



MINUTES

BOARD OF ZONING AND BUILDING APPEALS THURSDAY, MAY 20, 2021 6:30 PM

PLACE: COUNCIL CHAMBERS
7232 EAST MAIN STREET, REYNOLDSBURG, OH 43068

A. CALL TO ORDER

PRESENT: Linder, Furst, Barnhart
ABSENT: Rettke, Bulls

2. APPROVAL OF MINUTES

1. Board of Zoning and Building Appeals – Regular Meeting – April 15, 2021

Minutes Stand Approverd

3. APPROVAL OF AGENDA

The applicant has withdrawn item number four for this specific variance.

4. SWEARING IN OF SPEAKERS

Speakers for the evening sworn in by Mr. Furst.

B. PUBLIC COMMENT

No Public Comment

C. UNFINISHED BUSINESS

None

D. NEW BUSINESS

1. Application #2021-5130; 8300 East Main Street; Applicant Cassandra Kurtz; Non-Residential Zoning Variance

Ms. Wheeler: The first application is for eighty three hundred Main Street application number 2021-5130. The property is located within the East Main Street district. The applicant is requesting a board of zoning and building appeals approval for a zoning variance to construct a detached single family home. The property is currently held by the King County Land Bank in the east main street district does not currently list dwelling, detached single family as a permitted or conditional use, which is the reason for the variance. And with that, I believe the applicant is here this evening, though I haven't actually verified. Yes, OK.

Mr. Furst: Yes, if you'd like to come to the podium and speak.

Mr. Bowsher Please, if you're willing, please take your mask off so you can speak clearly in the microphone. Thank you.

Ms. Kurtz: Thank you. Please forgive any errors I make in procedure. This is a new thing for me, so I'm excited to be here.

Mr. Furst: If you could give your name and address for the record, please.

Ms. Kurtz: My name is Cassandra Kurts. My address is 480 West Broad Street Apartment 219, Columbus, Ohio. As you know, I live in Columbus, Ohio. My name is Cassie Kurtz, I'm a small animal veterinarian that works in Pickerington. I'm originally from Ohio, but I lived in North Carolina for about 10 years. And I've just moved back to the Columbus area here about a year ago. While, I'm in Columbus. I'm living in an apartment right now, and I'm interested in settling to the greater central Ohio area near Pickerington, ideally near work. So I started looking for some land to build a house on. I was drawn to the Licking County Land Bank because I really relate to their idea of revitalizing, reusing, rehabilitating properties that are otherwise vacant or not usable. So I started looking through some of their listings and that's how I stumbled across this property here in Reynoldsburg. I know you guys have got the documents in front of you, but I submit that the current commercial zoning of the parcel presents practical difficulty. What you can't see on this, but I know you guys have these documents is that the back half of this is a floodplain. So it's not a buildable lot just beyond the house there you can see all the floodplain zone. In the front is actually a ravine that blocks access to the parcel, except for like there's probably a 10 foot driveway, gravel driveway that you can see right there. So the parcel has half the floodplain, the back, the ravine in front. There's a lack of access to city sewer, the city sewers, four hundred and thirty feet away on the parcel to the north. And there's no way to access it with the basically with the ravine depth in the back and across the floodplain. So it would require an onsite septic system. There is city water available, but not currently hooked up again due to the ravine. The estimate I got for city water just running the line was eight to ten thousand dollars. That doesn't include the tap fee of twenty four hundred. So I say all this because we've got a very limited area of point five nine acres to start with. And when you take out the back half of floodplain, the front quarter for the ravine and you add in the setbacks and the room for the septic system and the loading zone and the parking zone, all the things you would need if you needed a commercial enterprise building there, it brings it down to about a tenth of an acre, which is about forty three hundred square feet of usable buildable room. In the picture you can see there's a house. That house is no longer present, actually burned down in twenty eighteen and the zoning reverted to its commercial East Main Street zoning at that time. So I proposed putting a single family dwelling right there at the same spot because that's about the only spot you could put it and still have it, you know, be where it needs to be appropriate with residential zoning. So I submit that the allowed uses for this are things like hotel, hospital, shopping center, resort, among others. And it's not really practical or feasible to put any of those on this piece of property. So it would, however, be appropriate for the small, single family detached home, and it would be with the Licking land bank in reclaiming and utilizing and rehabilitating land that otherwise vacant and unused and a burden on the city. Thank you very much. Any

questions?

