

**GENOA TOWNSHIP  
ZONING COMMISSION  
JANUARY 14, 2008**

PRESENT:                    Scott Downing, Chair  
                                  Jo McIntosh  
                                  Bill Jackson  
                                  Leo Wilhelm  
                                  Sandra Faulkner, Alternate

ALSO PRESENT:            Joe Clase, Zoning Inspector  
                                  Brad Cothorn, Alternate

RE:                            ZC 2007-10, DA Coffee

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Mr. Downing called the meeting to order at 7:00 p.m.

**OLD BUSINESS**

**ZC 2007-10, DA Coffee**

This hearing began at 7:01 p.m.

Mr. Downing stated that this was a continuation of a hearing held November 19, 2007. He directed everyone to sign the sign-in sheet being circulated and directed everyone who wished to speak at this hearing to stand and be sworn in by the Zoning Secretary.

Tim Decker, applicant's architect, appeared and presented the revised application to the Board. David Disbrow appeared and assisted in the presentation of this matter. Mr. Decker stated that since the previous hearing, they have noted in their revised plans that the proposed hours of operation are 6:00 a.m. until 6:00 p.m., seven days a week. Mr. Decker also stated that at the previous hearing there was a concern expressed as to the height of the eaves of the building and whether or not height bars should be added to the drive-thru windows to prevent larger vehicles from hitting the building. He noted that Applicant could put up a notification sign on the drive-thru to prevent larger vehicles from entering but were not interested in putting in a height bar. Applicant is also proposing to add directional pavement markings to clearly identify the traffic pattern on the site, along with adding stop bars at the exit to the site.

Ms. McIntosh asked if applicant provided any specifics on color for the requested signage. Mr. Decker stated that applicant is proposing light red with white lettering for the street sign and white with black lettering on the 3-foot square menu boards.

Applicant will submit samples of that signage prior to the hearing before the Board of Trustees. At this time, applicant stated they are not proposing to back light the menu boards. Mr. Wilhelm asked if the Applicant wanted to reconsider requesting backlighting on the menu boards due to their proposed hours of operation. Mr. Disbrow stated he would like to keep that option open, so he will include that proposal with his next submittal prior to the Board of Trustee hearing on this matter.

Mr. Decker reviewed the requested divergences, as follows: (1) to permit changeable copy on the signage; (2) to permit a second identification wall sign; and (3) a reduction of the required impervious coverage for the entire Home Depot lot (Applicant is not yet sure if this divergence is needed, but they are including it at this time.)

Public Comment:

Joan Derstine (5481 Worthington Road)

Ms. Derstine stated her concern for an additional business being incorporated into the Northgate Plaza, citing the impact it will have on the already excessive traffic problems on that property. She also noted the proximity of all the coffee establishments in the area.

Board Comment:

Mr. Clase stated that with respect to the circulation pattern on that site he believes the addition of stop signs, stop bars and one-way arrows through the site are essential for the safety of the public visiting not only that facility, but for the safety of the entire site. He also advised that the proposed lighting wall packs should be shielded. After brief discussion, it was determined that the north wall pack did not need shielding, but that shielding needed to be added to east and south wall packs. Mr. Clase reminded the Applicant that all issues discussed at this hearing needed to be incorporated into their revised documents to be submitted prior to the Board of Trustees hearing.

Mr. Cothorn asked if applicant was going to submit a floor plan of the building. Although one is not required, applicant agreed to provide one to the Zoning Office. Mr. Cothorn also stated that he is not in support of the requested divergence for an additional identification wall sign on the east side of the building. Mr. Cothorn asked if the proposed maple tree on the south side would conflict with the existing pine trees. Mr. Decker does not believe that is an issue.

Mr. Jackson concurred with Mr. Cothorn regarding to the proposed identification sign on the west side of the building. With respect to the proposed three lanes for ingress and egress from the site, Mr. Jackson would like to see that decreased to two lanes, one for entering and one for exiting. The last set of pavement arrows should be eliminated and a stop bar added instead. Applicant agreed with this stipulation.

