

**AGENDA
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
OCTOBER 18, 2007
6:30 P.M.**

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. John Brandt Mr. Duane White Mr. Thomas Kucera Mr. Norman Brusk Mr. Patrick Feeney
Others Present:	Mr. Lucas Haire, Planning Administrator

2. APPROVAL OF MINUTES

Chairman Kucera: Are there any changes, amendments, clarifications to the meeting, minutes from our September 20th meeting? (No response.) Hearing none, we'll approve the meeting minutes.

3. APPROVAL OF AGENDA

Mr. Kucera: Are there any changes to the agenda tonight?

Mr. Lucas Haire: No. I'll just make mention that the application for the bar on Brice Road that was tabled at the last meeting, they've withdrawn their application, so they're not on the agenda this evening.

Mr. Kucera: All right.

4. SWEARING IN OF SPEAKERS

Mr. Kucera: Would anyone that is speaking tonight, if you would stand and raise your right hand to be sworn in, please. (Mr. Kucera administered the oath.)

5. PUBLIC COMMENT

Mr. Kucera: Is there any public comment on any issues not on the agenda? (No response.) All right, we can move on to Unfinished Business, please. Item B1.

B. UNFINISHED BUSINESS

1. VARIANCE APPLICATION; 7661 DALGLEN DRIVE, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1175.06 OF THE REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW THE CONSTRUCTION OF A PORCH WITHIN THE REQUIRED THIRTY FEET (30') FRONT SETBACK ON A MINIOR RESIDENTIAL STREET, CONTACT PERSON: ETHEL SUE HECKATHORN (23-ZV).

Mr. Kucera: Good evening.

Ms. Ethel Sue Heckathorn: I'm Ethel Sue Heckathorn. I reside at 7661 Dalglen Drive, Reynoldsburg, Ohio. T.J. Young, he was asking for a porch (inaudible – speaking off mike).

Mr. Haire: To just kind of refresh you, last month what was proposed was an 8' front porch off the front of the house. I believe we tabled it because there were concerns over the appearance of the porch and we didn't have any plans that showed whether it was going to be a porch or a deck. The plans I had showed a deck and then she said it was going to be a porch, so I guess what we have in front of us is the drawings of how the porch will look. I did take pictures of others in the neighborhood that I thought would be similar to what she was proposing.

Ms. Heckathorn: I brought pictures around, too. You want to—

Mr. Kucera: Okay. Certainly.

Ms. Heckathorn: The address is on the back of the picture. (speaking off mike) porches on Rosehill, one on Rosehill built in the last three years is 1524, I think. The one on (speaking off mike), the corner of Retton and Rosehill, it's close to the street and the one on Burkey at 7661, the neighbors note that he's built out and he's built behind. The address is on the back of the picture, so they have very little yard.

Mr. White: Do we know how far out that particular porch you're showing on the screen there is?

Ms. Heckathorn: On mine?

Mr. White: Yes.

Mr. Haire: This porch on the screen?

Mr. White: Yes.

Mr. Haire: I don't know exactly. It appeared to be around 15', so it'd be a similar distance to what she's proposing.

Mr. White: From the house? I mean, 15' out towards the street?

Ms. Heckathorn: No.

Mr. Haire: Oh, the measurements of the porch itself? I don't know. To the porch, to the street is approximately 15' to the road right-of-way, to the back of the sidewalk.

Mr. White: Well, the porch apparently goes along the entire house or at least part of it before the drive, the garage. What I'm wondering is the width, I suppose not, or the depth of the porch.

Mr. Haire: I'm unsure.

Mr. Kucera: It looks about 6.

Ms. Heckathorn: I know the depth of mine. Mine would be, where my house is and you step out on the porch now, there is a sidewalk – there's a sidewalk -- when you come off the porch, there's a sidewalk and you step down and you can go through there and there's a (speaking off mike) on the porch and it's three more (speaking off mike) right where that rock (speaking off mike)

Mr. Brusk: Yeah. Your drawing shows it to be 7'. Is that correct?

Ms. Heckathorn: It goes from the end of the house over to the driveway, one step down.

Mr. Brusk: Who did this drawing? The architect that's going—

Ms. Heckathorn: That one I just gave you tonight?

Mr. Brusk: Yeah.

Ms. Heckathorn: T.J. Young, out there on Main Street. He lives across the street. Zach lives across the street.

Mr. Brusk: Okay. Because it shows 7' width which—

Ms. Heckathorn: Okay. Whatever. He came over and measured, so yeah, whatever—

Mr. Brusk: And that looks like it's maybe a little bit thinner than that but roughly the same.

Ms. Heckathorn: Because he's going to be doing the roof and, you know—

Mr. Brandt: He's going to do the work?

Ms. Heckathorn: Well, he's, you know, he's—

Mr. Brandt: Yeah. He's been around a long time.

Ms. Heckathorn: When I left here last week I went home and he was out and I ran over to him and I'm going-- so, he drew that up.

Mr. Kucera: And here's another letter from one of the—

Mr. Brusk: We have, what, half a dozen?

Ms. Heckathorn: When he got home from vacation he found out the other neighbors wrote one, so he wanted to write one too. They don't mind.

Mr. Brusk: You did include all the letters of the people that said no, didn't you?

Ms. Heckathorn: I hit every neighbor on the street. I didn't hit the _____ in the back yard, no. When I do the back yard, I'm going to get them. I might get them.

Mr. Kucera: Where's the house that's on the screen?

Ms. Heckathorn: Around the corner from me on the corner of Marlboro and Dalglen. It used to be Vesley's house. No, that's the next door to Vesley's house. Vesley's on the corner, where they used to live. That's the one next door.

Mr. Haire: Yeah, this is the other one. This is the one on the corner, that's one in from the corner.

Ms. Heckathorn: And the other one's right next to it.

Mr. Kucera: All right. Okay. Are there any other questions from the Board?

Mr. Brandt: No.

Mr. Kucera: Is there any public comment on this item? (No response.) I'll entertain a motion.

Mr. Brusk: I move that we accept Item B1, variance application on Dalglen Drive, also known as Item 23-ZV.

Mr. Feeney: I'll second.

Mr. Kucera: Call the roll, please.

(Mr. Haire called the roll. Mr. Brandt voted “yes.” Mr. White voted “yes.” Mr. Kucera voted “no.” Mr. Brusk voted “yes.” Mr. Feeney voted “yes.” Motion carries.)

Mr. Kucera: All right. You get the appropriate other permits that you need, if you haven’t already gotten them, and your variance has been approved.

Ms. Heckathorn: Thank you so much.

Mr. Kucera: Okay. Moving on to New Business, agenda Item C1.

C. NEW BUSINESS

1. VARIANCE APPLICATION; 955 HILLRIDGE ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1171.06 (3) OF THE REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW THE CONSTRUCTION OF A GARAGE WITH A FLOOR AREA GREATER THAN FIFTY PERCENT (50%) OF THE RESIDENTIAL FLOOR AREA OF THE DWELLING. CONTACT: RALPH AND BARBARA VANOVER (24-ZV).

Mr. Kucera: Yes, sir. If you’d state your name and address.

Mr. Ralph Vanover: I’m Ralph Vanover, 955 Hillridge Road.

Mr. Kucera: This is replacing an existing garage? Is that correct?

Mr. Vanover: This is correct.

Mr. Brusk: What size is your existing garage?

Mr. Vanover: 14 by 20, I believe.

Mr. Brusk: So it’s a one-car garage?

Mr. Vanover: It is one that somebody’s built a deck onto it before we got there, so it’s -- you can see there off to the side behind the house, it’s like an enclosed deck.

Mr. Brusk: Now that’ll be gone, that deck?