Mr. Furst: Board, does anyone have any questions for the applicant? Ms. Kurtz, I have some questions and comments. First of all, I'm kind of sympathetic to your use case here, and I think that rendering that you submitted for the home is very attractive. One of the items that we have to consider is whether this would confer special privilege. And we don't allow single family homes in this district. So can you tell me how allowing a single family home here and now I realize that there was one there, but we do not allow it under the current zoning? How that would not confer, you know, a special privilege to you.

Ms. Kurtz: Sure. So. I see the land being useful, being a benefit to the city. The special privileged part. Could this house be built elsewhere? Yes, it sure could. I don't see a way to put what is supposed to be there, so I think this is the second best solution. Is where I'm at, you know. Yes, it is a little bit special in the sense that there aren't any other houses there. And, you know, I'm not pretending that's not true. I just don't see another thing to do with it that would be practical and usable and, you know, make the city better.

Mr. Furst: Well, and also to one of the items that we have to consider is that the East Main district is meant to kind of facilitate a mix of uses, a lot of that commercial, some of that residential and things like that. Do you think that if we were to put a single family home here and you know, what is otherwise vacant parcels on either side, what impact do you think that would have if a commercial developer wanted to come along? For instance, wouldn't it be easier for them to buy the three parcels and put a commercial zone use there, geography notwithstanding?

Ms. Kurtz: I don't think so, because the floodplain that takes out the back half of my parcel of the parcel we're looking at for usability also takes out the access to the road for the parcel to the north of it. It takes out that part of the flag lot and also takes up part of the parcel on the east side as well. So since Driveway's and thruways are not allowed to be built through floodplains, I don't think that commercial development would be possible on any of the surrounding parcels or that parcel.

Mr. Furst: So you don't think even something that fronts Main Street, that was a relatively shallow type of commercial development or really any other type of development would be suitable?

Ms. Kurtz: right now with the ravine it actually spans across that property and the one to the east, it's about a probably 15 feet deep or so. I mean, it's just I think a lot of places would look at that and say, you know what, there's easier places to be commercial there. You can see it kind of fall off in the picture.

Mr. Furst: Now, one of the other items that we have to consider is whether or not there's other remedies available to achieve this end here that you're seeking. You know, I know that you've given quite some consideration to other uses on this

property. Did you consider other mechanisms are available in this code, such as a rezoning application? Because this does kind of walk that line where you're asking us to allow a use that's not specifically granted in the code on one specific piece of property.

Ms. Kurtz: Right, right. And I can definitely appreciate that. I did consider a rezoning. By the time I found out that that was a possibility, I was actually already, you know, through this application process and paid. So I decided to go this direction first. I also understand that, generally speaking, the rezoning is not typically done in a spot fashion, so to take one little piece of a parcel that's .59 acres and to rezone just that and have everything else around it be the same, zoning was not typically something that was done. So I went ahead and proceeded with this application.

Mr. Furst: That is fair. You know, one of the items also to consider when the variances, are there particular characteristics about this parcel here that exist that make it unique? And some of the items that you've described seem like they exist on the neighboring parcels as well. So are you able to speak more about this specific parcel or what more makes it unique compared to the contiguous parcels?

Ms. Kurtz: This parcel has more flood plain than the other two parcels do, the other parcels you kind of knock off access because of the flood plain goes across them, but the other parcels are not covered 50 percent by flood plain like this parcel is.

Mr. Furst: Do you know off the top of your head, what percentage of the other parcel is?

Ms. Kurtz: I don't know if the map comes back up, we might be able to estimate it a little bit more. But I did not specifically look that up.

Mr. Furst: Other members of the board, I mean, certainly I've been monopolizing the floor here. Do you have any questions or comments? Are there any members of the public who would like to speak on this item that I'm not otherwise aware of? Take that as a no. Well, thank you, Miss Kurtz. You know, if there's the appetite for a motion certainly entertained that otherwise.