**Mr. Downing made a motion to consider #ZC 2007-10, Home Depot USA, Inc. as a major amendment to the Final Development Plan, causing this matter to be scheduled for a public meeting before the Genoa Township Board of Trustees. Motion was seconded by Mr. Wilhelm. Vote: all ayes. Motion carried.**

**Ms. Faulkner made a motion to recommend approval to the Genoa Township Board of Trustees a major amendment to the Final Development Plan of Home Depot USA, Inc., to allow construction of a drive-thru coffee shop on Lot 3460 of the Northgate Plaza, located at 5755 Maxtown Road, in Genoa Township's Planned Commercial (PD-2) Zoning District, Application #ZC 2007-10, with the following conditions:**

- 1. The lighted street monument sign and eastern facing wall sign shall contain white lettering with a red background;**
- 2. The changeable menu boards located on the north and south sides of the building shall be 3-feet by 3-feet in size, as stipulated by the applicant and shall be white with black lettering. They may, at the time of installation, as determined by the Applicant, to be backlit with such lighting only operable during the hours of operation of the facility;**
- 3. The wall packs on the east and south sides of the facility shall be shielded;**
- 4. The revised Architectural Site Plan will be submitted with placement and number of directional arrows, stop bar using the word "Stop", one-way text at the stop bar at the west entrance and such other signage as per plan;**
- 5. The floor plan for the prefabricated building shall be submitted to the Zoning Office and included with the materials for the Genoa Township Board of Trustees; and**
- 6. That only the development standard divergences specified in this application as summarized on page 3 of the application shall apply to this amendment approval.**

**The Applicant is required to meet all other obligations of the original Development Plan and any subsequently approved amendments that are not a part of this application.**

**A final and clean copy of all changes to the Final Development Text and Plans must be submitted to the Genoa Township Zoning Office prior to scheduling a hearing before the Genoa Township Board of Trustees.**

**Motion was seconded by Mr. Jackson. Roll call: Leo Wilhelm, aye; Sandra Faulkner, aye; Jo McIntosh, aye; Bill Jackson, aye; Scott Downing, aye. Motion carried unanimously.**

This hearing ended at 8:05 p.m.

Respectfully submitted,

Vicki Stainer  
Zoning Secretary

APPROVED BY:

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Scott Downing, Chairman

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Date

**GENOA TOWNSHIP  
ZONING COMMISSION  
JANUARY 14, 2008**

PRESENT:                    Scott Downing, Chair  
                                  Jo McIntosh  
                                  Bill Jackson  
                                  Leo Wilhelm  
                                  Sandra Faulkner, Alternate

ALSO PRESENT:            Joe Clase, Zoning Inspector  
                                  Brad Cothorn, Alternate

RE:                            ZC 2007-11, Silvestri Homes

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ZC 2007-11, Silvestri Custom Homes

This hearing began at 8:08 p.m.

Mr. Downing stated that this was a continuation of a hearing held November 19, 2007. He asked everyone to sign the sign-in sheet being circulated and directed everyone who wished to speak at this hearing to stand and be sworn in by the Zoning Secretary.

Dan Keiser, applicant's architect, appeared and presented the revised application to the Board. Carlo Silvestri also appeared and assisted in the presentation of this matter. Mr. Keiser stated that since the previous hearing the applicant has reduced the size of the proposed building to 10,650 square feet with 30 parking spaces. Eleven parking spaces proposed for the easement on the north side of the building have now been eliminated, which would also eliminate one of the prior requested divergences. On the west side of the property, applicant is proposing head-in parking with parallel parking on the south and east sides of the property.

The intended hours of operation are 8:00 a.m. until 5:00 p.m., Monday through Friday. At this time, potential tenants for this building have not been determined; therefore, applicant is uncertain what the hours of operation would be for those potential tenants. Mr. Keiser advised the Board that although they have proposed a loading zone for the building, that area will only be used for box trucks on an as-needed basis. There will not be any tractor-trailers using that loading zone.

Mr. Keiser stated that applicant is proposing ten 175-watt halite wall-mounted light fixtures, which are 175-watt halite fixtures on the exterior of the building. They

believe this proposal is sufficient for not only lighting purposes but also safety purposes as well. Applicant is proposing one 3' 8" by 5' 8" monument sign, with signage on one side only. This sign would be illuminated from the ground with a screened spotlight which will only project light onto the sign. They are also proposing 24 square feet of signage to be located on the east and north sides of the proposed tower for the primary tenant, along with 30 square feet of signage located above the proposed canopy available for any potential tenants. Applicant has submitted a diagram of the signage proposed for the paving indicating traffic patterns. Stop signs and stop bars will also be provided at the proposed curb cuts.

Mr. Keiser reviewed the list of requested divergences which were previously submitted to the Board, along with an updated version that applicant brought to this hearing. Mr. Clase advised that Mr. Keiser updated their application due to staff concerns that were made available to him prior to this hearing; however, the Board has not yet received a copy of their latest submittal. Mr. Downing asked that a copy of the latest submittal be incorporated into the file on this matter. Mr. Clase advised the Board that he had reviewed the latest submittal from the applicant and prepared staff comments with respect to that submittal, dated January 14, 2008, Third Review. The current requested divergences are as follows:

1. Requesting a 3-foot parking setback from the property line on the west side of the property;
2. Requesting a 2-foot parking setback from the property line on the east side of the property;
3. Requesting a 3-foot, 8-inch parking setback from the property line on the south side of the property;
4. Requesting a reduction in the number of required parking spaces;
5. Requesting that landscaping be permitted to be planted within the easement at the two entrances to the property.