Mr. Vanover: Yes, the garage is going to go in the same place, only it’s going to be larger.

Mr. Brusk: Probably about the same, just the same area as the deck and the garage?

Mr. Vanover: It’d be 3’ wider maybe—

Mr. Brusk: Okay. But, basically—

Mr. Vanover: Yeah. Right in the same area.

Mr. Haire: If you look at the aerial photo that's up there now, there are a number of garages in this neighborhood that are pretty significantly sized. This Board, in May, approved a variance for a garage that was 30 by 30 on Warrick Avenue.

Mr. Brusk: Now that was the same area, right?

Mr. Haire: Same neighborhood, yeah.

Mr. Brusk: Yeah. That's what I thought. I thought we beat that one pretty good to death, so I imagine this should go faster.

Mr. Haire: But they'll meet the rest of the requirements in regards to accessory buildings. The only one is just the square footage. The home is currently 984 square feet. The proposed garage is 720 square feet.

Mr. Brusk: The green space will still be adequate to meet the requirements there?

Mr. Haire: As far as, yeah, 20% of the rear yard will still be there, or it can't take up more than 20% of the rear yard, so that would still meet that requirement.

Mr. Brusk: No other variance is necessary?

Mr. Haire: No.

Mr. Brandt: It looks nice.

Mr. Brusk: I don't have any problem.

Mr. Kucera: Are there any other Board questions or comments? (No response.) Is there any public comment on this issue? (No response.) If you'd call the roll, please. Or, I guess I've got to entertain a motion.

Mr. Brandt: I make a motion for approval of Item C1 under New Business 24-ZV, 955 Hillridge Road.

Mr. White: I second it.

Mr. Kucera: All right. Now if you'd call the roll, please.

(Mr. Haire called the roll. Mr. White voted "yes." Mr. Kucera voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Brandt voted "yes." Motion carries.)

Mr. Vanover: Thank you, gentlemen.

Mr. Kucera: With your other permits in place, you're free to go ahead.

Mr. Vanover: All right. Thank you.

Mr. Kucera: Agenda Item C2, please.

2.. VARIANCE APPLICATION; 1940 BALTIMORE-REYNOLDSBURG RD., REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1181.03 (C)1 OF THE REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW A SIGN ON A WALL NOT PARALLEL TO A STREET. CONTACT: DINA CHERNY (25-ZV).

Mr. Kucera: Yes, sir, if you'd state your name and address please.

Mr. Ken Jones: My name is Ken Jones and the address of this property is 1940 Baltimore-Reynoldsburg Road.

Mrs. Barbara Jones: And my name is Barbara Jones, same address. We're here to represent Gamerz.

Mr. Jones: I've got a brief presentation I'd like to walk you through to make our case, if that's all right.

Mr. Kucera: That'd be fine.

Mr. Jones: There's three points I'm going to try to make towards this case. First is to explain the hardship, why this is important for our business. Second is to talk about public safety concerns, and third is talk about aesthetics, how this will look. First point, the hardship, there's four factors involved and the first is—let me explain the drawing that's kind of up on the wall here. Gamerz is highlighted a little bit off center and to the right of the screen. This here you're seeing an intersection of 256/Livingston/Slate Ridge. Our business, we are owning two of the new lots, or I guess, what do you call them? The bays within the new building here and we're next to Tire Discounters and right next to Culver's, so that's the area you're looking at. Culver's is drawn in. Tire Discounters is drawn in. There's a little line right in front of our building, that's where a proposed monument sign is supposed to go in. So with that as a backdrop, one thing that's unique about this building is the way it faces. Compared to all the other businesses in the area, instead of the front of our business facing 256, you're looking at our back door as the emergency exit. So, unlike other stores, you're not going to be able to see any of our storefront or any advertising we'd be doing in the front of the shop.

Also, the sign that's proposed for the parallel -- to be parallel to 256, we're closer than every other business on this road. We're 68' from the road. As you're driving

down 256 in either direction, you only have a very short period of time to see the sign that's going to be on the building, the west-facing sign. You've got between two and three seconds depending if you're heading north or south, if you're traveling at the posted speed limit. So that sign that's going to be on the west, parallel to the road, customers won't be able to see very effectively until they're right on top of it.

There is a monument sign that I highlighted earlier, however, we're not guaranteed to be in that sign. There's five tenants in the building. We're one of them. There's only two panels for tenants on this sign. There's no guarantee that we're going to be on that sign, nothing in writing that insures that. So it's tomorrow the owner can say, "No, new tenant's getting that panel. You're not getting it." Without that panel, we're almost invisible to traffic on 256 in both directions. What I'm trying to present here is for the north facing. If we lose that panel, the best we're going to be able to get from the south facing is what's on the side of the building on the west. But from the north, you wouldn't be able to see us at all until, again, your two to three second window.

Mr. Brusk: How many people have signed leases in that building already?

Mr. Jones: That I know of today, just one, just me.

Mr. Brusk: Just you? And your lease does not include putting that sign up?

Mr. Jones: Correct.

Mr. Brusk: Okay. So that'll be a bargaining chip for the others.

Mr. Jones: Yes. The other point is that even if we were in the monument sign, the center of the sign – it's not a sign just for us. As I mentioned, it's got two other tenants in it. At the top of the sign is The Shoppes at Slate Ridge. The tenant's sign is based at about 3½' off the ground. And I'm sure you're aware that intersection at 256 and Livingston is a very popular intersection, a lot of traffic goes through there. If you are southbound on this road, as you're heading down, the traffic backing up to make a left turn onto Livingston will back up all the way to approximately where the Callander Cleaners is right across from Culver's. And, because of the height of that sign, you won't be able to see it if you're southbound through the traffic. It'll be obscured until you're about where Culver's is or just past it. So, again, you'll only be able to see it for two to three seconds and then you'll only see it if you're not watching the road.

Mr. White: I'm not clear—go ahead, I'm sorry.

Mr. Jones: So, if you're driving past, you're trying to find us, you have to look in that direction to see it.

Mr. Haire: This is a good picture that illustrates the traffic backup.

Mr. Jones: Right. It also shows that you can see the top of the building where our sign would be, but you cannot read the sign on the west and you certainly can't see the monument sign. There's a couple of other pictures that are with this that can illustrate what the intersection looks like as you're coming through it. So you won't be able to see our sign, even if we're in the monument, you won't be able to read that sign until you're probably about 70 feet from the building and then only read it if you're not watching traffic.

So that brings up the next point that I wanted to raise which is public safety. If my potential customer is looking for us and they're driving south on Rt. 256, as they come through this intersection they won't be able to see us, so they're going to keep looking for us. As they keep going there are four intersections on this side of the road that they need to pay attention to. There's an entrance from the home store, I forget what it's called, the Diyanni Homes building, there are two others that come out at Callander Cleaners and then there's Stonetrail Way. If they're looking for us, they're not looking at traffic. So there's more likely that you're going to have an accident if people are looking for us and they haven't seen us by that point. But if you go back to the pictures from the intersection, if we're on that north wall they'll see us in the normal course of surveying the landscape as they come through the intersection. They'll be able to know where we are and they won't be looking for us. So having that sign there reduces the chance of having an accident.

The last point I wanted to bring up is just aesthetics. If you go to the last picture, this shows what that north wall looks like today and what it will look like tomorrow if you don't grant this variance. It's a blank wall and it's in the heart of a commercial district. That, to me, doesn't say healthy growing economy. It says "Why didn't somebody move into this building? Why is it still vacant?" Our sign, I think-- Do you have a copy of the sign in the submittal, what's its going to look like?

Mr. Haire: Yes.

Mr. Jones: Our sign is lively, it's bright, it's colorful. And we think it adds to the aesthetics of the area versus detracting from them.

