

MINUTES

CITY OF REYNOLDSBURG
PLANNING COMMISSION

SPECIAL MEETING

SEPTEMBER 15, 2005
6:00 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. David Wall Mrs. Marlene Wirth Mr. Brad Wilson Mr. John Brandt
Members Absent:	Mr. Charles McGrath
Others Present:	Ms. Annique van Kley, Planning Administrator

2. APPROVAL OF AGENDA

Chairman Wilson: This is the only item on the agenda. There are no additional items, so we will consider the agenda approved as written.

3. SWEARING IN OF SPEAKERS

Mr. Wilson: (Mr. Wilson administers oath).

4. PUBLIC COMMENT

Mr. Wilson: There is no public comments, so we won't have any public comments.

B. UNFINISHED BUSINESS

1. REZONING: 1933 LANCASTER AVE., REYNOLDSBURG, OHIO: 18.96 +/- ACRES LOCATED AT THE SOUTHEAST CORNER OF LANCASTER AVE. AND SLATE RIDGE BLVD.; PRESENT ZONING, CC; PRESENT OWNERS NAME C&T SLATE RIDGE; PROPOSED ZONING, PD AND CS; PROPOSED USE, A MIXED-USE DEVELOPMENT INCLUDING A CONDOMINIUM DEVELOPMENT AND A COMMERCIAL DEVELOPMENT; APPLICANT: PREFERRED REAL ESTATE INVESTMENTS II, LLC AND C&T SLATE RIDGE (4265 PL)

Mr. Wilson: Good evening.

Ms. Jill Tayner: Thank you first for all of you to be here tonight on this special time. We certainly appreciate your time and your commitment to working with us. We asked to come back before you on our reconsideration for this planned unit development rezoning application. When we were before you the last time, there were a couple of issues that I think Commission members felt just really needed to be resolved before we should move forward. We went back and talked and agreed that we needed to work out a few things before we went any further. And we really want your support as a body to move forward. And we think that that is very important. None of us are into the “cram it down your throat approach.” We really want to work with the City and so thank you again for coming back and letting us talk through the issues.

I won't go over the entire summary. I think all of you, at some point, maybe not at the last meeting, but have seen this proposal but this site is at Lancaster Avenue and Slate Ridge Blvd. The whole site is roughly 18 acres. It is currently all zoned for commercial development. We're asking to develop this for mixed use development that will include a mixture of residential development, which is kind of in a smaller part of the triangle and then commercial development here along Slate Ridge Blvd. To the extent that there are questions about the specifics of the development, I'll be happy to go back over those. If there aren't, we'll keep your time as short as possible. In terms of where we were the last time we met with you, I think there were two groups of issues that really needed to be resolved and looked at. The first was concern over some of the Fire Chief's comments about the residential portion and having some concerns about street widths and access and things like that.

We went back and talked with both the Fire Chief and the Assistant Fire Chief for the development. As it turned out our engineer had, in fact, talked to the Fire Chief initially and he said once the zoning is done, come back to me. But he gave us the general requirements, so the site had already been designed to meet most of those. Unfortunately, some of us lay people didn't know all the details. So the streets were, in fact, 22' in width which is what he wanted. Designations for “no parking areas” had already been established and he was happy with that.

The one kind of remaining issues was emergency access out of the residential. And we had a lot of discussion. We do show emergency access that will go out to the service road for the commercial area, but there was some concern (1) about the width and (2) about what happens if the commercial wouldn't develop along with the residential. So what we discussed and agreed to was that if, in fact, the commercial doesn't develop simultaneously with the residential, the developer for the residential portion will be required to install a temporary secondary access, a useable secondary access to the residential portion, before there is ever a final occupancy certificate issued. So, basically, in simple terms, that means that before anyone can live on that site there's got to be two ways in and two ways out. We have agreed to that, we've put that into our limitation text and that will go through with the zoning.

I handed to you and you are just now reading the letter from the Assistant Fire Chief, Jerry Fultz, letting our engineer, Mike Cain, with Advanced Civil Design, let him know that he was in approval of the revisions that he had made and he was happy with the resolution regarding the emergency access. for that particular part of the project. I think all other issues relative to the Fire Chief were acceptable and had been designed with his requirements in mind. So I think that was the first issue.