Mr. Clase advised the Board that most of the staff concerns have been addressed by applicant since the submittal previously given to the Board. With regard to the proposed stop bars at each exit, Mr. Clase suggested that they be moved forward to allow for proper sight distance past the proposed landscaping, and the proposed turning arrow at the exits be eliminated. The area directly east of the building currently has a 12-foot wide access with parallel parking; however, the Fire Department has requested that the parallel parking be eliminated in order to create a 20-foot wide fire lane which is necessary for emergency vehicles. Mr. Clase believes the number of proposed parking spaces, with the elimination of these parallel parking spaces would still be sufficient for this proposed building. Mr. Clase also suggested that the three proposed trees in the right-of-way be relocated to the either property line or just south of the property line. The applicant and the Board agreed to these stipulations.

Public Comment:

None.

Board Comment:

Mr. Cothorn asked if applicant was providing the Board with a floor plan of the proposed building. Although one is not required the Board asked applicant to provide one to the Zoning Office. Mr. Cothorn stated that applicant was requesting several divergences and does not believe that all their requested divergences are justified. He believes that applicant could reduce the size of their building, thereby reducing the number of requested divergences. Mr. Downing stated that at the previous hearing the Zoning Office provided information for the surrounding buildings on Chandler Drive, showing the Board that the proposed building is comparable with the rest of the existing buildings on the street. Unfortunately Chandler Drive was platted prior to the existing requirements of the Zoning Code, thereby making it nearly impossible to build anything on the remaining vacant lots without the need for divergences.

Mr. Wilhelm suggested that if applicant were to reduce the sidewalk on the west side of the building to 4-feet 6-inches, eliminate the parking spaces on the east side of the building and narrow the pavement to 20-feet, and shift the location of the building two and one-half feet to the east, they would be able to eliminate two of the previously requested divergences for the parking on the sides of the building. However, that would further reduce the number of proposed parking spaces on the property to 25. Applicant stated he would consider Mr. Wilhelm's suggestion and advise prior to the next scheduled hearing. Mr. Clase noted for the Board that Applicant would be required to request an additional divergence for a reduction of the required front pavement setback.

Ms. McIntosh stated that although the Applicant was proposing ten wall pack lights on the building, she is concerned that it will not sufficiently light the parking lot on the west side of the property. Mr. Keiser stated he believes there is sufficient lighting, citing that there are a number of parking spaces closer to the building and the likelihood of someone using those far parking spaces after dark is minimal. However, the Board shared Ms. McIntosh's concerns and Applicant agreed to rough-in two light poles on the west side of the lot to further illuminate the parking lot and the dumpster area on that side in the event that more light is needed after completion of the project.

Ms. McIntosh reviewed the number of signs being requested, including any divergences for those signs. The Board determined that the monument sign would be for the building, Silvestri was requesting two signs as the main tenant of the building, and then an additional sign for the other potential tenant(s) of the building; therefore only one divergence would be needed for the second Silvestri sign on either the east or north side of the building. Mr. Clase noted that applicant was requesting two 24 square foot building signs for Silvestri and one 20 square foot sign for the tenant(s) instead of the 100 square foot of signage allowed per the Zoning Code.

Mr. Wilhelm asked applicant what their intentions were as far as moving the proposed trees from the right-of-way to the property line, noting that if they were put at the property line they would be planted within the existing easement on the property.

Mr. Clase stated that he spoke with the Delaware County Engineer's Office with respect to this issue and they advised that any plantings located on the property line within the easement should not be disturbed in the event the existing utilities in the easement needed any repairs. Mr. Wilhelm asked where the existing sewer line was located. Mr. Clase stated that the sewer line was located on the north side of the driveway and should not be a factor with the placement of the proposed landscaping.

Mr. Wilhelm stated that in reviewing the 2006 Delaware County aerial of the property, the proposed location for the monument sign would not be visible from the road. Mr. Keiser advised that the monument sign could not be moved forward due to the location of the existing easement. Mr. Keiser noted that the signs on the building would contain incandescent lighting, which would be visible from the street at night. Applicant requested that the same incandescent lighting be added to the proposed tenant signage.

Mr. Cothorn stated that in the rear of the building applicant is showing a 12-foot loading zone and a 13-foot drive aisle. He suggested that applicant could decrease those dimensions to 20-feet total, which would be compliant with the Fire Department requirements, they could eliminate either the requested divergence in the rear or, by shifting the location of the building, in the front. Applicant did not agree with this suggestion because they believe it would put vehicular traffic too close to the building.