Mr. Shook: Really, the options would be that are available to you would be want a motion to approve, two a motion to approve with conditions, three a motion to deny or for a motion to table it until the next meeting. Just a point of clarification, because there are only three members present for this meeting, you do have a quorum, but our code requires three affirmative votes to approve any application.

Unknown: (Resident from audience was not at microphone talking).

Mr. Bowsher So this application is for the variance, for this specific use, this applicant would come back to gain an administrative approval for a minor side plan for the actual house and then would have to go through the building department

drawings and the approval process through that. Also all administrative through city hall. Ms. Kurtz, I did have one question, if I may, has any consideration been given to the potential of, you know, obviously living there is one thing pulling out into traffic. Certainly East Main Street is there. There's not a necessarily wide right away and approaches onto that. There's obviously a lot of shrubs and trees. Have you given any thought to the safety conditions of being able to pull out on such a busy street, especially if you were to try to make a left turn to go eastbound on the main street?

Ms. Kurtz: Mm hmm. Yeah, and I've been, you know, to the parcel several times. And visibility is not great, making a left turn for sure. You know, thankfully, my work in my direction would be right turning. And there actually is you can see the median there, the grass median. So if you're trying to come from the west and you're going to make that left turn into the driveway, you actually have that median there to stop and pause and wait and just cross across the street.

Pastor Linder: With that in mind. Have you already got in your in your plans with that landscaping will look like?

Ms. Kurtz: I do not, to be honest with you. This was once I am in a contingent contract with the Licking land bank for the property pending approval that. When I got into the contract, they said it was zoned residential and surprise. Here we are. I'm sorry.

Pastor Linder: The question is, would you expect the frontage of that area to look the same once you are living there? Or would you plan a lot of changes to either increase visibility or, you know, is there any plans you have as it relates to how that that landscaping and frontage along the road would look?

Ms. Kurtz: It would probably be very similar just because there's the ravine there and there are lots of big trees growing up inside the ravine that are blocking it. So short of really, you know, knocking out and just leveling it, I think it would be hard to change it in a big way.

Pastor Linder: Thank you. And then another question, if it's appropriate for staff, the applicant made some statements about her opinion regarding other uses and how viable they would be as appropriate for staff to make a statement. I was looking through the staff report and I'm honestly maybe I'm just not seeing it as clearly. I guess if it's appropriate to ask, can you concur with her assessment?

Mr. Bowsher So taking a look at the past of itself and obviously the floodplain and understanding that we're not even showing the elevation here on this one, she is correct in the assumption that the only area that you could build is pretty much where the house is. You know, I think there are some uses that you could potentially put on there. The problem would be that there would be probably a variety of variances that would need to be given for that to be able to be built based on setback requirements that you couldn't fit because of the ditch. You certainly

couldn't, you know, even if you were to put a small shop or something there, I don't know if you would have the land to be able to adequately park it. It certainly would require if somebody were to do something much different than this with this land, you would definitely need to combine it with the parcel to the east, which is drastically overpriced and very unusable land as well.

Pastor Linder: If Mr. Vice Chairman, if you would entertain at this point, I will make a motion that we approve the variance that she's requested

Mr. Furst: There's motion on the floor. Is there a second?

Ms. Barnhart: I Second.

Mr. Furst: OK, we have a first and second. Ms. Wheeler, would you please call the roll?

Ms. Wheeler: Ms. Barnhart. No. Mr. Furst. No. Pastor Linder. Yes.

Mr. Furst: I do regret that we had to, you know, come to this conclusion here, like I said, I am sympathetic to this and I wish you success in finding a property to build a home.

Ms. Kurtz: Thank you very much. Thank you for your time.

RESULT:	DEFEATED [1 TO 2]
AYES:	Linder
NAYS:	Furst, Barnhart
ABSENT:	Rettke, Bulls

2. Application #2021-5062; 7961 Oak Valley Road; Applicant Luke Blazek; Residential Variance

Ms. Wheeler: Thank you, Mr. Furst. The second application this evening, application 2021-5062 the property is located at 7961 Oak Valley Road. This is within the suburban residential zone. The lot is currently vacant. The applicant is requesting BZBA approval for a residential zoning variance to subdivide an existing one point six eight acre parcel into six lots. The intent is for the lots to be developed with detached single family homes. These suburban residential zone requires a minimum lot frontage of fifty feet. We don't permit flag lots in this zoning district, and the applicant has proposed three parcels with frontage less than fifty feet as well as one of the parcels proposes a lot width less than fifty feet. We do require a minimum width of 50 feet as well. I believe the applicant is here as well for this application.