The second issue was primarily over traffic, relative to the commercial site onto Lancaster Avenue. Specifically I think there were questions about (1) had the traffic study been looked at by your engineer and (2) about right turn lanes into the project. We went back and met -- and our traffic engineer is here tonight, Garry Wilcox -- and met with Dave Parkinson, your engineer, and looked at that issue closely. I think you have the letter from Dave Parkinson saying that he's reviewed the traffic study, he's in approval of all the traffic study issues and certainly Mr. Wilcox can speak more to this. I think the only discussion really was about whether there was a need for a right turn lane at the southern most access point for the property. And, as Mr. Parkinson pointed out in his memo, this is all a little bit fluid. We've all kind of agreed upon on roughly where the access points are going to be, but there will be some shifting around with final engineering and as users are identified, there will be some movement of these points. I think, in Dave Parkinson's mind, while a right turn lane might meet the warrants just barely, it really wasn't necessary for this particular site and I think that is what he communicated to you. The warrants for a right turn lane at this particular spot are in that kind of gray area. There needs to be some discretion made. I think Dave's opinion was it's not going to significantly make any difference, so I think his letter to you and to us was, "I don't see that's it's necessary based on the information that they've given us." Now, obviously, you are free to make a different decision in that regard and certainly we'll be happy to answer questions on that particular issue. We've not made it known what our traffic study says and the details that we've given. And as I said Mr. Wilcox is here so he can certainly answer questions on that particular site. But I think that at this immediate moment given your engineer's response, the access points generally speaking that we've shown, limited access points, the right in, right out traffic light should operate as they are supposed to and that there wasn't a need for right turn lanes in this particular area.

So those are the issues that we went back and addressed and we hope that we've brought you answers that are satisfactory to you. We are happy to answer other questions about the development specifics and if you have other issues you want to talk about, that's fine. I just thought I'd address them to keep time reasonable -- the two things that I thought were the primary concerns at this point.

Mr. Wilson: I appreciate your review and it's accurate. I did get a call from Mr. South, a voice mail last Tuesday saying to me that you've met with the City and that I believe I heard you say that there is room for a turn lane and that really it kind of makes sense. so you're going to go ahead and put a turn lane, a deceleration lane in the

development at the far southern end. And I'm not seeing that here which apparently doesn't make any difference, but I'm a little confused as to where that came from.

Mr. Kevin South: I misspoke in the voice mail, but the real reason I called was to just explain to us that if the Commission deemed appropriate for a turn lane we would be willing to do it. At that point, we hadn't had comments back from the City Engineer. We had met with him and he was noncommittal. He was still in the position to write the letter and hadn't done so yet. So I was just expressing our interest to work with you and the City Engineer on final design and if, in fact – I think what came out of the meeting, if, in fact, a turn lane is required, we're going to move this access point to the north to create room for it.

Mr. Wilson: Room for it. Yes. That makes sense.

Mr. South: That's where we are. We're willing to do it if you think it's necessary. After receiving the letter from Mr. Parkinson, he didn't think it was necessary, so we're happy to do it or leave it just the way it is.

Mr. Wilson: I professed two weeks ago that I'm not a traffic engineer and personally can't sit here and say yes that ought to be there in the face of all the traffic studies we've got and learn the people who know what they're doing in the process. I hadn't seen any of this to say whether he'd seen it or not seen it. and so I'm not ready to say that we need a deceleration turn lane there. However, if it doesn't make any difference to you, is it not a forward thinking process to put it in there? Again, I don't know. Is there a con to this that we should be considering or a down side to doing that?

Mr. South: Honestly, I think the only down side is the cost. And we're willing to take care of that. But if there's not a benefit I don't--

Mr. Wilson: If there's no benefit, then why should there be a cost.

Mr. South: Right.

Mr. Wilson: And I would understand and agree with that. Now I also heard and I think I read from Mr. Parkinson's memo that there is enough right-of-way. And I think I see it there— No, I don't see it there.

Mr. South: There's 55 feet from the centerline.

