come back with a recommendation when they are ready. Commissioner Emerick asked if they are under a time restraint. Mr. Betz said this ordinance is in effect and anything that comes in must comply with the ordinance or the applicant must request a variance. He said that can be problematic. Mr. Betz said City Council is anxious for a recommendation but he thinks the Law Director would advise the Commission to keep it as clean as possible, adopting the repeal of the ordinance in a separate motion from the definitions. He said City Council will deal with the recommendations in separate ordinances and would need a five out of seven vote to overrule the recommendation of the Commission.

Chairman Futryk read the email correspondence from Commissioner Lorenz into the record. (Exhibit "D")

**MOTION: Commissioner Little moved that the Planning & Zoning Commission recommend that Section 1147.16 of the Powell Zoning Code, as adopted by City Council through Ordinance 2008-23, be repealed based on the following conclusions:**

- 1. It is contradictory to previously adopted 1147.15 in the Powell Zoning Code as it relates to large non-residential establishments.**
- 2. It is detrimental to the health, safety and welfare of the existing property owners and their subsequent property rights.**
- 3. That Section 1147.15 suffices to regulate large non-residential establishments consistent with the Comprehensive Plan for the City of Powell and it is consistent with other provisions of the Planning & Zoning Code.**

**Commissioner Wiencek seconded the motion.**

**VOTE: Y 5 N 0**

Chairman Futryk told Ms. Guzzo and Ms. Dugic the Commission would still like to have their involvement as they move forward on the definition of "pedestrian scale". He said Staff will keep them informed.

**MOTION: Commissioner Little moved that the Planning & Zoning Commission recommend that Section 1147.15 of the Powell Zoning Code relating to large non-residential establishments be modified specifically as follows:**

**"Section 1147.15 Large Non-Residential Establishments. (b) Definitions. The following definitions shall apply in the interpretation of this Zoning Ordinance: (1) "Large Non-Residential Establishment" includes any structure with more than 35,000 square feet in non-residential usable floor area. Religious, educational, and public uses shall be excluded from this definition and these requirements."**

**Commissioner Wiencek seconded the motion.**

**VOTE: Y 5 N 0**

Commissioner Little said a motion will not be made regarding the definitions but they will work to define "Business, Retail Sales" and "Pedestrian Scale/Friendly". He said they will be careful not to have ambiguous terms. Chairman Futryk asked the Council representatives to report this information to Council.

### **ZONING MAP AMENDMENT**

Applicant: Golf Village Self Storage, Ltd.  
Location: Southeast corner of Home Road and Woodcutter Avenue  
Existing Zoning: PI, Planned Industrial District  
Proposed Zoning: PC, Planned Commercial District  
Request: Approval of a Zoning Map Amendment Application for approximately 6.249 acres from PI, Planned Industrial District to PC, Planned Commercial District.

Steve Martin, attorney, 50 S. Sandusky Street, Delaware, said he is present representing the applicant, Golf Village Self Storage, Ltd. He said they are seeking a zoning map amendment from PI, Planned Industrial to PC, Planned Commercial. He clarified that he also represents Delco Water Company Inc. which holds the property immediately to the east. He said they have had some dealings with the Golf Village Storage in regards to ingress/egress caused by the Home Road overpass. He said this site is what is left of a 20-acre property which was formerly zoned Liberty Township Industrial District. Mr. Martin said approximately 17 acres have been annexed into the City and the three acres in the Township are the T. Carmichael tract and the Delco Water Tower tract. He said this property is being impacted because the northern 2.13 acres is presently being taken for the Home Road overpass. Mr. Martin indicated the location of the Delco driveway and said it will be eliminated soon because they will not be able to access Home Road due to the elevation. He said an ingress/egress easement has been granted so they may at all times have access to a new gate which will be constructed on the southwest corner of the Delco tract. Mr. Martin said Delco will retain the strip that goes to Home Road because there are major water lines which run through that area. He said the Delco tract will not be annexed into the City because it is a tax-exempt parcel and there are no employees based there. He said the T. Carmichael tract immediately to the west is the subject of litigation with the County.

