

**PLANNING COMMISSION
MOTION SUMMARY
September 2, 2015**

ITEM 1. Roll Call

Chairwoman Keller called the Planning Commission meeting to order at 7:00 p.m.

Members Present: George Mantzoros, Jim Halter, Colleen Tucker-Buck, Adam Lemke, Dean Prall, Vice-Chairman Stacy Simpson, and Chairwoman Lisa Keller

Staff Present: Bruce Pijanowski, Police Chief, Matt Weber, Deputy City Engineer, Jennifer Stachler, Assistant City Engineer, Dave Efland, Planning and Community Development Director, and Lance Schultz, Zoning Administrator

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on August 5, 2015, as recorded and transcribed.

Motion: Mr. Halter moved to approve the Motion Summary for the July 1, 2015 meeting, seconded by Vice-Chairman Simpson. Motion passed by a 7-0 vote.

ITEM 3. REGULAR BUSINESS

A. Delaware County Courthouse

- (1) 2015-1550: A request by the Delaware County Board of Commissioners for approval of a Rezoning Amendment from R-3 (One Family Residential District) to B-2 (Central Business District) with Text Limitations for a New County Courthouse located at 110 North Sandusky Street just south of the Hayes Building on approximately 1.99 acres.
- (2) 2015-1551: A request by the Delaware County Board of Commissioners for approval of a Combined Preliminary and Final Development Plan for a New County Courthouse located at 110 North Sandusky Street just south of the Hayes Building on approximately 1.99 acres and zoned B-2 (Central Business District) with Text Limitations.
- (3) 2015-1552: A request by the Delaware County Board of Commissioners for approval of a Street Vacation for Marshall Court right-of-way and right-of-way along the southeastern portion of the site for a New County Courthouse located at 110 North Sandusky Street just south of the Hayes Building on approximately 1.99 acres and zoned B-2 (Central Business District) with Text Limitations.

Anticipated Process

- a. Staff Presentation

Mr. Schultz reviewed the zoning map, and provided an aerial photograph of the site location. Demolition plans and the proposed site plan were reviewed. Also reviewed were the parking plans, access plans and building elevations.

- b. Applicant Presentation

APPLICANT:

Tom Potts,
405 Capital Street
Charleston, West Virginia

- c. Public comment (public hearing)

There was no public participation.

- d. Commission Action

Motion: Mr. Halter moved to approve 2015-1550, along with all staff recommendations and conditions, seconded by Vice-Chairman Simpson. Motion approved by a 7-0 vote.

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B. 2015-1305: A request by Redwood Acquisitions, LLC, for approval of a Final Development Plan for Phase 2 of The Preserve at Quail Pass for 141 single story apartment units on 22.35 acres located on the south side of Mill Run Crossing between the City Wetland Park and Glenn Road.

Anticipated Process

- a. Staff Presentation

Mr. Schultz provided a presentation that included zoning map and location map. Mr. Schultz reviewed the Approved Preliminary Development Plan, and modifications for Phase 2 compared to Phase 1. Mr. Schultz reviewed the Final Development Plan for Phase 2. Landscaping plan and retention pond plans were reviewed, as well as discussion of the Glenn Road connection.

b. Applicant Presentation

APPLICANT:

John Lateulere
23775 Commerce Park Dr., Suite 7
Beachwood, Ohio

Mr. Lateulere discussed the project rent cost and flat rate water consumption.

c. Public comment (no public hearing)

There was no public participation.

d. Commission Action

Motion: Vice-Chairman Simpson moved to approve 2015-1305, along with all staff recommendations and conditions, seconded by Mr. Lemke. Motion approved by a 7-0 vote.

Speedway Case will not start before 7:45 pm

Chairwoman Keller called for a recess at 7:33 p.m. Chairwoman Keller reconvened the meeting at 7:45 p.m.

C. 2015-1511: A request by Speedway LLC for approval of a Preliminary Development Plan for an approximate 4,608 square foot Speedway Gas Station and Convenience Store on approximately 12.912 acres located on the northwest corner of US 23 North and Hills Miller Road on property zoned B-4 (General Business District).