Mr. Furst: If you could state your name and address for the record, please.

Mr. Blazek: My name is Luke Blazek, I live in Westerville. The property, as I understand it, is flex zoning. Either commercial or part of that. They call East Main

Street.

Mr. Furst: According to my understanding, that's not correct.

Mr. Blazek: No?

Mr. Furst: No, it is suburban residential.

Mr. Blazek: I didn't know, I thought it was part commercial and part residential.

Mr. Bowsher It actually splits the parcels.

Mr. Furst: Oh, is it OK?

Mr. Bowsher Yeah, it was on the last map as well and it kind of splits in half. Partial to East Main Street District and suburban residential.

Mr. Blazek: So my understanding what was drawn for this before was a group of what looked like business condos and things of that nature that was laid out for this property. The gentleman who owned it died. So at this point, I was looking at it from the standpoint of where it sits in regards to the rest of the residential land that's there, although commercial things can be done, there's several reasons to keep it residential. And do lot sizes that are, you know, larger but appropriate to that. Plenty of sewer there, plenty of water. That seems to be about the best use. So that's pretty much what I thought about it for the neighborhood.

Mr. Furst: Members of the board, do you have any comments or questions? For the applicants specifically, I should clarify, there will be a period of public comment for this application.

Mr. Blazek: What was said, I'm sorry?

Mr. Furst: I was clarifying that the questions are for you specifically, that there will be a period of public comment here.

Mr. Bowsher Sir, Mr. Blazek, is that correct?

Mr. Blazek: yes, close enough.

Mr. Bowsher I apologize for butchering that. Has there been any thought to lowering the amount of homes on this given parcel and has further thought been given to instead of having several different curb cuts onto Oak Valley, which can be extremely unsightly, especially given that there's curb and gutter there, that you would combine one curb cut with combined access off of Oak Valley with shared driveway space and easements?

Mr. Blazek: Oh, yeah, that would work just as well with a combined curb cut. That's not a problem at all. In fact, one of the reasons for the lots to be kind of like that is that they already; those lots that would share, that access already exceed the pretty much the average size of that, which is neighborhood. So the back side of the property would be very nice for the properties. But you're right, I guess the single access would be better than that. It seems appropriate, if that would work, that would be fine. I think the homeowners would be fine with it and I can create an agreement for that.

Mr. Furst: There's a number of estate style lots here on Oak Valley as well. Personally, if I was going to buy a home here, given that most of the property's front the road do not sit significantly far back and everything like that, I realize it would create a significantly larger lot, but I see that as a value add. You know, if you thought about maybe just building three or four homes that front Oak Valley and maybe one of the one of them having a larger property?

Mr. Blazek: Actually the property sitting back off the road become actually more attractive as they show there than having frontage. Frontages only because the cost to build so it costs more to run and drive and to take everything back into a bigger lot. If you had your choice, I'm sure you'd pick the one in the middle or the other two on the right based on this picture, then you would the three on the left. So, I mean, it's just pretty much what I would do. It sets back nice. I don't think, if anything, I think you know, they fit right into the neighborhood. And that's what I thought about because I believe I don't know what percentage or however it worked when I talked before, that this property as a whole had flex zoning. My personal feeling is it would be economically or beneficial to create certain commercial property on this, which, like I said, part of this is commercial, but for the neighborhood it would be better and that's why I felt we could do that instead of turning it into a higher amount of traffic and things of that nature that would come to this. So, you know, I don't remember how it worked, but somehow they called the whole partial flex zoning, does that make sense?

Ms. Wheeler: Well, I think what happened. I'll pull over the auditor's site, I believe what happened is that at some point there was a lot split. The green lines kind of show the old parcel's so there originally was no frontage on Oak Valley whatsoever for this entire parcel. I believe what happened is probably the lot was split and the zoning was not changed. So essentially, you have this parcel here being zoned East Main Street district and then this parcel here being zoned suburban residential.