Mr. Martin said the Golf Village Self Storage has developed a portion of the property as a gated self storage community with some outside storage. He said outlot A is in the process of being taken as a part

of the overpass. He said he respectfully disagrees with Ms. Guzzo that an initiative would be applicable to SubArea F. He read from the agreement to clarify his statement. He said per the CEDA, their property is subject to the Liberty Township Industrial code as it existed at the time of the agreement. Mr. Martin said they are not seeking any divergences or variances.

Commissioner Wiencek asked about the section that specifically refers to the right to rezone. Mr. Martin provided clarification. He said if they do not rezone, the property is zoned Township 2002 Industrial and is subject to all of those uses. Commissioner Wiencek said he believes those are two different issues. He said he interprets that they have the right to rezone if they think it is appropriate and the Commission will determine if it is appropriate. A lengthy discussion continued between Commissioner Wiencek and Mr. Martin.

Mr. Betz presented the Staff Report (Exhibit "E"). He described the uses which would be allowed within the industrial district. Commissioner Little asked if the application includes outlot B. Mr. Betz said both outlot A and outlot B are subject to this application. He said when the annexation occurred in 2002, a zoning map amendment was subsequently adopted for the area. Mr. Betz said that zoning map amendment applied Powell zoning districts to the area so the area indicated is Powell Planned Industrial with the Township Industrial standards from 2002. He said this information is in the packet under Tab A. Mr. Betz reviewed the uses which may be allowed under the zoning for this property. He said the Home Road overpass moves the road south which is why the take is so large and the right-of-way starts midway through the property. He said it is significantly higher in elevation and that will affect curb cuts and how this site may be accessed. Mr. Betz said as proposed, all of the Golf Village Development Standards will become effective upon approval. He said Staff recommends approval of the proposed Zoning Map Amendment.

Chairman Futryk opened this item to public comment.

Ms. Dugic asked why they want to rezone it and for what specific purpose do they want to rezone it.

Hearing no further comments, Chairman Futryk closed the public comment session.

Commissioner Wiencek said Council may not consider an annexation without having a development plan before them. He asked if that was true in the 2002 Township Zoning Code. Ms. Guzzo said they would require a plan. Mr. Betz said when the annexation occurred the City took this property in because they agreed to a Township Industrial zoning. He said the plan is SubArea F Development Standards. Commissioner Wiencek said the question before the Commission is "Does the risk of a negative industrial use outweigh the potential for an appropriate industrial use which has a lower use of City services?" A lengthy discussion continued regarding industrial uses and possible uses for this property.

**MOTION: Commissioner Little moved for approval of the request by Golf Village Self Storage, Ltd. for a Zoning Map Amendment for the property located at Woodcutter and Home Road defined as two parcels, referred to as outlot A excluding the northern portion currently being acquired for the Home Road Overpass Project and outlot B. The zoning map will be amended from Liberty Township Industrial District to Liberty Township Planned Commercial and Office District subject to Golf Village SubArea F restrictions. Commissioner Wiencek seconded the motion.**

**VOTE:                    Y   5                      N   0**

**ZONING MAP AMENDMENT AND SKETCH PLAN**

Applicant:            P & P Real Estate, LLC  
Location:             3434 Sawmill Drive  
Existing Zoning:     Liberty Township PC, Planned Commercial and Office District  
Proposed Zoning:   City of Powell PC, Planned Commercial District  
Request:              Zoning Map Amendment for 6.94 acres of property proposed for Annexation into the City of Powell for the existing Urban Active Fitness and undeveloped land.

Rob Meyer, Attorney, Porter Wright, Columbus, was present on behalf of the applicant, P & P Real Estate LLC. He said the applicant is the real estate arm of a firm named Global Fitness Holdings which had previously established Gold's Gyms in several states. He said in the past year and one-half they established their own entity as Urban Active Fitness. He said this site is 6.9 acres on the southeast corner of Seldom Seen and Sawmill Parkway, excluding the CVS property. Mr. Meyer said the acreage includes the Urban Active facility and part of the property which is set aside for potential retail development. He

said they are before the Commission for the Zoning Map Amendment and Sketch Plan for a retail center which should be a compatible design to the fitness facility. Mr. Meyer said the Delaware County Commissioners approved the annexation of this property on Monday evening. He said the proposal as submitted is the same as was submitted to the Township with two exceptions: a request to split the property so it may be developed as a separate parcel and a request for provision of a common access where the CVS connection is made to Seldom Seen Road. Mr. Meyer said they hope to have the zoning and acceptance of the annexation by the City occur at the same time. He said once they procure the lot split they will come back with their vision for the remainder of the retail development on the property. Mr. Meyer said the owner/applicant looks forward to being a part of the community.

