

**PLANNING COMMISSION
MOTION SUMMARY
April 6, 2016**

ITEM 1. Roll Call

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

Members Present: Robert Badger, George Mantzoros, Jim Halter, Dean Prall, Vice-Chairman Stacy Simpson, and Chairwoman Lisa Keller

Members Absent: Colleen Tucker-Buck

Staff Present: Matt Weber, Deputy City Engineer, Jennifer Stachler, Assistant City Engineer, Lance Schultz, Zoning Administrator, and David Efland, Planning and Community Development Director.

Motion: Mr. Prall moved to excuse Ms. Tucker-Buck, seconded by Mr. Badger. Motion approved by a 6-0 vote.

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on March 2, 2016, as recorded and transcribed.

Motion: Mr. Halter moved to approve the Motion Summary for the March 2, 2016 meeting, seconded by Mr. Mantzoros. Motion approved by a 6-0 vote.

ITEM 3. REGULAR BUSINESS

A. 2016-0697: A request by the City of Delaware for approval of Amendments to Chapter 1151.02 (Nonconforming Buildings or Structures) and 1151.03 (Nonconforming Use of Buildings and Land) of the Planning and Zoning Code to revise regulations related to nonconforming use of buildings, structures and land.

Anticipated Process

a. Staff Presentation

Mr. Schultz presented and reviewed the current code.

b. Applicant Presentation

c. Public comment (public hearing)

PUBLIC COMMENT:

Gloria Wright
20 Lewis Street
Delaware, Ohio

d. Commission Action

Motion: Vice-Chairman Simpson moved to approve 2016-0697, along with all staff recommendations and conditions, seconded by Mr. Badger. Motion approved by a 6-0 vote.

- B. 2016-0631: A request by Sawmill Delaware Investments LLC for approval of a Rezoning Amendment to the existing M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) at 2663 Airport Road (parcel #419-220-02-003-000) on approximately 47.558 acres.

Anticipated Process

- a. Staff Presentation

Mr. Efland provided a presentation that included photographs of the site and zoning map.

- b. Applicant Presentation

APPLICANT:

Amy Biondi-Huffman
8400 Industrial Parkway
Plain City, Ohio

- c. Public comment (public hearing)

There was no public comment.

- d. Commission Action

Motion: Mr. Prall moved to approve 2016-0631, along with all staff recommendations and conditions, seconded by Mr. Halter. Motion approved by a 6-0 vote.

- C. 2016-0518: A request by Shorty's Casual Cuisine for approval of a Conditional Use Permit to construct a temporary outdoor patio at 554 West Central Avenue on approximately 1.1 acres on property zoned B-3 (Community Business District).

Anticipated Process

- a. Staff Presentation

Mr. Schultz reviewed the applicants request for a temporary outdoor patio. Mr. Schultz indicated that there are no changes to the access to the site. Mr. Schultz reviewed the proposed site plan, and informed the Commission that the applicant was agreeable to no outdoor patio music and limiting the hours of operation.

- b. Applicant Presentation

APPLICANT:

John Cordas
554 Central Avenue
Delaware, Ohio

Thom Ibinson
554 Central Avenue
Delaware, Ohio

Mr. Cordas agreed to reduce the patio area to 18 by 22 feet.

c. Public comment (public hearing)

There was no public comment.

d. Commission Action

Motion: Vice-Chairman Simpson moved to approve 2016-0518, along with all staff recommendations and conditions, seconded by Mr. Badger. Motion approved by a 6-0 vote.

D. Belmont Place

- (1) 2016-0488: A request by Glen Road Capital LLC. for approval of a Final Subdivision Plat for Belmont Place Section 2 consisting of 25 single family lots on 6 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop.
- (2) 2016-0492: A request by Glen Road Capital LLC. for approval of a Final Subdivision Plat for Belmont Place Section 3 consisting of 24 single family lots on 7.271 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop.

Anticipated Process

a. Staff Presentation

Mr. Schultz reviewed the approved Preliminary Development Plan and Plat and reviewed the design of houses and lot sizes. Information was provided on open space and park area.

b. Applicant Presentation

APPLICANT:

Kevin McColley
6689 Dublin Center Drive

Dublin Ohio

- c. Public comment (not a public hearing)

There was no public comment.

- d. Commission Action

Motion: Mr. Prall moved to approve 2016-0488, along with all staff recommendations and conditions, seconded by Mr. Badger. Motion approved by a 6-0 vote.

Motion: Mr. Prall moved to approve 2016-0492, along with all staff recommendations and conditions, seconded by Mr. Badger. Motion approved by a 6-0 vote.

- E. 2016-0503: A request by Fed One Dublin LLC for approval of a Combined Preliminary and Final Development Plan for an approximate 40,000 square foot addition to Midwest Acoust-A-Fiber on approximately 14.70 acres zoned M-2 (General Manufacturing District) located at 759 Pittsburgh Drive.

Anticipated Process

- a. Staff Presentation

Mr. Schultz reviewed the proposed site plan, building elevations, and landscape plan.

- b. Applicant Presentation

APPLICANT:

Amy Biondi Huffman
8400 Industrial Parkway Place
Plain City, Ohio

Patrick Bye
5161 York County Road
Columbus, Ohio

A discussion was held on installing a barrier at London Road curb cut to allow for emergency equipment access only.

- c. Public comment (not a public hearing)

There was no public comment.

d. Commission Action

Motion: Vice-Chairman Simpson moved to approve 2016-0503, along with all staff recommendations and conditions, seconded by Mr. Mantzoros. Motion approved by a 6-0 vote.