Mr. Blazek: Yeah, I'm not sure and you say that's kind of the part to the West is the commercial and the part of the east was the residential? UI don't quite remember exactly where that line is.

Mr. Bowsher That was the green line that was shown on that.

Mr. Blazek: Yeah, because what I understand a family owned all of it and started

splitting things up.

Mr. Bowsher The last I knew the family we're talking about maybe two office buildings there, one story medical office buildings, I believe. The issue is, is when they brought that to, predates even me here. There were some issues with the sewer. Are you aware that there's a sewer easement that runs through the middle of the property, up to the north? Out to the east?

Mr. Blazek: Oh, yeah. I'm aware of the sewer main that runs right down the middle of that property.

Mr. Bowsher But that's not going to affect the parcels that you're creating or the homes?

Mr. Blazek: Not at all. They've been worked so that it benefits all of them, but it's not in any of the areas where they need to build. So there is one other issue that was left over from a long time ago, it's a lateral that comes from the sewer that runs across parallel to Main Street, and it comes down to that house, which obviously was done by family, which I basically have a written agreement to take that off there and give them a tap down by the street to take care of that. And I would even pay for that.

Mr. Bowsher Which property?

Mr. Blazek: The one that's right there to the south.

Mr. Bowsher 8935?

Mr. Blazek: Yeah. That was the house was moved years ago and became, I guess the funeral home of some kind.

Mr. Bowsher Well, there's a funeral home to the north, 8912.

Mr. Blazek: I'm sorry. Yeah, maybe I got my directions wrong the one that sits there that seems to have a garage that bleeds into the parcel below it, you see that?

Mr. Bowsher OK that is the property of the South. I'm not familiar with a commercial business being ran out of there, though.

Mr. Blazek: That's not a commercial. There was at a time, but been changed to residents, but there's still a sewer lateral that comes from the north. Then and basically I've written up something that says am I allowed to, but I can change it. And they want it anyway to take and go to a tap that's already available down there by at Oak Valley to get rid of that piece which is running across there. I'm giving them an easement.

Mr. Bowsher So you've coordinated with the property owner to your south that

would have six new residences that abut to its property.

Mr. Blazek: I coordinated with them. They would like me to buy that property from them. They were talking about selling it. I don't know, I haven't thought much further about that.

Mr. Bowsher And what were their thoughts on homes being built next to them in this current state.

Mr. Blazek: Yeah, they don't mind at all.

Mr. Furst: Mr. Blazek, one of the items that we have to consider is, is that does a strict application, and this is one of the requirements to grant your variance in a strict application of the code would provide a hardship to you. Can you speak to that about what hardship exists here?

Mr. Blazek: There's not a hardship to me. There'll be less of a hardship. If I do the commercial showing that I can do there. It'll be more economically feasible and things nature just I don't know that it fits with; would be as nice for the neighbors. To run traffic in and out of there. One of the things that's taking part of it and putting storage facilities on the commercial part or other types of product, which I just think, you know, I do different types of things land wise. And I see, you know, if I was my neighborhood, I wouldn't necessarily want that.

Mr. Bowsher I'll just be real quickly if it were to be taking a look at his commercial property. It's not a permitted or a conditional use for warehousing type in that district.

Mr. Blazek: Ok, but it could be other retail.

Mr. Bowsher Potentially.

Mr. Blazek: I mean, I was just talking about the kind of traffic and things of that nature that could come to Oak Valley there. I thought it was probably better.

Mr. Furst: Mr. Shook.

Mr. Shook: Yes, I think it would be helpful to hear to clarify the variance request, if we're looking at the application, it indicates that the applicant is seeking a variance for road frontage, for single family residential. If this is zoned East Main Street District, or at least the part that is fronting Oak Valley, there is no minimum road frontage for that district. However, obviously, as we've already discussed this evening, suburban residential is not a permitted use in that district. So what we're really looking at and just for clarification, is a use variance request, is that correct?

Mr. Blazek: Yeah, I guess you guys define it. But the thing is, so we're talking about something that is in a commercial district. But seeking to use it for residential, but

you tell me just looking at the lots and everything else. Whatever you want to call you, but whatever the point is, it just seems.

Mr. Shook: Mr. Blazek, you recognize that the application you submitted is seeking a variance related to road frontage, not an application seeking a use variance.

