



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, March 28, 2013 at 7:00 PM
Frank B. Willis Building, 2079 US 23 North, Conference Room,
Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of February 28, 2013 RPC Minutes
- Executive Committee Minutes of March 20, 2013
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

04-13 ZON Northgate Center Development LLC – Berkshire Twp. – 88 acres from A-1 to PCD
05-13 ZON Romanelli GW LLC – Genoa Twp. – 2.3 acres PI Development Plan Amendment

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
05-13	Panera Bread Bakery Café #4785	Berkshire	01 lot / 01.61 acres
06-13	Old Harbor Estates, Section 1	Berlin	41 lots / 26.27 acres
04-13	Carriage Cove	Liberty	03 lots / 08.18 acres

Preliminary/Final *(none)*

Final *(none)*

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- Executive Committee member Election

VII. POLICY / EDUCATION DISCUSSION

- The annual Development Trends report is available at www.dcrpc.org/files/dvtrend2013.pdf

VIII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman O’Brien called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlacek, Ric Irvine, Fred Fowler, Ken O’Brien, Steve Burke, Tiffany Jenkins, Gary Gunderman, Tom Hopper, Joe Clase, Dave Stites, Holly Foust, Tom Farahay, Bill Thurston, Charlie Callender, Bonnie Newland, Mike Dattilo, and Doug Price. *Alternates:* Larry Witt.
Arrived after roll call: Susan Kuba. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the February 28, 2013 RPC Minutes**

Mr. Burke made a motion to Approve the minutes from the last meeting, seconded by Mr. Sedlacek. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **March 20, 2013 Executive Committee Minutes**

1. **Call to order**

Chairman O’Brien called the meeting to order at 8:45 a.m. Present: Ken O’Brien, Dave Stites, Tiffany Jenkins, Susan Kuba and Jeff George. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from February 20, 2013**

Mr. Stites made a motion to Approve the minutes as presented. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. **New Business**

- Financial / Activity Reports for February 2013

REGIONAL PLANNING RECEIPTS		February	YTD TOTAL
General Fees (Lot Split)	(4201)	\$615.00	\$615.00
Fees A (Site Review)	(4202)	\$300.00	\$300.00
Insp. Fees (Lot Line Transfer)	(4203)		\$400.00
Membership Fees	(4204)	\$24,881.00	\$39,753.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$502.43
Assoc. Membership	(4206)		
General Sales	(4220)	\$46.79	\$46.79
Charges for Serv. A (Prel. Appl.)	(4230)	\$35,890.20	\$36,990.20
Charges for Serv. B (Final. Appl.)	(4231)		\$6,700.00
Charges for Serv. C (Ext. Fee)	(4232)		\$150.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$300.00
Charges for Serv. F (Planned District Zoning)	(4235)		
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)	\$1,250.00	\$1,250.00
MISCELLANEOUS REVENUE			

Other Reimbursements	(4720)		\$206.40
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$20.80	\$20.80
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$63,003.79	\$87,234.62

Balance after receipts	\$354,754.61
Expenditures	- \$ 21,136.71
End of February balance (carry forward)	\$333,617.90

After discussion of the financial reports, Mrs. Jenkins made a motion to approve the financial reports as presented. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- February RPC Preliminary Agenda
 - 1) Site Review:
 - Old Harbor Estates, Section 1 - Berlin Twp. – 41 lots / 26.27 acres
 - Old Harbor Estates, Section 2 – Berlin Twp. – 24 lots / 15.38 acres
 - 2) Rezoning:
 - Northgate Center Development LLC – Berkshire Twp. – 88 acres from A-1 to PC
 - Romanelli GW LLC – Genoa Twp. – 2.3 acres – development plan amendment - PI
 - 3) Variance: none
 - 4) Preliminary:
 - Panera Bread Bakery Café #4785 – Berkshire Twp. - 01 lot / 01.61 acres
 - Old Harbor Estates, Section 1 - Berlin Twp. - 41 lots / 26.27 acres
 - Carriage Cove – Liberty Twp. - 03 lots / 08.18 acres
 - 5) Preliminary/Final: none
 - 6) Final: none
 - 7) Extension: none