Mr. Kucera: It will be a lighted sign?

Mr. Jones: It will be lighted. That's the end of my comments.

Mr. Brusk: I've driven past it and I've looked at it very carefully. It's right in my neighborhood and I tend to agree that that wall begs for something. It's a blank wall. I don't see any reason why it shouldn't be, especially since Culver's is so far back. When you're looking from this driveway, you're looking directly at the building. You could hardly see Culver's there. And I agree with them that the sign that he has shown is very bright, cheerful and I think it would be positive from an aesthetic point of view.

Mr. Feeney: Luke, are they allowed any signs on the west side of the building that faces Rt. 266, since that's the rear of their building, per se?

Mr. Haire: Yes, they'll have a wall sign there on the actual rear of the building where their entrance is. They're only permitted -- they're permitted no signage, just letters on the awning because that faces a residential district.

Mr. Feeney: Okay.

Mr. Haire: So they'll have a sign on the Rt. 256 side of the building which -- this wall above the awning, they'll have a sign there.

Mr. Brusk: That would be the top?

Mr. Haire: Right and then on the rear—

Mr. Feeney: We're looking at the front of the building now?

Mr. Haire: It's the front of the building on Rt. 256.

Mr. Jones: It's the back door of our business.

Mr. Feeney: Okay and they're going to have a lit sign just like this?

Mr. Haire: Correct.

Mr. Feeney: On that, above there?

Mr. Haire: Correct.

Mr. Feeney: And you want a second one on the same side, right off the ground?

Mr. Jones: On the end cap.

Mr. Haire: Right.

Mr. Feeney: So are you going to have signage on the eastern portion of your building?

Mr. Jones: The eastern is the front, which we're only allowed on the awnings, so we'll have letters. I think they are about 8 inches high on the awnings.

Mr. Haire: Basically, in this photo you see the condos in the back of this building, so they're not permitted any type of signage on that side of the building where all their entrances are.

Mr. Feeney: Okay.

Mr. White: Going to the awning, you said there was going to be a sign above that awning?

Mr. Haire: In this photograph, yes?

Mr. White: And the monument sign that is optionable for him to get a sign on there, but where would that be located in relationship to that area?

Mr. Haire: This is the layout of what the proposed building was when they submitted it. The monument sign is located in between those two landscape beds there, so it doesn't really show well in any of these pictures.

Mr. Jones: If you go back to the drawing that I had, that line right in front it, that's where the monument sign is going to be.

Mr. White: Okay. The question I have, what I didn't understand is that you indicate that there's no one else in the building at this point in time. You already have apparently a contract or a lease arrangement with them. Why could you not negotiate rights to put your sign on the monument at this point in time?

Mrs. Jones: I'm building the monument sign for—

Mr. Kucera: Excuse me, ma'am. Ma'am, have you signed in?

Ms. Dina Cherny: Yes. Oh, I swore in.

Mr. Kucera: All right. I need to have you come up to the microphone and speak into the microphone, please.

Ms. Cherny: Okay. Sorry.

Mr. Kucera: If you could state your name, please.

Ms. Cherny: Dina Cherny from Sign Glo and I have been contracted to build the ground sign for the company that owns the land and Gamerz is not scheduled to go on that sign.

Mr. Kucera: Okay. Thank you.

Ms. Cherny: You're welcome.

Mr. Kucera: I'm still getting a little lost as to where the entrance is and—

Mr. Brandt: The entrance is on the back and the front is on – it's flipped.

Mr. Brusk: The building is flipped around so that the entrance to the building, it would be, if you're looking at 256—

Mr. Kucera: We're looking at the – is this the 256 side?

Mr. Haire: This is the 256 side of the building, which will not be the front entrance.

Mr. Kucera: I see.

Mr. Brusk: Your picture shows that you're at the right hand end of the building, but you're actually at the left hand, right? You're not at this end of the building. You're at that end of the building, right?

Mr. Jones: This is the north wall right here, so this is the east facing, this is the northeast corner of the building. That's where that picture is. There is no sign on that. That doesn't have _____. That's probably where the confusion's coming from.

Mr. Brusk: Yeah. Your sign is going to be over here.

Mr. Jones: This is the sign we're proposing right here.

Mr. Brusk: Right, but this is the front of the building, the 256 side of the building.

Mr. Jones: This is not the 256 side of the building.

Mr. Brusk: Oh, are you putting – I didn't think you could—

Mr. Jones: -- awnings, right here—

Mr. Brusk: Yeah. That's where—

Mr. Jones: That's where we're putting our sign. This was an earlier submittal.

Mr. Brusk: But that's what the side, the 256 side will look like, only it'll be over at that side of the building? Okay. That's what I thought.

Mr. Kucera: You're going to have a sign over the entrance that's there?

Mr. Jones: This is not an entrance. This is the back door. It's an emergency exit.

Mr. Kucera: It's still an entrance to the building, sir.

Mr. Haire: There'll be a sign here--

Mr. Kucera: A sign in both places—

Mr. Jones: Yes.

Mr. Kucera: --or a sign in just one place?

Mr. Haire: They are permitted a sign in this location. They're proposing a sign that they need a variance for on this wall.

Mr. Kucera: So there will only be one sign or two signs?

Mr. Haire: There will be two if a variance is granted.

Mr. Kucera: I see.

Mr. Brandt: Well, my concern is that the next four tenants come in and all want one on that wall because it's blank.

Mr. Kucera: It's a nice big blank wall, certainly. I have a similar concern.

Mr. Brandt: You'll be selling a lot of signs down there.

Mr. White: That's right.

Ms. Cherny: Can you swap, like, instead of the front, the side or the north?

Mr. Jones: Well, my problem is if we do that, we aren't going to have any facing to the south, people coming from the south. So while it's a two-second window to see us, there's still something to see us. Without a sign on the west wall, people coming from the south won't see us at all if we're not going to be on that monument sign.

Mr. White: I'd go back to the monument sign and the owner of the monument sign has indicated that she does not have a contract with you. So, my question is, who's going to be on that monument sign if eventually that's going to be constructed?

Ms. Cherny: The answer to that is probably, "Don't know yet." He will use it as a negotiating tool to get somebody else in. He's got these people in, so they don't have to go on the monument sign. That's what landlords do.

Mr. White: Well, my question is, you're going to use the monument sign hopefully for—

Ms. Cherny: There's only one panel left and there are three spots, three locations left in that building, so just one is going to go on there.

Mr. White: If there are no tenants in the building except for them at this point in time, then who do you have contracts with other than him, than these people?

Ms. Cherny: I don't understand what you're saying.

Mr. White: You're indicating that you have already contracted for other people to have space on that sign and there's only one space.

Ms. Cherny: No. I didn't say that. I said that Gamerz is not going on that sign. It'll be installed this week. There will be blank panels on it that will be added at a later date for whomever they determine will go on it. And the reason that the landlords do that is they will use it as a negotiating factor to get a tenant to come in. "Look, I'll put you on the ground sign if you rent my space."

Mr. White: So, you can negotiate with them?

Ms. Cherny: Sure. Oh, yeah. It works every time.

Mr. Kucera: Yeah. I have a -- first of all, I don't doubt that that smacks of something I won't mention, but I don't agree with that. The owner of the building should know that we're looking for a certain look. They should know what the zoning ordinances are and I am not in favor of allowing a sign on that blank wall because the other tenants in there are going to all want signs on that wall as well, and if we grant one we have to grant all of them.

Ms. Cherny: Well, in most of the other jurisdictions that I work in—

Mr. Kucera: I don't care about other jurisdictions.