Mr. Blazek: The reason I did it as I asked for guidance for the city as to what it should have been asking for. OK, otherwise. Then the thing about there's something about a lot width and I guess I didn't understand whether that lot width is right. The road that would make a frontage, but as a lot opens up and is.

Mr. Bowsher It's not a lot width it's lot frontage.

Mr. Furst: Ms. Wheeler, could you bring up that plat map again, the proposed. So I think, Mr. Shook, the lot frontage concern for this single family or excuse me, suburban residential portion of it concerns those three parcels, the flag lot parcels, or at least one of them.

Mr. Shook: It would probably be helpful to see this laid over what the zoning map looks like. It's unusual that the zoning map would split a parcel into two districts.

Mr. Furst: Was this recently multiple parcels that were combined?

Mr. Blazek: No, a parcel that had, like you say, that line somewhere in there, in fact, there was a mistake, and so I had to pay for the zone. I had to pay for the whole survey because it wasn't even really didn't really have all the exact things surveyed. What was left over a family name, Bates or something like that?

Mr. Bowsher I think what had happened was, is that because of the two lots before it was zoned CC and R3, so when it got transitioned over into the new code, it stayed as commercial and suburban residential, the new versions of either of those within that confines of the district. The way that Emily and I took a look at it was that we were going to; and then we saw what this was and that we were going to take it by a case by case basis. Obviously, taking a look at this, it clearly only has frontage off of Oak Valley. It should have been all zoned suburban residential the way that it is. This application meets the intent of what we were looking for. Therefore, I think that's why Ms. Wheeler had asked for the frontage. Only two of those parcels meet the condition of that at 50 feet of the frontage. So but what Mr. Shook had brought up makes a good point. And so it's really almost it's really almost two. You've got a variance for the lot frontage for three parcels and a variance because really the western half of the parcel is East Main Street.

Mr. Furst: I don't see and all of these other considerations aside, I don't see a path forward for granting a variance where there is a lack of hardship.

Mr. Blazek: It's not about hardship.

Mr. Furst: That's required for us to grant a variance. So if you don't feel that there's evidence of a hardship, you can withdraw the application.

Mr. Blazek: No, I see it as a hardship for that parcel to be utilized with the zoning that it has in the way in which it is and the like you say, the actual rules, that's the hardship about it. It's a situation that basically kind of has a little bit of an impact unless we start drawing up and dividing property up according to its actual zoning.

Mr. Furst: Given that you also see value in having the flag lots, and even if you were to combine those into some sort of shared driveway, you are asking for pretty particular requirements as far as the frontage is concerned. Can you talk about how that would not confer a special privilege to you?

Mr. Blazek: Well, we're still going back to the point that is a special privilege of in that zoning requirement. We have no frontage requirement. But you're saying you'd rather see it something other than residential?

Mr. Furst: Well, there is in a portion of it. There is a frontage requirement.

Mr. Blazek: Not on the one zoning district.

Mr. Furst: Correct?

Mr. Blazek: OK, so if, in fact, you're saying that in my understanding, the commercial part is the part that really needs the help to stay residential, am I wrong?

Mr. Furst: I think that's a value judgment.

Mr. Shook: Just a point of clarification here and kind of cut through everything else, the application that's been presented here is incomplete. It does not ask for the variances that you would need in order to construct what you're proposing. You would need not only the frontage variance in the SR portion of your parcel, you would need a use variance in the EMD portion of your parcel. And so the cutting through everything else, the application is not sufficient to go forward. You could just presenting the option, withdraw your application and resubmit, requesting the variances that you are asking for.

Mr. Blazek: OK.

Mr. Bowsher: I would probably also add that when you do resubmit, probably fix the three parcels to the east is what we have talked about is sort of that shared drive. I feel like that's a much more useful space use of that land over there as well. So, you know, it doesn't necessarily need to be a denial. This evening, you could just requisition currently right now after I'm done speaking and you could resubmit to us and you could be on the next meeting next month.

Mr. Blazek: Oh sure and I just asked for help. And the thing is, someone else did the drawing for the split's Mr. Bowler from I think DKE.