- Director’s Report
 - 1.) Liberty Twp. and Sunbury – continuing contract work
 - 2.) Summons received for Ford Road property. Contacted Prosecutors office and was told the RPC office was notified only due to the area in question being a CAD. Mr. Sanders would contact Mr. Hochstetler to see what the office response should be.
 - 3.) Go Healthy – Built Environment discussion group hosted officials from Washington.
 - 4.) Information discussion regarding possible development near Shanahan and Heritage schools.
 - 5.) Xerox copier – sales department at Key Blue prints suggested the copier could be valued at \$500. Copier does need repair but seems to be minor. Mr. Sanders suggested offering to Township/Municipality members at valued cost. Then staff will contact Facilities for the auction process, if no response.

4. **Old Business** (none)

5. **Other Business** (none)

6. **Personnel**

- Director Evaluation

At 9:50 a.m. Mr. Stites made a motion to go into Executive Session for Consideration of Appointment, Employment, Dismissal, Discipline, Promotion, Demotion Or Compensation Of A Public Employee Or Public Official per ORC 121.22 (G). George seconded the motion. Roll call: Mrs. Jenkins aye, Mrs. Kuba aye, Mr. O'Brien aye, Mr. Stites aye and Mr. George aye. Motion carried.

At 1040 a.m., Mr. George made a motion to go back into regular session. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Chairman O'Brien and Mr. Sanders signed the Director's evaluation.

7. Adjourn

Having no further business, Mrs. Jenkins made a motion to adjourn the meeting at 10:41 a.m. Mrs. Kuba seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, April 17, 2013 at 8:45 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.

- **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

04-13 ZON Northgate Center Development LLC – Berkshire Twp. – 88 acres from A-1 to PCD

I. Request

The applicant, Northgate Center Development LLC on behalf of the owners, K. Tanaka and Sivad Construction Co., is requesting an 88-acre rezoning from A-1 to PCD to allow for freeway-oriented retail. Developer Patrick Shivley, in partnership with Craig Realty Group, proposes to develop a 353,000 s.f. outlet mall and supportive ancillary commercial uses located on the east side of Interstate 71, near U.S. 36/S.R. 37.

II. Conditions

Location: west side of South Galena Rd., between SR 37 East and Cheshire Rd.

Present Zoning: Agricultural (A-1)

Proposed Zoning: Planned Commercial and Office (PCD)

Present Use(s): Agricultural

Proposed Use(s): Freeway-oriented retail

Existing Density: 1 du / 5 acres

Proposed Density: N/A

School District: Big Walnut Local School District

Utilities Available: Del-Co Water and proposed sanitary sewer

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Process

The Berkshire Township Zoning Resolution allows an applicant to file a Preliminary Development Plan which requires basic detail to be provided while initiating the rezoning process. If approved, the applicant will subsequently file a Final Development Plan which provides additional detail defining how and when the site will be developed.

IV. Comprehensive Plan

The 2008 Berkshire Township Comprehensive Plan designates this area for future Planned Industrial uses, with Planned Commercial directly to the north. Recognizing that the convergence of I-71 and U.S. 36/S.R. 37 provided a prime location for commercial and industrial development, the Plan places potential non-residential uses on both sides of the Interstate from the old weigh station north. Those Industrial and Commercial designations were made prior to the recent discussions related to the reconfiguration of the interchange and the need for an additional bridge across the Interstate.

ODOT is currently in the process of determining whether improvements will occur to the north of the existing bridge or to the south. If the interchange is reconfigured in such a way that there is a new bridge near this location, the site would be better suited for a mix of commercial, office, and industrial, or strictly commercial/retail. Therefore, the proposal generally conforms to the plan with regard to use, given the changes that have occurred and have been planned after original adoption of the Comprehensive Plan.

V. Road Network and Access

The Development Plan indicates two future roads near the site. Wilson Road connects the project directly with 36/37 and Sunbury Parkway connects the development to S. Galena Road. The Wilson Road extension is shown on the Berkshire Township Comprehensive Plan and has been identified for some time as a necessary connection through this large “superblock” of undeveloped land connecting 36/37 to Cheshire Road. Additionally, the Wilson Road extension has become an important piece of the overall proposed network, should a new bridge be constructed to the south of the existing 36/37 bridge. The residential development to the south of this site has accommodated the extension of Wilson Road in its Preliminary Plan and has committed to dedicate an easement through the property.