Ms. Cherny: --the end caps are only reserved for the person who has the end. Nobody else—

Mr. Kucera: As I say, ma'am, I don't care about other jurisdictions. We have our zoning requirements here in this town. They're well published. People should know what they are. We have already had at least two other, if not three other requests for similar types of things in this exact same area and we've turned them all down for this reason. Because we're setting a precedence that once we allow something like this, then we have to allow it for all the other stores there, so there's no point in having a zoning ordinance. At least that's my--

Mr. Brandt: I agree with you because I believe when the original presentation was made on the building that each tenant facing Rt. 256, while we realize that it's the

back but is the front, the front or the back, immaterial, there would be a lighted sign over each tenant therein.

Mr. Kucera: And also a monument sign.

Mr. Brandt: Right.

Mr. White: A monument sign, right.

Mr. Brandt: And, hence, we end up, regardless of the end cap issue she mentioned is someplace else, it still puts us in a position where the next two doors to the right of that door, they've got a sign up, they're down here wanting a sign on that sidewall as well and we've created the issue—

Ms. Cherny: They're not entitled to it because they're not on the end cap. I mean the sign has been done in Polaris and any other shopping center--

Mr. Brandt: I don't care about Polaris. Glimcher runs that and he makes the rules. But in this case, they would be legally available to come in here as long as the building owner didn't care and apply for one and we'd be hard pressed to turn them down and, hence, the whole wall could end up looking like Las Vegas.

Mr. Jones: So at this point-- What would happen is, if you deny this, the only visibility I've got from Rt. 256 is if people happen to turn their head at the right time. That's the only way they're going to see me.

Mr. Kucera: Unless you're on the monument sign.

Mr. Jones: Which I won't be.

Mr. Kucera: Well, that's not something that we can control.

Mr. Brandt: That's not our issue.

Mr. Kucera: That's not our issue.

Mr. Jones: The concerns about public safety didn't sound reasonable? If they're looking for us, they're not going to be paying attention as they're driving down the road.

Mr. Kucera: Again, you should be on the monument sign. And, again, when this was all proposed, that's what was going to happen.

Mr. White: My understanding is that it isn't negotiable at this point in time.

Mr. Kucera: I hope you understand our situation. Our situation is that if we grant what you're saying, every additional store in that building is going to come in and want the same thing. There's a lot of blank north wall there. And if we grant your variance, we have to grant all of their variances.

Mrs. Jones: (Speaking off mike.)

Mr. Kucera: Again, we have no control over that. Our concern is that, again, the rest of the stores come in there and I count four other doors, the whole end of that building will be covered, could potentially become covered with signs.

Mr. Brandt: The original intent on the end cap, as I recall from the patio there, was that it was going to be a restaurant anyhow.

Mr. Kucera: I don't remember but that may be correct.

Mr. Brandt: That's why the patio is out there.

Mr. Jones: That is correct. What they were originally trying to get to move into this was a restaurant.

Mrs. Jones: Well, that elevation is actually facing Baltimore-Reynoldsburg Road. So if I were driving down the road, you can't even read the 8 inch letters on that awning that you're going to put on.

Mr. Kucera: I'm sorry, I can't hear you, ma'am.

Mr. Jones: That's going to be on the other side, that's not affecting this. I believe if I'm not on the monument and I'm not on that north wall, my business is set up to fail because they won't be able to find me, before I even move into the building, because they can't find me.

Mr. Kucera: I empathize with your remark, but we have a difficult issue in that there are other stores in the area that we have turned down and if we allow this, it would be within their right to come back and ask for a variance and then future stores that come in.

Mr. Jones: If I were to get a letter from the landlord stating that no one else would be allowed to put a sign on that wall, would that belay that concern?

Mr. Feeney: Well, I think when he was originally in here, he said that wouldn't happen any way, so now you're here.

Mr. Brusk: The differentiation to distinguish this whole thing is that that was going to be a restaurant. It didn't turn out to be a restaurant, so things change. And when things change, sometimes you have to make changes to correct what—

Mr. Kucera: Are you willing then, Mr. Brusk, to allow signage on all of that face?

Mr. Brusk: No. I was going to propose something that he just proposed and that would be that we would get a guarantee before we would grant this, that only the end store would be allowed to have that. We do that in Taylor Square with the buildings that are there. They're several of them that have own their end cap their signage.

Mr. Kucera: I believe we turned down Cord Camera and Culver's both.

Mr. Brusk: Right, but they're tremendously different in the visibility. That's the huge difference. This store sticks way out in front of both Cord and Culver's.

Mr. Jones: Cord Camera is 126 feet from the road. We're 68 feet from the road.

Mr. Brusk: And the distance between this and Culver's is quite a distance.

Mr. Jones: Culver's is 139 feet from the road.

Mr. Feeney: But I think that the sign on the front of the building, since you are so close to the road, is going to help.

Mr. Brusk: But it also makes it difficult. It does both. I mean it helps in one direction, but hurts in the other.

Mr. Jones: You can tell that there's a sign there, but you can't read it until you're almost 60 feet from it. And then at 40 miles per hour you're past it in two seconds. So if you're not looking at the right minute, you won't know we're there.

Mr. Feeney: I don't necessarily agree with that. It is an opinion type of a thing. I think that being that close to the street and your sign on the front of the building, I think that's a big advantage versus all the buildings that are so far back. And with your building out front close to the street, we saw it in that one picture where the traffic was all backed up, you could see the top of the building where your sign is going to be. So I think that's the big advantage to you versus the other ones.

Mr. Jones: You can tell there's a sign there, you cannot read it. That's not an opinion, that's a fact. That's an angle. You can't read it.

Mrs. Jones: Right there you would have difficulty reading it at 40 miles per hour.

Mr. Jones: You can't. It's impossible to read until you're past Culver's, then you can read that sign given the angle of it.

Mr. Kucera: And, again, as I say, each one of the new store owners, the other four units down the line will have the same exact argument.

Mr. Jones: They will, but they'll have an option on the monument sign that I won't.

Mr. Kucera: So, I guess if you would like to go back to the owner and try to obtain a letter like that and ask us to table this, that's within your ability to do tonight. I guess I would ask the owner of the building-- My opinion is, I will express it, is that he should appear here at the next meeting with you and explain to us why you can't be on the monument sign.

Mr. Jones: The owner's in Phoenix.

Mr. Kucera: Irrelevant. I couldn't care less. I'm just saying that that would be my -- it's not necessarily the Board's opinion, that's my opinion. He told us certain things that he was going to do when he built this and if he wants to change the ground rules, he should come and talk to us about that. That's my opinion. If he wants to use the monument sign as leverage, that's his decision. I think it's a rather poor decision. I think it's also against what he told us he was going to do when he built the place. So, as I say, you're welcome to request to table this and provide more information. We'll certainly consider that.

Mr. Jones: I think that's the course I ought to take then, hope to get a letter that states that we were the only ones allowed on that north wall.

Mr. Brusk: See if you can also get ahold of somebody from management, not necessarily the owner specifically, but somebody who has the authority to discuss it.

Mr. Kucera: As I say, I understand your plight and I wish we could do something about it, but we're opening a door that we don't want to open unfortunately.

Mr. Jones: Given the other concerns that I raised of public safety and aesthetics, if I got such a letter, would that move anyone to make a different decision?

Mr. Kucera: I don't know, we'll have to see the letter. Again, my personal opinion is that it wouldn't change my opinion, but I'm one of five people on the Board.

Mr. Jones: Sure

Mr. Kucera: Is there any public comment on this issue? (No response.) Then I'll move to table this item until the next meeting pending additional information.

Mr. Brusk: Second.

Mr. Brandt: Did he formally request that it be tabled?

Mr. Brusk: You did request that it be tabled, did you not?

Mr. Jones: Yes.