Chairwoman Keller requested a break at 7:54 p.m. Chairwoman Keller reconvened the meeting at 8:00 p.m.

F. 2016-0517: A request by Speedway LLC for approval of a Final 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).

--NOTE: Speedway Case will not start before 7:45 pm--

Anticipated Process

a. Staff Presentation

Mr. Efland provided a presentation that included the location and zoning map and aerial photographs. Mr. Efland reviewed the proposed site plan, open space, permanent conservation easement, pedestrian connectivity, and the bike path along the back access road. Mr. Efland also reviewed the proposed building elevations and tree replacement plan.

Mr. Efland read into the record an email from Bruce Gill that was received April 6, 2016 at 3:47 p.m. Mr. Gill voiced his concern over the concrete roadways and the effects to the road from truck traffic.

Mr. Efland reviewed the revised recommendations and staff conditions.

b. Applicant Presentation

APPLICANT:

Bryan Witt
5500 Speedway Dr.
Enon, Ohio

Christopher Warshaw
395 Springside Dr
Akron, Ohio

A discussion was held on the right-of -way design and Staff Recommendation 3.

Mr. Halter discussed Staff Recommendation 20, and recommended that outside merchandise sales should be limited. Mr. Witt recommended that a space be designated area for outside merchandise and have the area shielded from the public right-a-way. Mr. Efland recommended a corral on the north side of the building with a brick screen wall for the ice machine, propane tanks, and seasonal merchandise. The applicants voiced their agreement to the condition.

Chairwoman Keller voiced her concern regarding Staff Recommendation 22 limited parking to no longer than one hour, which could allow individuals to park for this amount of time. Mr. Warshaw discussed plan to have parking signage to state no overnight parking and discussed the proposed locations of the signage.

c. Public comment (not a public hearing)

PUBLIC COMMENT:

Dr. John McGrail
268 Silven Drive
Delaware, Ohio

Mr. McGrail discussed the current tree clearing procedure and no gravel was laid down to protect the road from heavy equipment. Mr. McGrail also requested area of the future plans of the conservation area and the access road that crosses in the middle of the wetlands. Mr. Efland discussed potential extension of access drive.

Jonethan Sepelak
246 Tudor Drive
Delaware, Ohio

Mr. Sepelak questioned the connection of the bike trail and the sidewalks. Mr. Sepelak voiced a concern on the trucks making turn on U.S. 23 to Hills-Miller. Mr. Sepelak voiced a question if Speedway could purchase the property next to the site to allow for overnight parking. Mr. Sepelak requested what the punishment would be if Speedway does not police large vehicles sitting overnight.

Chairwoman Keller addressed Mr. Sepelak concern regarding the practice to have bike trails and sidewalks to allow for future connectivity. Mr. Efland provided information on the adopted Bike Path Plan.

Mr. Weber addressed the concern regarding trucks to make the turn on Hills-Miller. Mr. Weber informed the Commission and the public that staff is working with the developer.

Mr. Efland described the code enforcement process and that Delaware Police

will be able to be contacted if needed.

Chairwoman Keller addressed the concern regarding Speedway to buy the property next to the site plan, and stated that would be between the property owner and the township.

Ms. Stachler addressed the stages of the tree clearing process.

d. Commission Action

Motion: Mr. Halter moved to approve 2016-0517, along with the revised 4/6/2016 staff recommendations and conditions, and add to condition 20 to state that “the outdoor merchandise (ice box, propane tanks, etc) shall be located on the north side of the building including improvement of 2 to 3 foot wall utilizing like materials of the building”. Mr. Prall recommended that an amendment to condition 20. Mr. Halter withdrew the motion.

Motion: Mr. Halter moved to approve the April 6, 2016 revised staff conditions and to change condition 20. A discussion was held on the need for a revision. Mr. Halter withdrew the motion.

Mr. Witt discussed the use of the ice machine and propane tanks to be placed in the front. Mr. Efland reviewed the recommended condition to have items placed on the north side of the building. No objections were raised by the Applicant.

Motion: Mr. Halter moved to approve 2016-0517 along with the 4/6/2016 revised staff recommendations and conditions and revision to condition 20 to read “the outdoor merchandise (ice box, propane tanks, etc) shall be located on the north side of the building with a 2 to 3 foot high wall that matches the building to screen the subject merchandise, seconded by Mr. Badger. Motion approved by a 6-0 vote.

ITEM 4. PLANNING DIRECTOR’S REPORT

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

Mr. Efland provided information to Mr. Mantzoros regarding the reviewed and approved plans by the Historic Preservation Commission to the former West End Grill property.

Mr. Badger discussed the improvements to Garage 26.

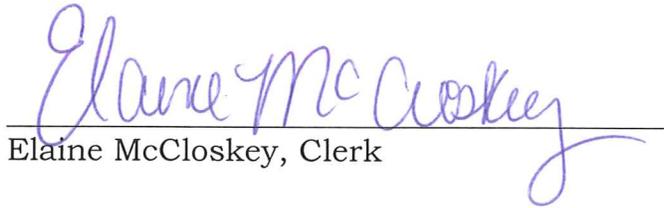
ITEM 6. NEXT REGULAR MEETING: May 4, 2016

ITEM 7. - ADJOURNMENT:

Motion: Chairwoman Keller moved for the April 6, 2016 Planning Commission meeting to adjourn. The meeting adjourned at 9:10 p.m.



Lisa Keller, Chairwoman



Elaine McCloskey, Clerk