If the interchange improvements are made on the south side of 36/37, the new bridge will likely become a major east/west route that would continue east toward Sunbury. For this reason, this road has appeared on several planning documents as “Sunbury Parkway” and is projected to be a five-lane section. This road is located just north of this rezoning plan which shows the road’s continuation toward S. Galena Road.

Generally, the Development Plan acknowledges that these roads need to be built. Specifically, the plan states that the development will take access from South Galena Road “until planned future roadway improvements are made.” There is no specific commitment to whether this access is Sunbury Parkway or whether its full width would be built with this project or whether a portion of its width would be built and the remaining right-of-way

dedicated. Also, if this becomes the exclusive access to the site (even if temporarily), the intersection with S. Galena Road will need to be improved to accommodate the additional traffic there. Improvements would likely be needed along portions of S. Galena Road and its intersection with 36/37.

Although the extension of Wilson Road is referenced in the plan, there is no documentation provided to suggest that the applicant has the ability to extend the road to 36/37, thus providing a more reasonable access. Based on the comments above, utilizing South Galena Road is not feasible as a single access, even if it is only for a temporary period. A development of this size and at this location needs direct access to 36/37 the north.

Additionally, the proposed route of Wilson Road has been negotiated with the property to the south of this development (Estates at Cheshire, Section 2). That developer has committed to dedicating an easement for the future extension of Wilson Road at the western end of their development. This places the road just south of the proposed outlet buildings. The site will either need to be reconfigured to allow Wilson Road to sweep farther west than shown on the drawings, or additional negotiations will need to take place with the developer to the south.

Some of these details will become clearer as the various traffic studies progress. However, the township should expect some additional information on the timing and commitment of the developer to building these roads, particularly at the Final Development Plan phase. The platting process will ensure that appropriate infrastructure is in place prior to construction or occupancy.

VI. Utilities

Utilities are referenced, but there are no letters included. The application states that sanitary sewer is available from a 10” line on the north side of 36/37. Although the subject site is located in a sewer service area, the Sanitary Engineer’s office indicates that the actual line will need to come from the west, near the intersection of 3 B’s and K Road and Sherman Road on the west side of the Interstate. This will require easements and agreements with other landowners. Water service is also expected from a line north of the property. This is more feasible but will require easements across properties to the north, if none exist at this time.

VII. Design

The application indicates a central building surrounded by parking accessed with two roads extending from the extension of Wilson Road. These roads appear to form out lots or future parking expansion but there is no reference to either of those items. A central “building” houses the outlet mall itself, which is oriented toward the Interstate. Based on the architectural drawings and photographs from a similar development, the outlet structure is actually four separate buildings bisected with pedestrian walkways. These walkways are covered with a glass-top atrium. The effect is an outdoor mall protected from weather. Enclosed service and parking is provided in two areas with a maintenance area on the western side of the building.

A. Parking lot design and general layout

Ample parking is provided but at this scale and level of detail it is difficult to know if it sufficient or excessive. The Zoning Code requires 5 spaces per 1,000 s.f. of leasable space. It is clear that this is a building in the center of a sea of parking, a model that current retail trends seem to be moving away from. From a design standpoint, it would be preferable if the out-lots were configured in a way that integrated them into the design, possibly along the spine road leading to the entrance, rather than forcing them out to the edge of the parking lot.

From an environmental standpoint, the parking lot and roof seem to collect all stormwater and deposit it into the large conceptual detention ponds. This site has the potential to utilize best management practices when it comes to stormwater management. Bio-retention areas and other forms of pretreatment, as well as different pavement types could be used to create a model location for Low

Impact Design approaches.

Given the previous comments on the routing of Wilson Road, the overall site plan may be better designed by rotating the building and curving Wilson Road to the west, adding sidewalks and street trees with well-marked crossings at appropriate locations.