Mr. Kucera: Would you call the roll, please?

(Mr. Haire called the roll. Mr. Kucera voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Brandt voted "yes." Mr. White voted "yes.")

Mr. Kucera: And I guess I should also explain on issues like this, if there is a denial, you have the option of then going before City Council and making a request to them. I believe that's correct, isn't it?

Mr. Haire: Right, so you do have appeal rights. You have a certain time period, I believe it's ten days, to appeal the decision of the Board.

Mr. Kucera: So just so you're aware of that avenue as well.

Mr. Jones: Okay. Thank you. When is the -- what do I have to do to get on the agenda of the next meeting and when is that?

Mr. Haire: That would be November 15th.

Mr. Jones: I wouldn't have time to get my sign up before we open, but there's not sooner option.

Mr. Kucera: You certainly can get the sign that you're allowed up.

Mr. Jones: Right.

Mr. Kucera: There's no variance required for that sign.

Mr. Jones: All right, thank you.

Mr. Kucera: I'm sorry that we couldn't help you more.

3. MAJOR SITE PLAN REVIEW APPLICATION; 1604 LANCASTER AVENUE, REYNOLDSBURG, OHIO; PRESENT USE, OFFICES; PROPOSED USE OF LAND STRUCTURE, EXISTING OFFICE AND PROPOSED OFFICE BUILDINGS; PRESENT ZONING, COMMERCIAL. CONTACT NAME: GINA TATA OR JOHN EBERTS (11-MS)

Mr. Kucera: Yes, sir, if you could state your name please.

Mr. John Eberts: I'm John Eberts, the architect representing Tata Corporation, Wally and Gina Tata, for the property at 1604 Lancaster Ave.

Mr. Kucera: Yes, sir.

Mr. Eberts: What we're proposing there is to add two additional structures of about 6600 square feet. This property was before you years ago for a parking variance for two other structures. We have reoriented the buildings and also downsized the buildings. There would be no parking variance required and, basically, we have reoriented the buildings to give them a little more exposure from the street for visibility. We've elaborated on the structure a little bit to add a more pronounced entryway so that the tenants would have a more of a, for lack of better words, more of a kiosk for their entry into the structure.

Mr. Kucera: It also looks like there's considerably more landscaping proposed too?

Mr. Eberts: You have quite some guidelines in place and I think we've met them all. That was one question, I guess, if there was any leniency. Luke is aware of a large band of evergreens to the south side of the site that are slightly, probably inches, into the neighboring property, but we still in our landscape layout-- Luke, do they have a copy of the landscape?

Mr. Haire: Yes.

Mr. Eberts: We still show trees and mounding and shrubbery along that, so that ends up being a very dense area of planting.

Mr. Haire: This meets all the current zoning requirements as far as buffers between residential use and commercial uses, so that's why there's significantly more landscaping than was originally proposed on the site. It's because we have new regulations in place.

Mr. Kucera: Okay.

Mr. White: Is there going to be any increased traffic flow because, obviously there will be, has there been any--

Mr. Eberts: I'm sorry.

Mr. White: Has there been any traffic study to determine the increased traffic flow?

Mr. Eberts: No, there has not. We're looking to attract office tenants. It'd be the perfect -- an office condominium or something like to that nature for a doctor's office or

attorneys, professionals. I don't see where that'd be at a heavy flow. It would be very sporadic and a low flow of traffic in and out.

Mr. Kucera: Is there going to be any site lighting?

Mr. Eberts: Yes. We haven't laid that out yet, but we want to minimize it, of course, because of the residential property to the south and there is a church directly to the east. Fortunately, there's a cemetery to the north there. But we'd like to keep it to a minimum, but have a safe level of lighting for employees exiting at night and, of course, security. I'd like to keep a lot of that basically on the building and use that as an aesthetic way to light that at night, too.

Mr. Haire: Yeah. Actually, the church to the rear, it's their parking lot. It's located directly to the rear there and there's significant lighting in the church's parking lot already. So they'll be adding the buffer and, I guess, a fence along the rear.

Mr. Kucera: And then between – you're going to have significant landscaping again between this area and the residential?

Mr. Haire: Right. There are currently large pine trees there now, so those will remain and then with the addition of the mounding and some of the other shrubs and things, there shouldn't be any type of issue with lighting getting across there. The pine trees out there, they're large trees.

Mr. Kucera: Yeah. And, again, we'd like you to be sensitive to the adjacent residential and keep with the down lighting approach.

Mr. Eberts: You might be able to pass that around.

Mr. Kucera: I think we have that.

Mr. Eberts: Our intent is to match the brick of the existing structure there closest to the street and, along with the siding on the other portions of the building, to break it up.

Mr. Kucera: Mr. Brusk?

Mr. Brusk: Yeah. We have that.

Mr. Eberts: Also, it'd be kind of reorientation of the buildings to compare to the other previous layout. It kind of has a more cradled green space in the back and kind of softens things up as you proceed to the back of the site. You're not just driving past three buildings lined up in a row.

Mr. Feeney: The mounding that you show on the landscape plan, is that out here or is that all along that side of the residence?

Mr. Eberts: It's basically up front closer to the road there. It's pinched off by the parking area.

Mr. Brandt: (inaudible)

Mr. Kucera: Excuse me?

Mr. Brandt: I said with these two new buildings and the improved landscaping, it'll enhance the whole site. I think it's nice.

Mr. Kucera: Yeah. I notice there's—

Mr. Eberts: We hope to make it an aesthetically attractive development that attracts tenants and keeps them.

Mr. Kucera: I notice there aren't plans for the storm sewers and that kind of stuff with this. I assume they'll be reviewed by the City Engineer.

Mr. Eberts: We had them totally engineered for the previous layout and they're being altered now. It's very slight alterations to that.

Mr. Haire: I believe that's already been approved. All their plot grade utility was approved last fall, so they're kind of doing things in reverse here. But from what I understand, and maybe Mr. Miller can elaborate on that, but the plot grade utility has been approved for this?

Mr. Miller: (inaudible)

Mr. Eberts: Yeah. It was approved, but the alterations are ever so slightly, you know, from fire hydrants being moved in, to planters that are maybe 20' away and the parking lot catch basins are slightly an L-shape versus straight through. Actually, the parking area is smaller than previous.

Mr. Kucera: There any other Board questions? (No response.) Is there any public comment on this issue? (No response.) All right. I'll entertain a motion.

Mr. White: I move that Item C3, application for major site review application, number 11-MS, be approved.

Mr. Feeney: I'll second.

Mr. Kucera: All right, if you'd call the roll, please.

(Mr. Haire called the roll. Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Brandt voted "yes." Mr. White voted "yes." Mr. Kucera voted "yes." Motion carries.)

Mr. Kucera: Thank you.

Mr. Eberts: Thank you, sir.

Mr. Kucera: All right, if we could have Agenda Item C4, please.

4. MAJOR SITE PLAN REVIEW APPLICATION; 10564 TAYLOR ROAD SW, REYNOLDSBURG, OHIO; PRESENT USE, VACANT LAND; PROPOSED USE OF LAND STRUCTURE, MULTI-FAMILY CONDO; PRESENT ZONING, AR2. CONTACT NAME: CHRIS LESCODY (12-MS).

Ms. Linda Menerey: Good evening. Chris and I were not sworn in, so if you want to do that, we'll swear in.

Mr. Kucera: Okay. If you'd raise your right hand, please. (Mr. Kucera administers the oath).

Ms. Menerey: I do.

Ms. Chris Lescody: I do.

Mr. Kucera: All right. Thank you. Did you sign in as well?