Anticipated Process

a. Staff Presentation

Mr. Efland reviewed the Preliminary Development Plan and provided a presentation that included the location map, zoning map, and a description of what uses are permitted under the current zoning. Mr. Efland reviewed the proposed site plan and provided information on the location of the permanent conservation easement proposed to be on the property. Mr. Efland reviewed the access site from U.S. 23 and Hills Miller Road, and provided information on the approved traffic study that was reviewed by the City and County Engineer and O.D.O.T. Mr. Efland discussed improvements to be made by the applicant to U.S. 23 and Hills Miller Road

Mr. Weber reviewed the approved traffic study and discussed the two access points. Mr. Weber discussed the predicted level of service that was provided in

the study for the year 2035 at the U.S. 23 and Hills Miller Road intersection.

Mr. Efland discussed the proposed bike path and pedestrian connectivity. Mr. Efland reviewed the site configuration, which included the plans for a convenience store and fueling bays for both diesel and vehicles.

Mr. Efland discussed signage of “No Overnight Parking”, and that this will be enforced by Speedway staff, as well as a condition for approval to allow the City of Delaware Police enforcement. Information was provided on the proposed signage plan at both access locations.

Mr. Efland reviewed the Preliminary Building Design and proposed tree removal and replacement plan. Mr. Efland provided information on the location of a major water line easement on the property. Mr. Efland discussed the shared backage road to allow for circulation around the site, and that this road will not be a public City street.

Mr. Mantzoros requested information on the possible placement of a flashing traffic sign. Mr. Weber will review the request.

b. Applicant Presentation

APPLICANT:

Christopher Warshaw
395 Springside Dr.
Akron, Ohio

Bryan Witt
500 Speedway Dr.
Enon, Ohio

Mr. Warshaw provided a presentation that included a review of the site plan, building elevations, landscaping plan, proceeds to the city tree fund, traffic study recommendations, alcohol and tobacco sales policy, and safety and security.

Mr. Halter questioned how staff will prevent overnight parking. Mr. Warshaw explained the lack of spaces to allow for parking. Mr. Whitt stated that staff will be instructed to contact local police for enforcement if necessary.

Mr. Prall requested if the conservation easement can be further extended into the west.

c. Public comment (no public hearing)

PUBLIC PARTICIPATION:

Robert Bohmer
Plassman, Rupp, Hagans, Newton & Bohmer
302 North Defiance St.
Archbold, Ohio

Mr. Bohmer stated that he represents some of the individuals opposed to the Speedway project and voiced his concerns regarding the conditions of the intersection of U.S. 23 and Hills Miller Road and the impact to the quality of life of residents on Hills Miller Road regarding the increase truck traffic.

John McGrail
268 Sylvan Dr.
Delaware, Ohio

Mr. McGrail addressed the Comprehensive Plan from 2003-2008 for future City growth north from Coover Road. Mr. McGrail discussed concerns regarding the traffic study and that the study underestimates traffic counts.

Jeanne Frentsos
333 Clear Run Road
Delaware, Ohio

Ms. Frentsos voiced her concerns on how the turn lane will impact Clear Run Rd, and concerns of drainage and environmental impact of runoff from Speedway.

Susan McGrail
268 Sylvan Dr.
Delaware, Ohio

Mrs. McGrail read a statement regarding impact on daycare, seniors, and schools. Mrs. McGrail voiced her concern that the CESO traffic study was completed when school was on summer break and that the traffic study needs to be recalculated to include this omitted traffic. Mrs. McGrail discussed the need for sidewalks for pedestrian safety.

Ted Heiskell
299 Sylvan Dr.
Delaware, Ohio

Mr. Heiskell voiced his concern with speed on U.S. 23 and those trying to make a left turn onto Hills Miller Road. Mr. Heiskell stated his concern on the truck refueling station.

Bill Bohmer
269 Sylvan Dr.
Delaware, Ohio

Mr. Bohmer provided an article from Frederick News-Post by Bethany Rodgers titled "Commission looks to prevent gas station from acting as truck stop."