B. General walkability

The application shows no detail for the road design, which would otherwise indicate pedestrian and bike facilities. The network roads should have, at minimum, a sidewalk on each side. Ideally the sidewalk on one side would be a multi-use path separated from the road, particularly along Sunbury Parkway and Wilson Road. County and Township plans indicate a need for east/west bikeway connections which would be difficult to achieve along 36/37 or Cheshire Road. Sidewalk and bikeway connections will also be important as additional development occurs to the east (not a part of this application).

Internally, the parking plan does not indicate any unique features for gathering pedestrians and delivering them safely to the main entrances. Such routing would align with well-marked crosswalks and ADA-compliant ramps near the main entrances.

C. Outlots and Future Development

One page of the Development Plan indicates additional “future development” to the east. While this is not a part of the current plan, it does fulfill a requirement to show how the proposal relates to existing and future development. It will be critical that this future development relate to the mall property in a walkable, pedestrian-friendly way, rather than being developed as individual out lots with single uses on each property. Also, this future development appears to be outside the Sewer Service Area.

D. Woods

The design indicates that the site is located in a heavily wooded area along the Interstate. The site plan indicates that no existing trees are retained on the site. It is unfortunate that there appears to be no consideration given to retaining any of the natural vegetation of the site, since Central Ohio is not blessed with significant topography and other natural features. The Zoning Code requires that for the purposes of buffering, natural foliage shall be retained where practicable. The land to the south is zoned for large lot residential uses and the extension of Wilson Road will have a significant impact on the woods. Perhaps the reorientation as noted elsewhere in this report could provide buffering to the south and allow for the retention of some of the woods.

E. Signage

No specific signage plan is included, but signs must either conform to the specifications in the Zoning Resolution or be approved by divergence as “per plan.” It is reasonable that the applicant would not have a complete signage plan, since so much of the signage is dependent on the location of the new road accesses. The Township should avoid permitting additional tall signs, requiring natural materials and non-white backgrounds to reduce glare. Staff encourages ground signs. The applicant should note that off-premise signs (except for billboards as permitted) are prohibited.

F. Stormwater

The proposed development site sits at a high point between the Alum Creek watershed and the Big Walnut watershed and carries very little off-site water through it. However, it is generally flat and wooded, which suggests that it is a wet site. It also forms the headwaters of the drainage area and the treatment of the drainage there is a critical part of health of both watersheds.

Stormwater management has been mentioned elsewhere in this report. The design shows several ponds, all of which are conceptual in nature. Ponds will likely have to be provided on both the east and west portions of the site, as the location drains to two different watersheds. This issue will need further study as the development proceeds and specific engineering will be required through the County Engineer's process. The site appears to have ample additional land on which to place detention areas, should they need to be moved. If the new bridge is built over the Interstate as shown on the submitted drawing, a north-bound exit ramp could be located where the northwestern detention pond is located. That pond will need to be modified if it is located in that area.

VIII. Divergence

One divergence has been requested for an extension of the Preliminary Development Plan approval period. The code allows for one year and the applicant is requesting two years of approval before a Final Development Plan would be required. **Staff comment:** *This is a valid request, given the significant nature of this proposal and the complex issues related to it, such as interchange modification and road design and construction.*

IX. Platting

In accordance with Section 15.09(G) of the Zoning Resolution and ORC 711.001, this project will require platting in accordance with the Subdivision Regulations. This process will ensure that the proper infrastructure is in place in a timely fashion prior to development being completed. The Applicant should note that a plat with the title "Northgate" already exists in the county.

X. Staff Recommendations

Staff recommends **Conditional Approval** of the application by Northgate Center Development LLC for the rezoning of 88 acres from A-1 to PCD to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, subject to the following:

1. *Determine the availability and feasibility of sewer service, along with agreements across affected property not related to this application.*
2. *Determine the availability and access to public water to the site.*
3. *Commitment to building an access from 36/37 to the site, along with agreements to utilize property not related to this application.*
4. *Adjust layout to allow for possible exit ramps at the new bridge and the proposed path of Wilson Road as it extends south from this site, while providing buffering and tree preservation.*
5. *Requested divergence for time extension of an additional year is reasonable.*

Further, based on the significance of this application, the Zoning Commission particularly should consider the following when reviewing the Final Development Plan, in addition to all other requirements:

1. *Addition of pedestrian facilities within parking lots and along any other new public or private streets.*
2. *Submission of a complete landscape, lighting, and signage plan.*
3. *Consideration of Best Management stormwater practices to reduce and pretreat stormwater runoff.*
4. *Continued involvement with the County Engineer's office and ODOT for right-of-way and easement needs which are in the process of being developed.*

Commission / Public Comments

Mr. Glen Dugger, attorney with Smith and Hale LLC was present to represent the applicant along with Ryan Bush of MS Consultants. Mr. Dugger stated that the applicant accepts the staff comments.