Ms. Menerey: I signed in. Lucas knows where to get us. I am not Chris Lescody, I'm Linda Menerey. I have with me Chris and Craig Murdick. Chris and I are with EMH&T and Craig is our architect. We are here to briefly walk you through this plan. I think, as you read in your staff report, there was a different plan approved for this. This was a continuation of the townhouse units that were just to the west of here. I'm not sure, marketwise, why they didn't choose to continue those, but what we have here is a product that is a little bit different than what you see out there on Taylor Road right now. Primarily what you see are townhouse units, both below us kind of southwest and to the west of us. What we're actually proposing is a ranch-style product. It is a four-unit-per-building footprint and there are 11 of them on the site plan. Somewhere around a density of around 6.3. I believe, as you saw in the staff report as well, the overall unit count for the whole development is not in excess of what was approved, but there have been some juggling of lot lines. So, although this sub-area had four units in it before, we have some additional acreage and we're actually taking some units from what was on one of the other pieces. We are doing this submittal and then we actually submitted last week for Design Review and there was some additional information presented with that as well. I don't know if – Luke, did you give them copies of the landscape plan?

Mr. Haire: No. They don't have them.

Ms. Menerey: Okay. I brought copies of those and I'm going to give them to Chris here to pass out. I believe this was originally approved, you know, again it was supposed to be a contiguous kind of development. A couple of things in the staff report, there is a curb cut now that we are showing on Taylor Road and that's located in about this location. Right there. And I believe that your engineer has looked at that and believes that that is an acceptable location. We have also had the fire department look at the overall circulation for the development and they are fine with being able to access this. Now the condominium development that was to the south had a stub that went to it and it was located here and it exists in the field. We are showing a connection to that with bollards that the fire department has approved, but I'll have Chris show you this as well. This is what exists right now in the condominium development just to the south of us. They've got a three panel, white, vinyl, board-on-board fence and so it seems kind of obvious to us that they're not really interested in having connectivity to our development. I suppose that we would have to work with the City and the adjacent property owner, that condominium association, to have that fence removed and have the bollards put in there. So access on Taylor, connectivity to the south via bollards that would be able to be removed for fire protection purposes.

Questions about landscape, we have the buffer on the south side and then it continues up on the west as well. Chris passed out the sheets that show the detailing of that. So basically, you have deciduous, ornamental and evergreen trees within that buffer area that will take care of doing buffering along those two edges. As you look at the north side of the property, there is a fairly substantial Osage orange hedgerow in there and we've increased that setback kind of on that north property line to be able to try to save those trees and leave them as a buffer.

I think the third point that Lucas had in the staff report was kind of what happens with the whole frontage on Taylor Road. This is not kind of your normal configuration. I'll grab the board and point here so that I can speak into the mike. Normally you'd have a property line that kind of follows what would be a right-of-way line, but it's our understanding that there was some additional ground here for maybe a potential relocation of Taylor Road, a continuation down, but that didn't occur. So, right now, what happens is that treatment, as you come along Taylor Road there's that three-rail vinyl horse fence and then street trees. There's honey locust further down and, I believe, ash in front of this particular site and that is actually constructed all the way up to about this location. Now the question in our mind comes, normally we would continue that up the side of the property line, but that doesn't really make sense because it kind of goes nowhere.

The other thing that we would be required to do if this were the right-of-way, we'd be required to carry to sidewalk up there, too. We've had a couple of discussions with Lucas. He's talked to your Service Director and he has suggested that we kind of work on some sort of mutually agreeable location for a sidewalk continuing over to Taylor Road. The difficulty in that is that the curb and gutter stops on the street in this location where the sidewalk ends and, as you continue to the intersection, there's no curb and gutter and there's a grass swale on either side. So that creates some difficulties in us in

terms of figuring out exactly where to get that sidewalk located. If we locate it adjacent to the road, it may not be the safest location because there's no curb there to stop a car from coming off the side of the road. We really wouldn't pipe the ditch. That's in the public right-of-way, so we'd have to actually figure out how to get it on it on the back side of that swale.

Craig can talk a little bit about the units if you want, but I think what I'd rather do is stop at this point and let you all ask questions of us about what you might have regarding the layout, the architecture, and the overall site.

Mr. Brusk: Where would this location fit with the school, Slate Ridge School, where would it be located?

Ms. Menerey: It's kind of south. The school's up in this area, the property.

Mr. Brandt: It sits back a good distance from the road.

Ms. Menerey: It's back – yeah.

Mr. Haire: That's why the sidewalk has been such an issue, because we want to make sure that the sidewalk gets at least as close as possible. There is one property in between the school site and the condos along—

Ms. Menerey: Is that the Youst, the Yost, the Youst? Is that this piece right here?

Mr. Haire: Yeah. I believe so. So the sidewalk wouldn't continue all the way up there but we want to get it at least as far as we can at this point.

Mr. Brusk: Is this at the curve where you have that real sharp turn?

Ms. Menerey: Yeah. If you're coming south, it's almost like you can make – if you're coming south on Taylor Road, it's almost like you can make a continuous right turn onto Taylor Road SW, I guess is what it's called. If you're coming eastbound, you have to come to the intersection, stop, and then make the left and nobody probably really goes right.

Mr. Brandt: As she described, to the best of my recollection, was that the original plan was that it would come -- the road would sweep across that site and that's where that parcel got left out there and then ended up in some litigation and issues in the Licking County Commissioner's and so on and so forth, and some disagreements with the folks in Etna. And the City was, I believe, deeded a piece of property that – not that piece—

Ms. Menerey: Not that piece?

Mr. Brandt: --to tie the road together. That's how the road got hooked up, because the adjoining jurisdiction wasn't going to give the developer a permit to access the road. So they gave the City the strip that was necessary to hook that road to that road and that's where the other issue fell apart.

Mr. Brusk: That's all Reynoldsburg and then Etna Township's right across the street?

Mr. Brandt: Right.

Mr. Haire: So the original plan was to— That's why the right-of-way looks the way it does and this property line doesn't go out there. From my discussions with the Service Director and the Street Superintendent and some other people that were familiar with the situation, that road will not be relined unless Reynoldsburg controls both sides of the road, which there's no intent of the City to do that. If the property owners do it, then possibly somewhere down the road that may be an option, but at this point we're looking at long range.

Mr. Kucera: Who owns that little _____ out front?

Mr. Haire: The City. The City was deeded 10.9 acres for the right-of-way, or 10.3 acres for the entire Taylor Road right-of-way when NOCA did the whole thing.

Mr. Brusk: Now, those are all those For Sale signs are right north of that, right?

Mr. Haire: Yes.

Mr. Brusk: And that's the school driveway—

Mr. Haire: But those are on the opposite side. Those are in Etna Township.

Mr. Brusk: Both on both sides of street.

Mr. Brandt: So they're going to access this both off Taylor Road and that blockaded section will be down here at the bottom on the left?

Ms. Menerey: I believe our desire is not to actually have a permanent access down there through the other condominium development. I think because of their association and maintenance, they probably don't want us running through there and, you know, vice versa. But simply from a fire perspective, the fire department is fine with that being a bollarded access point if they need to get in there; say, there's some reason that the Taylor Road entrance would not be accessible because of a fluke accident or something.

Mr. Haire: And this is the West Licking Fire District which requires two access points so it'd have to meet their standards and they have a certain standards for the

breakaway bollards or emergency gates, whatever you do. They have all those standards established.

Mr. Kucera: Is there any reason why the sidewalk couldn't come up there? On your picture you have a—

Ms. Menerey: Right. To parallel kind of—

Mr. Kucera: The front of your property and then come out to the road?

Ms. Menerey: I mean, I think we're agreeable to work with the Service Director, with whoever.

Mr. Kucera: Those sidewalks don't necessarily have to be at the edge of the road.