Mr. Betz presented the Staff Report. He said the CEDA Review Committee met prior to this meeting to make non-binding recommendations to the Commission. He said the Review Committee had two items of concern: (1) be sure that when the lot split happens there are cross-access agreements so parking can be shared by both buildings; and (2) the grading by the entrance at Sawmill Drive is a steep grade and they will need to be sure the grading can be done so the building will fit as proposed. Mr. Betz said the future retail center is shown at over 14k sq. ft. He said there is an initial color elevation included in the packet. He said the annexation includes the rights-of-way for the interior streets of Sawmill Drive and Bunker Street. Mr. Betz said Staff recommends approval of the Zoning Map Amendment with the conditions that the annexation is approved by City Council and that the concerns of the CEDA Review Committee are addressed at the time of Final Development Plan of the retail center. He said Staff also asks that the applicant be permitted to submit a Combined Preliminary and Final Development Plan as their next submittal.

Mr. Meyers said the applicant will need to provide a better level of detail for a full review at the next submittal. He said he agrees this design works well with the Urban Active center on the other portion of the lot. He said the design should be four-sided. Mr. Meyers said the applicant will need to provide more information about utility placement and dumpster location on the site. He said he admires that this building design addresses the issue of scale. He said the center portion breaks the façade proportionally. He said the general site plan and concept is very positive.

Chairman Futryk opened this item to public comment. Hearing none, he closed the public comment session.

Commissioner Hrivnak asked for clarification about the annexation. Mr. Betz said there is a 60-day waiting period before it comes to Council. He said Council will consider the zoning and annexation at the same time. Commissioner Emerick said he looks forward to seeing detailed plans. Commissioner Little asked about the LCIFA. Mr. Betz said the property owner declined to join the LCIFA. Mr. Meyer said they researched the district and this site is essentially built and improved. Mr. Betz said the roadway and the sanitary sewer, which are the major part of the infrastructure improvements, were not paid for by the LCIFA. Commissioner Wiencek asked if CVS has a problem with the additional access. Mr. Betz said it was originally planned but then removed from the plan.

**MOTION: Commissioner Little moved to approve the request by P & P Real Estate, LLC for a Zoning Map Amendment from Liberty Township PC, Planned Commercial and Office District to City of Powell PC, Planned Commercial District for the property located at 3434 Sawmill Drive, subject to the following conditions:**

- 1. When the lot split occurs, there shall be cross-access and parking share agreements in place.**
- 2. The grading at the entrance off of Sawmill Drive shall be confirmed by the City Engineer at the Final Development Plan.**
- 3. The approval is subject to approval of the property's annexation into the City of Powell by Powell Council.**
- 4. The concerns of the CEDA Review Committee shall be addressed at the Final Development Plan.**
- 5. Approval of a Combined Preliminary and Final Development Plan by the Planning & Zoning Commission.**

**Commissioner Wiencek seconded the motion.**

**VOTE: Y   5   N   0**

**OTHER COMMISSION BUSINESS**

Mr. Betz said Dr. Conroy of The Ohio State University City & Regional Planning Department has requested that her Spring 2009 Studio Class use Powell as their focus for the quarter. He said they would start at the end of March and proceed for 10 weeks. He said they would conduct focus groups and work on issues such as policy, sustainability issues, and economic development. Mr. Betz said it would be a good time to discuss updating the Comprehensive Plan as well as working on the goals as set by City Council. He said this will be more intensive for Staff but will provide free consulting work from people with fresh ideas.

**ADJOURNMENT**

The meeting was adjourned at 10:19 p.m.

**DATE MINUTES APPROVED: March 11, 2009**

\_\_\_\_\_  
Kevin Futryk  
Chairman

Date

\_\_\_\_\_  
Susie Ross  
City Clerk

Date