Mr. Burke asked if ODOT does not provide exit ramps to this location, would the applicant follow through with this location for the project. Mr. Dugger stated that they would. His opinion is that this southern location would have a greater impact.

Mr. Gunderman asked about the Wilson Road alignment. Mr. Dugger stated that he was not aware of the easement with the property owners to the south. They were using the Thoroughfare Plan in determining road alignment.

Mr. Clase made a motion to recommend Conditional Approval of the application by Northgate Center Development LLC subject to staff recommendations. Mr. Farahay seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

05-13 ZON Romanelli GW LLC – Genoa Twp. – 2.3 acres Planned Industrial Development Plan Approval

I. Request

The applicant, Vince Romanelli, on behalf of Romanelli GW, LLC, seeks to develop a Goodwill Store on an existing parcel in the Northgate Subdivision Plat. The project is proposed on one of the last remaining undeveloped parcels in the plat. It includes a 15,640 square foot warehouse/retail building and related site improvements. The project is zoned Planned Industrial, but this site did not previously include an approved Development Plan, so a Final Development Plan approval is being sought. The parcel has frontage on Northgate Way, a 30-foot-wide private drive which connects State Route 3 with Maxtown Road and serves as a backage road to the Home Depot, Kroger, and other inline stores in the Maxtown (commercial) Subdivision.

The site plan indicates that the remainder of the site will be potentially developed with two additional Industrial buildings with related parking. Access to those areas will be provided through the Goodwill site. That area is not part of this application.

II. Conditions

- Location:** Between 7101 and 7159 Northgate Way, Genoa Township
- Present Zoning:** Planned Industrial District (PI)
- Present Use(s):** single family residence
- Proposed Use(s):** Northgate Goodwill
- School District:** Westerville School District
- Utilities Available:** Del-Co Water and central sanitary sewer systems
- Critical Resources:** none
- Surrounding land uses:** commercial, industrial
- Soils:** UdB Udorthents, Clayey-Urban Land Complex

III. Issues

1. Use: The proposed warehousing use is permitted in the Planned Industrial and Warehouse District, as is processing and packaging. The applicant is presenting the retail portion of the site as an incidental use as permitted in the Permitted Accessory Uses section.

Staff Comment: This is a reasonable request, although the retail use likely represents the majority of the traffic and activity on the site rather than an incidental use. However, the site's location on Northgate Way indicates that a retail use

is acceptable.

2. Access: As previously stated, Northgate Way is a private, two-lane road that provides access and serves as a backage road for the Maxtown Subdivision.

Staff Comment: *The two proposed accesses are each adjacent to existing accesses. Also, one access is approximately 82 feet from an “intersection” with a Home Depot access road and the other is 55 feet from a similar intersection. This creates potential traffic conflicts at each access point along the road. One or both entry points could be shared access with an existing driveway, or the site could be accessed at a single point in the center of the site. Staff recommends the applicant and Township work with the Engineer’s office to review appropriate access.*

3. Fire Safety: The Fire Department has submitted a review letter stating that the current parking layout does not meet the standards of a “fire access road.” This can be met with either a reconfigured layout or an additional standpipe location within the building.

Staff Comment: *Continue working with the Fire Dept. to determine the most appropriate way to meet this requirement. Reconfiguring the fire lane may result in improving access.*

4. Divergences: The applicant is requesting divergences for this project:

- a.) Request for a directional sign for the building canopy to be no more than 22 square feet and internally illuminated. Sign will assist in directing customers to the drop-off location.

Staff Comment: *This is probably a reasonable request, but depends on the size. An illustration is not included with the application, so it is difficult to judge the overall sign scheme.*

- b.) Request to allow a second identification sign for each building in the development in the form of externally-illuminated “pin letter” on the face of a masonry monument sign at the shared ingress-egress drive to the development.