Richard Lehner
2369 Troy Road
Delaware, Ohio

Mr. Lehner stated that he supports the installation of the fueling station as a truck driver and felt that will provide safer conditions for truck drivers to have a place to refuel, get food, and have a restroom break.

Andy Zarins
5565 Marysville Road
Ostrander, Ohio

Mr. Zarins voiced his concerns on the geometric design and poor quality of the traffic engineering study.

Bruce Gill
261 Kensington Dr.
Delaware, Ohio

Mr. Gill voiced his concern that Speedway will allow for trucks to layover.

Jonethan Sepelak
246 Tudor Dr.
Delaware, Ohio

Mr. Sepelak voiced his concern regarding the concept drawing that shows the backage road across the conservation area. Also, what are Speedways plan to prevent drivers from being struck on Hills Miller Road and what are the evacuation plans if there is an accident?

Mary Jo Blickenderfer
205 Sylvan Dr.
Delaware, Ohio

Ms. Blickenderfer voiced her concern over the location of the access point on Hills Miller Road and Speedways plan to make truck drivers obey traffic laws.

Chairwoman Keller requested a recess at 9:53 p.m. Chairwoman Keller reconvened the meeting at 9:58 p.m.

Mrs. Keller read into the record a text message from Councilman Chris Jones, clarifying the topic of his quote regarding Bruce Road and Hills Miller Road that was read by Mrs. McGrail.

Commission members addressed concerns to staff presented by the public participants.

Mr. Warshaw addressed the concern of traffic back-up, stating that site configured to prevent this from occurring and that front bays are for non-commercial vehicles only.

Mr. Efland addressed the location of the gateway to the City.

Mr. Witt discussed the use of the local law enforcement to enforce truck drivers to obey laws, and that Speedway will contact them if needed. Mr. Witt also stated that there is potential that trucks may drive on Hills Miller Road.

Mr. Weber addressed concern regarding storm water run-off and drainage and that Speedway must meet City code on storm water retention.

Mr. Weber reviewed the typographical error in the Executive Summary of the traffic summary and will revise for final copy. Mr. Weber reviewed the M.O.R.P.C website figures from 2014.

Chief Pijanowski discussed evacuation plans if a crash occurs.

Mr. Prall questioned Speedways ability to remove diesel truck refueling bays. Mr. Witt addressed his question and that Speedway anticipates the diesel fuel as the feasible project.

Mr. Efland reviewed the definition of a gas station in zoning codes.

Mr. Halter requested that staff determine the feasibility if no through truck traffic on Hills Miller Road is possible.

A discussion was held on making a condition of limited time that trucks can be in the parking lot.

Motion: Mr. Halter moved to add condition that no commercial, truck trailer, campers, or motor home traffic allowed on the property over two hours, seconded by Vice-Chairman Simpson.

Mrs. Tucker-Buck voiced her concern over the length of two hours and not one hour. Chairwoman Keller voiced a concern that any limitations allows for parking up to that designated time. Mr. Halter agreed to amend his motion to

state one hour.

Motion: Mr. Halter moved to add condition that no commercial, truck trailer, campers, or motor home traffic allowed on the property over one hour, seconded by Vice-Chairman Simpson. Motion approved by a 5-2 (Mantzoros, Keller) vote.

A discussion was held regarding limited hours for truck refueling. Mr. Witt to discussed this option with Speedway but stated that may be difficult to enforce.

d. Commission Action

Motion: Mrs. Tucker-Buck moved to table discussion of 2015-1511, until the next regular meeting, seconded by Mr. Mantzoros. Motion approved by a 4-3 (Prall, Lemke, Keller) vote.

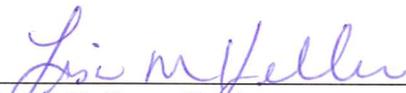
ITEM 4. PLANNING DIRECTOR'S REPORT

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

ITEM 6. NEXT REGULAR MEETING: October 7, 2015

ITEM 7. ADJOURNMENT:

Motion: Chairwoman Keller moved for the September 2, 2015 Planning Commission meeting to adjourn. The meeting adjourned at 10:33 p.m.



Lisa Keller, Chairwoman



Elaine McCloskey, Clerk