Mr. Menerey: Right. And we asked Lucas for some direction on that and that's kind of what we got it. I think the short term issue is that you don't have that property between us and the school so if you had it north, maybe it's a path to nowhere. I think Luke also told us that without being in the township, correct, that they don't have necessarily a plan in place to put a sidewalk in either. We're kind of willing to deal with it however you guys want to deal with it. We're just looking for some direction.

Mr. Haire: I would just ask that it be a condition of approval of the plan that the sidewalk connect to the north, to the Yousey property, go to that boundary and then we'll work on it through the plot grade utility plan as far engineering and how it gets there.

Mr. Kucera: Go to which property?

Mr. Haire: The north which is shown as the Stuart and Carolyn Yousey property, so just to their property line.

Mr. Kucera: All right.

Mr. Brandt: Now, are these -- in their condominium documents, are they going to put some restriction on rentals so it doesn't turn into a bunch of apartments?

Ms. Menerey: I can let Craig speak to that.

Mr. Craig Murdick: They are going to prepare condominium documents, but I do understand there's a possibility they'd rent at some point. I don't know the specifics.

Mr. Brandt: But there is going to be some-- because I realize I can rent my house if I want but--

Mr. Murdick: Right.

Mr. Brandt: But we're looking at avoiding another section of apartments is basically what it could turn into if they--

Mr. Murdick: I can't speak to the developer's total intent. We are filing condominium documents though.

Mr. Brandt: Some of them put a limitation as to how many one person can buy for rental.

Mr. Murdick: I've heard of that. Again, I can't speak to the details.

Mr. Brandt: Because I'm just kind of wondering in this market right now, condominiums seem to be hurting. Well, everything is soft, but—

Mr. Murdick: Right. I can say that another project they have that, and I can't commit to a relationship, that it was condominiums and it was selling slowly, but they went to a lease-to-own and they got tenants in and with that kind of an arrangement.

Mr. Brandt: What's the price point going to be?

Mr. Murdick: I don't know about that. I will say that they've enlarged the units from their 1320 square feet. They have a sunroom on 32 of the units and they increased the size of the bedrooms and kitchens and that sort of thing, gave them more counter space and make it more upscale.

Mr. Brusk: How many bedrooms are these?

Mr. Murdick: Two bedroom.

Mr. Haire: They're built on a slab?

Mr. Murdick: Yeah.

Mr. Brusk: How big are the bedrooms now?

Mr. Murdick: I think 12 by 13 is the larger of the two. The other one is 12 by 12, I think.

Mr. Kucera: Is that what happened to the open space that was in the original proposal?

Mr. Murdick: No. The open space is more a function of the previous design being all frontloaded and townhouses and the flats with the attached garages and just the arrangement of the building don't allow all frontload and, as such, it just kind of

forces the units, or the buildings to be spread out a little further. So there's a little more open space around each building.

Mr. Brandt: Is there any – it's a little tough to figure out from here, but any extra parking other than, what, two in a driveway and two in front or two in the garage? That seems to be the complaint we hear, at least our office, on condominiums. "I bought one and there's no parking. We had the kids over for Christmas" and then it's off to the races.

Mr. Murdick: Well, what I can say, there is some onsite parallel parking in addition, compared to some projects I've seen that don't have any stacking in front of the garage. Besides each unit has a two-car garage and stacking for two and then there is some -- I can't the quantity -- there are some site parallel parking.

Mr. Brandt: Oh, okay. Well, at least it seems like they thought of it. Probably not enough but at least it's a start.

Mr. Murdick: I'm sure if they've got their garage full of stuff they can still park in the driveway.

Mr. Kucera: The long road that runs what would be about east/west, how wide is that?

Ms. Menerey: I'm not sure I understand the question. How long is the road or how wide is—

Mr. Kucera: How wide is the paved width?

Ms. Menerey: Between the buildings?

Mr. Kucera: No, no, no.

Mr. Murdick: The paving in the drive is 22'.

Mr. Kucera: It looks incredibly narrow on that. All the roads look incredibly narrow.

Ms. Menerey: You mean to access back to the driveway?

Mr. Kucera: No. I'm talking, there's the long road—

Ms. Menerey: This road?

Mr. Kucera: That road right there goes all the way back, goes to the little circle on the end back here.

Ms. Menerey: Right, 22' wide.

Mr. Kucera: Are all of those roads in there, with the exception of perhaps the access back between the buildings, are they all 22'?

Ms. Menerey: That is correct. So that would be, as you come in here to this loop and then as you come back and around, this would be part of the driveway section. We widened it so the fire department would accept it.

Mr. Kucera: I guess my other question is, is looking at some of those, will the fire trucks be able to make some of the turns in there? Has anybody looked at that?

Mr. Murdick: We will run the fire truck turning template on it.

Mr. Kucera: You have not?

Mr. Murdick: We have not at this point.

Mr. Kucera: I don't know, it just looks incredibly dense to me.

Mr. Brandt: Yeah, because traditionally anymore – I don't know what the department that serves this will do, but most of them, on a medic issue, they send a pumper and an EMS unit. And when you get that heavy rescue unit in there, that looks like it might be a little tight to me. I mean, having had the opportunity to ride on one or two of those--

Mr. Murdick: I can say I did the first conceptual on it, that it can accommodate pretty good radii.

Mr. Brandt: You say this is under West Licking or Violet?

Mr. Haire: It's West Licking.

Mr. Feeney: I asked about the bollards. Go back to the bollards and that picture of the fence. Where is that going exactly on the site? Is it—

Mr. Murdick: Right there.

Mr. Feeney: So the one property, the existing condominium has a fence up and they own that fence and you have to negotiate with them to take the fence down? Is that what I heard?

Ms. Menerey: I would assume so. I'm not sure how that fence got there or got approved. There's no other fencing along that whole north property line. It is specifically three panels at the end of that drive and maybe that was a short term to--

It's funny. If you drive out there it's like a little T that goes into a driveway and the driveway and a hydrant and "boomp" a fence right there at the end of it.

Mr. Fenney: So you're putting up bollards. You're installing bollards?

Ms. Menerey: We'll install knockdown bollards or removable bollards, whatever the fire department—

Mr. Feeney: So we don't know what those look like?

Mr. Haire: The fire department has a standard design. There'll be a breakaway bollard. They'll be white or natural wood and they'll have reflective bands around them.

Mr. Feeney: So does the fire department know that there's a fence there also?

Ms. Menerey: I'm not certain that the fire department—

Mr. Haire: The fence – I don't know how the fence got there either.

Mr. Feeney: It's a moot point if you can't—

Mr. Haire: I think the curb is right on the property line, so I think the fence is actually on this property line.

Ms. Menerey: Maybe on our property line?

Mr. Haire: Yeah. I don't know if it's been surveyed or you guys have been out there and staked it but, from looking at the drawings where the fire hydrants are, I think that that fence is probably on the developer's property.

Ms. Menerey: That'll be a fun—

Mr. Murdick: We'll let Linda take that down.

Ms. Menerey: They've already given me the eyeball today out there.

Mr. Kucera: On the second page of the sheets that you handed out there's a lighting detail. Could you talk about that and where they're located?

Ms. Menerey: Sure. I think, and again this is from the second submittal, so you can see the location, I believe there, shown on the site plan. On the first page you'll see the lighting symbol like at the right hand side of the driveway if you look at that northern row of buildings, so there's a light fixture on the right side of the driveways on each of those. So primarily they come around the major loop street. Can you see that or do you want me—

Mr. Kucera: Is that a halogen type fixture?

Ms. Menerey: I'm not certain what the bulb is that's spec'd on that. Do you have a preference? I'm sure we don't mind to agreeing to whatever.