Staff Comment: *This also sounds like a reasonable request, given the shared nature of the overall site. Application does not seem to show the location of these additional signs. Request should be judged based on the overall sign scheme.*

- c.) Request to allow landscape up-lighting on the front wall. Lights will be turned off when the store is closed.

Staff Comment: *Reasonable request, as long as the lighting is low-wattage as indicated in the application and does not shine beyond the building.*

- d.) Request to allow light poles to be 5-feet taller than allowed in the code, or 30’ instead of 25’, thus reducing the number of individual poles.

Staff Comment: *This may be reasonable, as it is unlikely to impact residential development, the closest of which is 1,255 feet to the east. However, the height of other light poles in the area should be taken into consideration. The elevation drawings of the building indicate that it will be 22 feet in height, making the requested pole height 8 feet taller than the building.*

IV. Staff Recommendations

Staff recommends **Conditional Approval** of this 2.3-acre Final Development Plan for Romanelli GW LLC to

the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees, *subject to:*

1. *Work with the County Engineer staff to review the access points;*
2. *Amend the plan to address the Fire Department concerns;*
3. *Review the overall sign scheme to determine whether the additional signage is appropriate; and*
4. *Recommend denial of the light pole height increase unless other poles in the area are of similar height.*

Commission / Public Comments

Mr. David Blair with Ford Architects was present to represent the applicant along with Mr. Jason Hockstok with Advanced Civil Design.

Mr. Farahay made a motion for Conditional Approval of the Final Development Plan for Romanelli GW LLC, subject to staff recommendations. Mr. Stites seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

05-13 Panera Bread Bakery Café #4785 – Berkshire Twp. - 01 lot / 01.61 acres

I. Conditions

Applicant: MTB Development Co.
Subdivision Type: Commercial
Location: south of US 36/SR 37, east of Four Winds Drive
Current Land Use: Vacant
Zoned: Planned Commercial and Office (PCD)
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: Jeff Shetler, MS Consultants

II. Staff Comments

This is a single-lot commercial plat on an existing cul-de-sac for the purpose of constructing a Panera Bread Bakery Café along U.S. 36/S.R. 37. The site is accessed via Four Winds Court, an existing cul-de-sac. This allows access to the signalized intersection at Four Winds Drive. There is no direct access to 36/37. The parcel does not touch the Four Winds Court right-of-way based on an agreement with ODOT to allow the restaurant (and the White Castle to the west) to place logos on a sign next to Interstate 71. The two restaurants will share an easement across the MTB property, which owns contiguous property from that point to the sign.

The site improvement will include the restaurant with drive-thru, parking area, and a small driveway to an overflow parking and outdoor dining area. This parking and dining area places the restaurant improvements within the distance required to allow Panera to have a logo on the sign. A small walkway has also been provided from the parking lot to the western White Castle site.

A technical review was held on March 19, 2013, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Panera Bread Bakery Café #4785** to the DCRPC.

Commission / Public Comments

Mr. Jeff Shetler with MS Consultants along with Mr. Jim Schmidt of MTB were present to answer questions from the Commission.

Mr. Clase made a motion for Preliminary Approval of Panera Bread Bakery Café #4785. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

06-13 **Old Harbor Estates, Section 1 – Berlin Twp. - 41 lots / 26.27 acres**

I. Conditions

- Applicant:** Rollin Kiser & Carl Gioffre
- Subdivision Type:** Single Family Residential
- Location:** west side of South Old State Rd., between Hollenback and Peachblow Roads
- Current Land Use:** Single Family residential
- Zoned:** Planned Residential District overlay on R-3
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** John Wicks, RPDD

II. Staff Comments

Old Harbor Estates is a 41-lot subdivision on 26.27 acres on South Old State Road north of Hollenback Road in Berlin Township. It is being developed as a Planned Residential District overlay on R-3. An existing house and outbuildings will be removed as part of construction.