The Board advised applicant that the following either needed to be addressed or additional documents presented to the Board prior to their determination on this matter:

1. Any changes to the hours of operation stated (8:00 a.m. to 5:00 p.m.) may require additional lighting, and may be subject to amendment;
2. Stop bars and stop signs would be relocated to a space between 10-feet and 20-feet into the right-of-way and to the north of the landscaping so that the traffic visibility is assured for exiting vehicles per the Zoning Inspector's comments:
3. Removal of five parallel parking spaces on the east and southeast corner of Applicant drawing "AS-1-2," reducing the overall paved area on the east side of the building to 20-feet of driveway for fire protection access and reducing the sidewalk on the east side of the building to 4-feet, 6-inches, and retaining the 2-foot grassy setback from the east property line. Increase the setback on the west side of the property to 6-feet, with head-in parking spaces to that location, and reducing the sidewalk on the west side of the building to 4-feet 6-inches in width. Per your language in the revised submittal, the head-in parking spaces will be screened with materials as stated.
4. Appropriate ground signage will be added to the eastern driveway to indicate its designation as a fire lane per the Zoning Inspector's language;
5. The trees specified as planted in the right-of-way shall be planted on the front property line instead to avoid disruption of the right-of-way or the easement;

6. Submit revised drawings and text, including the language from the January 11, 2008 submittal, covering the comments of the Zoning Inspector incorporating those by reference;

7. Submittal language from January 11, 2008, item #2, paragraph 2, titled "Parking Setback from the Property Line", will include all of the discussion from this hearing with respect to the setback limits;

8. Add two light pole rough-ins installed in the landscaped area on the west property line to provide illumination to the parking spaces on the west side of the property and the dumpster enclosure on the southwest corner;

9. Indicate a lighting installation in the soffit to illuminate any tenant signage with directed soft incandescent light and that the lighting installation is a trim kit to be used to illuminate the Silvestri Home signage on the building as described in the application;

10. Include the divergence from §707 to permit the second sign in the size of 24 square feet to mirror the script Silvestri Homes' 24 square foot sign designated for the front of the building to be installed on the east side of the building at the same elevation in the northeast corner of the building.

**Mr. Downing made a motion to table this matter, at applicant's request, until February 11, 2008 at 7:00 p.m. All revised documents are to be submitted to the Zoning Office prior to 3:00 p.m. on January 25, 2008. Motion was seconded by Ms. Faulkner. Vote: all ayes. Motion carried.**

This hearing ended at 10:00 p.m.

### Minutes

December 10, 2007

**Mr. Downing made a motion to approve the Minutes from December 10, 2007, as corrected. Motion was seconded by Mr. Wilhelm. Vote: all ayes. Motion carried.**

The correction to the above-reference minutes was as follows:

Page 3, paragraph 1 under "Calendar" heading, sentence 2:

...After brief discussion, it was decided that the hearing date for November, 2008, would be ~~changed to~~ **scheduled for** November 17, 2008, with the cut-off date for submissions ~~to~~ **of** October 31, 2008.

Zoning Code Discussion

Mr. Clase stated that as a result of a prior meeting of the Board of Trustees, he was resubmitting to the Zoning Commission proposed text with respect to the PRRCD zoning district referred to in the Zoning Code. He believes that the submitted language with respect to this district reflects the desire of the Trustees to review all applications with respect to this zoning district. He asked that the Board reconsider this proposed language. Mr. Clase also stated that, if the Board so desired, he could submit this language to the Delaware County Prosecutor's Office for their comments.

Mr. Clase submitted a Zoning Proposal from the Fire Department with respect to residential driveways. They are requesting that certain standards for emergency access be incorporated into the Zoning Code. He also requested the Board review this proposal.

Mr. Clase advised that the Zoning Office will be establishing a working group consisting of someone from the Zoning Commission, the Parks Board, the Board of Zoning Appeals and the Zoning Office. This group could facilitate discussion regarding Zoning Code changes to be presented to the Zoning Commission for their formal review and consideration.

Mr. Downing suggested that the Board consider establishing an Architectural Review Board to review future projects and, in turn make recommendations to the Zoning Commission after their review of submitted applications. He suggested that Brad Cothorn head this committee along with two other members. Mr. Cothorn would still remain as a member of the Zoning Commission.

**Mr. Downing made a motion to adjourn this meeting. Motion was seconded by Ms. McIntosh. Vote: all ayes. Meeting adjourned at 10:28 p.m.**

Respectfully submitted,

Vicki Stainer  
Zoning Secretary

APPROVED BY:

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Scott Downing, Chairman

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Date