Mr. Kucera: Well, I guess I'm concerned that this a pretty radiating light as opposed to a down light and—

Ms. Menerey: So you're worried about glare and having cutoff?

Mr. Kucera: Yeah, and light pollution onto the other properties, and dark skies and all of those considerations.

Mr. Haire: I guess I wouldn't be as concerned with the light pollution because of the buffer that they're installing. The one thing I would like to see is, on the top of this site plan it says, "Existing trees to be preserved and tree row where possible." I'd like to see that "existing trees and tree row to be preserved," not where possible, because there's no utilities running throughout the site, so at least a 10' buffer to be preserved or nothing's cut in there. Then we can have them fenced off during construction, because it is a pretty thick — I have photographs. It's a pretty thick tree row. I can cut the lights if you want to see them.

Ms. Menerey: It does not look like this is a cutoff fixture and I can't tell you for sure what the bulb is in it.

Mr. Kucera: Okay. I'd certainly like to see a cutoff fixture or down lighting.

Ms. Menerey: Do you have a height that you are looking for? I mean, we're not looking for something real tall.

Mr. Kucera: (Inaudible)

Mr. Haire: Is it proposed at 10? Is that what it shows on here? The pole light I guess is 10'.

Ms. Menerey: I was thinking the pole was 10 and the fixture, when he added it up to the top, got to about--

Mr. Haire: 12 maybe.

Mr. Kucera: I don't know. I guess I—

Ms. Menerey: 12' isn't really that tall.

Mr. Kucera: I prefer it, when you have lighting studies, that someone's done it. The Lowe's store gave us a very nice lighting study.

Mr. Haire: It just so happens there's a lighting fixture that's very similar to this located on the adjacent condominium property. It doesn't show up very good, but if you look on this screen it's much better.

Mr. Kucera: Yeah.

Ms. Menerey: That's sort of how the site looked today.

Mr. Haire: Yeah. It was dark. That's when I took these pictures so they show up even darker on here.

Ms. Menerey: Oh, did you see me sitting in the middle of the road?

Mr. Haire: No. But this is the area along Taylor Road where the road ditch is. This is the area where the proposed sidewalk would go, likely somewhere in that area.

Mr. Brusk: Do we get to displace any deer?

Mr. Haire: They can just go across the road.

Mr. Brusk: They're eating up all the shrubs in our neighborhood, getting hungry.

Mr. Brandt: The point you made about the tree row back there, I think there was something when that property was sold to the school district, about that tree row as well being maintained, because somewhere back in there part of the trees were on the school property possibly.

Mr. Haire: Yeah. The school has a – it shows on the drawing actually, existing chain link fence. I don't think they cut anything beyond that chain link fence. It think that was part of their—

Mr. Brandt: That's part of when – because NOCA sold – you may – I don't know if you were with—

Ms. Menerey: I was not part of that.

Mr. Brandt: NOCA sold that property to the schools because that was initially set to be residential, is what they--

Ms. Menerey: Right. I remember the plan showed single family lots back there.

Mr. Brandt: Yeah. And then when it got down to the point of selling, I think they sold 16 point whatever acres to the school board, it's 13 it says, but I think there were 16. But anyhow, Bob Nelson, the gentleman at the time who represented NOCA, was somewhat adamant about maintenance of that tree preserve, tree line.

Mr. Haire: Right. And if you want to look here, that shows a lot better but it's pretty dense. You don't see the school.

Ms. Menerey: This isn't a great aerial. I mean, the quality of it's a little grainy, but you can see how dense that tree row is. There's a tree survey. Actually I didn't bring that – maybe I did have that with me. There are easily several hundred trees in that tree row. Obviously we just surveyed what's on our property line, but you can see the circle stack upon circle stack upon circle in here. That's everything we're keeping. It's right on the property line and it's within that 30' buffer that we have back there.

Mr. Brusk: And you'll keep that, not, if feasible—

Mr. Brandt: At least two or three.

Ms. Menerey: What's that?

Mr. Brandt: At least two or three.

Ms. Menerey: We hope to keep most of those in there. Actually it's an Osage Orange which I'm sure you guys all kind of know has that kind of monkey ball, monkey head looking fruit, the bumpy, orange fruit.

Mr. Kucera: Um-um.

Ms. Menerey: It's not a great tree from a – head-wise it's a nice tree. It just has a messy little ball that could be used for bocce.

Mr. Kucera: If you have spiders in your house you take that ball, break it in half, put it down there, and no more spiders.

Mr. Brusk: They don't like it?

Mr. Kucera: Nope. Of course, I don't know what it smells like. It could keep me out of the house, too, but always the—

Ms. Menerey: Yeah. Two weeks, three weeks out.

Mr. Kucera: I've got a list of four items at this point, possibly five, which are fire department turning radiuses; the north tree line, remove the words "if possible"; the sidewalk; and the lighting. I'm not quite sure what to do at that point. And the fifth possible one is the bollards, which I guess we would say the bollards would have to be per fire department specs.

Mr. Haire: Right. Like I said, they do have a standard that they use.

Mr. Brusk: Who's good at drafting wordsmithing here? We should be able to do this relatively easy. Bring up a motion?

Mr. Kucera: I guess I would move then, if there's-- Is there any more Board comment or questions? (No response.)

Mr. Brusk: Let's word it that—

Mr. Kucera: Is there any public comment? (No response.) At any rate, you started to say—

Mr. Brusk: Okay. I move that we accept the major site plan application Item B4 12-MS with the following stipulations. One, the bollards meet the fire department regulation. Two, that the fire department -- which fire department is that?

Mr. Haire: West Licking.

Mr. Brusk: --West Licking Fire Department review the plans to determine if the turning radiuses are adequate and other access is adequate. Three, that we remove the words on the, what is that, the—

Ms. Menerey: North.

Mr. Haire: North property line.

Mr. Brusk: On the north property line remove the words "if possible" and, therefore, say that you will maintain the trees that are there. Four, review the lighting. You (Mr. Kucera) should bring four in.

Mr. Kucera: Four would be review of the lighting for conformance to down lighting and light pollution.

Ms. Menerey: Glare.

Mr. Kucera: Glare and light pollution.

Mr. Brusk: That should cover it—

Mr. Kucera: And then—

Ms. Menerey: The sidewalk—

Mr. Kucera: --five, that the sidewalk -- I'm not quite sure how to do this one. The sidewalk would be—

Ms. Menerey: Maybe located in a mutually agreeable—

Mr. Kucera: --would be located in an agreeable location but that would extend northward and eastward towards the Yousey property.

Ms. Menerey: Okay.

Mr. Brusk: That should do it.

Mr. Kucera: Do I have a second to all that?

Mr. Brandt: Second.

Mr. Kucera: All right, seconded by Mr. Brandt. Would you call the roll, please?

(Mr. Haire called the roll. Mr. Brandt voted "yes." Mr. Brusk voted "yes." Mr. Kucera voted "yes." Mr. Feeney voted "yes." Mr. White voted "yes." Motion carries.)

Ms. Menerey: Thank you very much.

Mr. Kucera: All right, thank you. The next Board meeting is on the 15th, is that correct? We don't have an interference with Thanksgiving, is that correct?

Mr. Haire: No. The meeting will be on November 15th.

Mr. Kucera: All right.

Mr. Haire: It'd be the third Thursday. The 1st is a Thursday.

Mr. Kucera: And, as I remember, we do not meet in December, is that correct?

Mr. Haire: Correct.

Mr. Kucera: All right.

D. OTHER BUSINESS

Mr. Kucera: Is there any other business before the Board this evening? (No response.)

E. ADJOURNMENT

Meeting adjourned at 7:55 p.m.

Thomas Kucera Chair

Lucas Haire, Planning Administrator

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