The plan consists of a main entrance from S. Old State Road with a road to the northeast ending in a cul-de-sac (Regatta Court), and an additional cul-de-sac to the northwest (Cardinal Court). Turning to the south, the road continues as Mainsail Drive ending in a cul-de-sac to the east. A road extends to the south (Topsail Drive) stubbing to the southern property for future extension. Open space is provided along the stream, surrounding two detention areas, and along S. Old State Road in the southwest corner of the site. The applicant plans to continue this subdivision to the south (Section 2), connecting it to Hollenback Road as provided in the rezoning. Road design has taken the overall development into consideration.

The property is surrounded to the north and east by USA Lands which encompass the Alum Creek Reservoir Park area. Undeveloped land and a large lot residence is located to the south. Various residential and boat storage properties lie to the west across S. Old State Road. Improvements to S. Old State Road include a southbound left turn lane into the subdivision and related widening, tapering, and ditch improvements.

A technical review was held on March 19, 2013, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Old Harbor Estates, Section 1** to the DCRPC.

Commission / Public Comments

Mr. John Wicks with RPDD was present to represent the applicant.

Mr. Price made a motion for Preliminary Approval of Old Harbor Estates, Section 1. Mr. Farahay seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

04-13 **Carriage Cove – Liberty Twp. - 03 lots / 08.18 acres**

I. Conditions

- Applicant:** Cheryl House and Michael Stein
- Subdivision Type:** Single Family Residential with a Common Access Driveway
- Location:** south side of Carriage Road
- Current Land Use:** Vacant
- Zoned:** Farm Residential (FR)
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** John Wicks, RPDD

II. Staff Comments

Carriage Cove is a three-lot subdivision utilizing a Common Access Driveway to access Carriage Road. Lot sizes are 5.080 acres, 1.527 acres, and 1.513 acres. The zoning is Farm Residential, where the minimum lot size is 1 acre. The site includes a 7.708 unplatted lot and a 0.471-acre lot which is a Reserve in the Westchester Subdivision Corrected plat, which was recorded on 11/11/1969. The 7.708-acre parcel is a residual from a much larger tract that included land to the west with frontage on Liberty Road. When the Deseret Subdivision was platted, this piece remained. The County’s appraisal system indicates that the developer of Deseret had owned both the unplatted parcel and the small Reserve since at least 1982. There is no evidence that the Reserve was either platted or zoned in such a way that limited its use to Open Space.

Because the 0.471-acre Reserve is part of an existing plat, notice was sent to all owners within the Westchester Subdivision, as regulated by the Subdivision Regulations. Parcels to the east and north are ~1.5 acres in size, parcels to the west are ~1.6 and 1.7 acres in size and the large parcel to the south is 9.124 acres. Based on frontage requirements in the Liberty Township Zoning Resolution, this project was heard before the Board of Zoning Appeals, at which point revisions were made to the number of lots and lot sizes. There was precedence for this, as a different Reserve in Westchester just west of 1975 Carriage Road, was resubdivided to allow access to two lots known as the Canterbury Estate Lots.

The Common Access Driveway Maintenance Agreement will be recorded and the CAD built before the plat will be signed.

A technical review was held on March 19, 2013, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Carriage Cove** to the DCRPC.

Commission / Public Comments

Mr. John Wicks with RPDD was present to represent the applicant. He stated that the applicant is moving forward on building the CAD.

Mr. Burke asked where the sewer would come from. Mr. Wicks stated that sewer runs across the northwest lot and that a force main would be used for the two eastern lots.

Mr. Farahay made a motion for Preliminary Approval of Carriage Cove. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

Final (none)

V. EXTENSIONS (none)

VI. OTHER BUSINESS

- Executive Committee member Election

Mr. Clase with the Nominating Committee made a motion to nominate Dave Stites, Susan Kuba, Jeff George and Tiffany Jenkins to the Executive Committee for 2013-2014. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION

- The annual Development Trends report is now available at www.dcrpc.org/files/dvtrend2013.pdf

VIII. RPC STAFF AND MEMBER NEWS (none)

Having no further business, Mr. Price made a motion to adjourn the meeting at 7:47 p.m. Mr. Farahay seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, April 25, 2013, 7:00 PM at the Delaware County Commissioners offices, 101 N. Sandusky St., Meeting Room, Delaware, Ohio 43015.

Ken O'Brien, Chairman

Stephanie Matlack, Executive Administrative Assistant