Mr. Wilson: There's 55 feet from the centerline and so if something was needed in five years because of an increase in traffic or the success of that particular development and we did have traffic problems, that it could be put in at that point. That's another issue of, "Okay, who then pays for that?" Are you still willing to pay for that and I may not think you would, just guessing. So I'm trying to think enough forward to let's do the thing now if it needs to be done and it says it doesn't, but the traffic study doesn't even show -- at least for the way it was presented -- enough increase in traffic in

the next ten years was it not that it doesn't seem to be necessary. I don't like to force people to do things that cost money with no benefit and I still have a nagging thought that maybe that's the best way to do it. But other Commissioners, we've talked about this, you've seen it.

Mr. Brandt: My thoughts are if they're willing to go along and see what the development turns out to be, whether-- Of course, we are all hopeful that it's successful, but if the users are more benign than they are active, if he puts a pediatrician's office in for example, that's generally busy during the morning and afternoon and Saturday and Sunday they are generally pretty quiet. So the need would be minimal. I think it depends upon the absorption and some of the specific uses that go in there. Obviously if he puts a major restaurant chain in there, then quite possibly it could be needed. So what was done, the Ohio Department of Transportation and the City has a situation out here in the Main and Taylor area where they -- "they" being the Ohio Department of Transportation -- gave the City "x" number of years if there was a need to go ahead and put in the requirements that they provided us with and we agreed to it. So I don't know if that would be the case, if they'd prefer to just go ahead and blow it in, or given the depth and the set back there, it's a pretty piece of property and it would seem to unnecessarily disturb it all. At this point I think we're getting into minutia that's probably not of our jurisdiction. But, by the same token, I think it would be better or at least my feeling it would be to see how it's absorbed, what the users are and then based on a -- give everybody a date that they're happy with. Are you folks planning on owning the property or are you going to flip it?

Mr. South: We'll sell a portion of it and -- our plan is to develop this retail center.

Mr. Brandt: So we'll have you.

Mr. South: For a while. Yes, sir.

Mr. Wilson: The City of Columbus has always been good for having you escrow whatever the estimate would be and a 5-year window it would be returned with whatever I'm sure the interest rates will be a little higher by then. But that may be a savings account for you. So I'm just throwing that out as a suggestion and I'm kind of amenable which way they'd like to work on it. I don't see the City's responsibility knowing what we're getting into and we hope you hit a home run for our sake as well going down there in two years. The fact that Mr. Parkinson did identify that the right-of-way's available, the other issue that was brought up at the last meeting by the young lady that was here about us paying onerous prices for condemnation of property and all that seemed to be a bit out of step, but that's what happens at a public hearing sometimes. So that's the way I feel is if they want to agree to give us a date within the time the development is completed and if they're lined up clear down to I-70 to get in there, within a 90 day notice from the City, given the weather conditions and all, they would begin installing it or tell us what's your pleasure.

Mr. South: I guess my thought would be by the time we got final engineering approved it might be end of the year, first part of next year, we'd have a really good idea who hopefully is going in there. And maybe it's something that we can address in engineering, work with the City from that respect and leave that open.

Ms. Tayner: We could add something to our limitation text that says that that turn lane will be re-evaluated once your final engineering is done. Because by then we'll have an idea of who's going to use the property. And that way, as you said, if it's somebody intense, then we can put it in. If it's not so much then maybe it's not really needed

Mr. Brandt: Possibly you could provide an estimate and we could put in the file. That way down the road if there's other significant changes in that area, only the portion that's applicable to your development would be involved.

Ms. Tayner: Sure. That would be easy to do.

Mr. Brandt: Because the state may come in and decide other issues as well. I don't know of any, but you know there's always something going on, so I thought that might be a helpful way to do it.

Ms. Tayner: I think that makes good sense.

Mr. Wilson: Mr. Brandt, how do we tie this into this motion for reconsideration so that moving forward and all that is part of the process.

Mr. Brandt: I think we have to do two. One, we have to do a motion just to reconsider the project. Then we vote on forwarding the issue on with a recommendation based on the following.

Mr. Wilson: Okay, that makes sense.

Mr. Brandt: I have one other question. We did discuss standards at the last meeting and I don't know and I haven't had the chance to look at the minutes to the last meeting. Did we, as far as your part of it goes?

Mr. South: Fifty percent, I think, is what we agreed on.

Mr. Brandt: That's right. And on the condos on the Slate Ridge side, they were all brick facing the street?

Voice: It's all natural. It's between brick and hearty plank.

Mr. Brandt: Okay. Not vinyl. Because that's natural.

Voice: Zero vinyl.

Mr. Brandt: Very good. Thank you.

Mr. William Corban: One other thing I'd like to add. This was the second item that Jill addressed but on the first one, the concern with regard to fire items. After your last meeting, I met at length, as Mr. Brandt knows, with both Mr. McGrath and with the Fire Chief individually. Mr. McGrath did tell me that his negative vote at that meeting was due entirely to concerns regarding fire and he said it was entirely resolvable. If the Chief were satisfied, then he said he would be satisfied. So we feel that we probably had some of those things taken care of, but didn't know the detail to be able to say we did. But now we've taken care of those, so I presume that he would not now have a problem.

Mr. Brandt: Mr. Corban, there have been questions that you'll probably face at the next level with respect to the properties – the whole being totally developed in commercial and my response was that given the size and the geography of it, I don't see anyone in this day and age dying to be back there in that right hand corner with a commercial business.

Mr. Corban: That's a correct statement. We haven't had that person come along yet. The reason that it's not developed already is that we always wanted to know what the easterly portion of the property would be before we went and sold off pieces on the front. We could have sold pieces on the front readily over the years. We hadn't had that user for the back that made sense to us. As you know, we considered putting some office buildings on the Slate Ridge portion of it; but we didn't have the other part. The Post Office came the closest. They were rather interested but, as you probably know, they decided to stay where they are and they had some financial constraints that are apparently pretty definite right now. But we didn't have a commercial user for the back portion of it. Once they got into the detail of it and studied it, who said they wanted to go forward. We had several, as you probably also know, large developers consider the site as a whole, but they backed away.

Mr. Wilson: Other Commissioners, any questions. Okay. There is, I don't think, no public comment at this time.

Mr. Wilson: Having no further questions, I believe we had the questions answered that were part of the last meeting. So I would ask for a motion for reconsideration of decision reached on September 1st concerning this piece of property.

Mr. Brandt: I move for reconsideration of the application for 1933 Lancaster Avenue, Reynoldsburg, Ohio, Planning Commission (4265PL).

Mr. Wilson: Is there a second to that?

Mr. Wall: Second.

Mr. Wilson: It has been moved and seconded. Is there any other discussion? (No response). Hearing none, Ms. van Kley please call the roll.

(Ms. van Kley called the roll. Mr. Wall voted “yes.” Ms. Wirth voted “yes.” Mr. Wilson voted “yes.” Mr. Brandt voted “yes.”)

Mr. Wilson: The second motion that we need then is to pass this on to City Council with our votes. Considering the changes and the clarifications that have been made, are there any other questions that we have at this point? (No response.) Seeing none, I look for a motion for approval.

Mr. Brandt: I move for recommendation to City Council for the application for 1933 Lancaster Avenue, Reynoldsburg (4265 PL) and, in addition to that, I would like to thank the members for being here this evening. I’d like to offer my apology, if you will, to the applicant for the previous meeting and the issues that were brought up that were somewhat, in many case, minutia and in many cases were internal issues that should have been handled internally and was basically a sandbagging. And with that I conclude.

Mr. Wilson: To that motion we need to add a couple of the points that were brought here tonight concerning the turn lane and the potential for that.

Mr. Brandt: Yes, we’ll add the discussion over the right turn lane at the main entrance, which would be northbound on SR 256 or Lancaster Avenue. They will work with the City Engineer, once the engineering is done for the site and users are identified to further determine the need for installation of either currently or some arrangement that would be acceptable to both parties for installation within a 5-year window.

Mr. Wilson: Okay.

Mr. Wall: Second.

Mr. Wilson: Thank you. It’s been moved and seconded. Any further discussion. (No response). If not, would you please call the roll?

(Ms. van Kley called the roll. Ms. Wirth voted “yes.” Mr. Wilson voted “yes.” Mr. Brandt voted “yes.” Mr. Wall voted “yes.”)

Ms. Tayner: Thank you again for your time, we certainly appreciate it.

Mr. Wilson: Thank you. We appreciate that.

C. ADJOURNMENT

Mr. Wilson: Having no further business to come before us, we stand adjourned.

The meeting was adjourned at 6:28 p.m.

Brad Wilson, Chair

Annique van Klay, Planning Admin.

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