Ms. Barnhart: I would like to add, you know, if we're looking at treating this all as suburban residential, that there would be the 50 foot frontage on each of those lots so that that one proposed lot, that's the most west where we only had thirty five feet. You know, it would be nice if

Mr. Blazek: No, the one that's not thirty five. It's more than 50. That's just part of the art. So you're only talking about the other three. The other question is, so I should basically combine the common access drive and I'm looking for conditional or change of use.

Mr. Shook: You'd be looking for a use variance, however, the preferred process and this came up with the last applicant is just to apply for a zoning change and have the entire parcel zoned suburban residential. And then you can come back at that point.

Mr. Blazek: Well I would only do it subject to your approval. Because I'm not going to get the zoning change and then you tell me no. So could that be done as a combined request?

Mr. Shook: if you get the zoning changed in suburban residential, single family, residential as a permitted use. So you don't need a variance.

Mr. Blazek: It has the frontage requirements.

Mr. Shook: Yeah. In the parcels where you still need the frontage variance, you would still need that there, but you wouldn't need it on the proposed parcels that have more than 50 feet of frontage.

Mr. Blazek: But I believe they're already zoned and already have that availability.

Mr. Shook: They don't though, because single family residential is not a permitted or a conditional use where those three parcels are located.

Mr. Blazek: The ones on the left?

Mr. Shook: Correct?

Mr. Blazek: None of them?

Mr. Shook: No.

Mr. Blazek: She told me that part of the land was suburban residents.

Mr. Bowsher Yes, the ones to the east, the three parcels to the east, the ones that need the variance.

Mr. Blazek: Oh, the ones to the east are the ones to the west are the commercial.

Mr. Bowsher Yes.

Mr. Blazek: OK, and I have another question for you. The access that goes to the funeral home on State Street is their private road or is that public?

Mr. Bowsher I'm not familiar with what you're talking about.

Mr. Blazek: And you go back to the. Yeah, that one there is at a private driveway. To the west, to the west.

Mr. Bowsher For the funeral home. Yeah, I mean, it's their property, it's private.

Mr. Blazek: So that's the commercial access.

Mr. Bowsher Since there was comments submitted. Vice Chairman Furst, would you mind reading us? I think there was two that had come in over this application to get those on the record while we still have the public meeting.

Mr. Furst: Oh, yes, certainly. Mr. Blazek, if you don't mind, I'll give you the floor again after the public speaks.

Mr. Blazek: Sure.

Mr. Furst: If you if you want to make any other comments. So we have Sergio Cardenas as you would. My apologies if I butchered your name.

Mr. Cardenas: Yeah, thank you. My name is Sergio Cardenas, I live at Oak Valley Road in 7921, so very close to the property. First of all, I wanted to express my satisfaction that there is intention to make it residential. Also, you know, the use is clearly there. The other commercial properties are all very close, but they have access directly to Main Street, including the funeral home that has that driveway there. They use it very rarely. And we understand this because sometimes there are large funerals and this is a good neighbor in a way. It's very quiet, very good. So I want to speak real quick that I feel like the council is doing the right thing about the concern about so many little portions of the parcel. If it is possible to reduce the number from six to, let's say, five or four, that would be I think the whole neighbors will have the same sentiment that I have I don't know, I can speak for others, but it would be more kind of; if you look at the size of the lot and how we different are instead of all crammed together in such a way. Other than that, I just wanted to have this chance to speak and I feel like everything is going the right way. Thank you very much.

Mr. Furst: Thank you. Kevin Hodnett.

Mr. Hodnett: Oh, first off, Mr. Blazek, I'm glad it's you and not Mr. Bates. I have been a resident of Reynoldsburg since 1993. I moved in to the Reynoldsburg area. Then the current house I have is at 7940 Oak Valley Road. I moved there in 2001. I have been at odds with Mr. Bates over the years. I've been involved with and put the petitions and everything together, went out and got all the work done, the legwork to try to put a stop to the development, the commercial development of those properties. The specific residential zone property Mr. Bates wanted to make it all commercial, at one time. City Council was gracious enough to put a stop to that zoning board, put a stop to it, and we have kept it the way it is. The commercial piece of property that sits on the west end of that. We tried to get Mr. Bates to donate that property, to make a park out of it for the families. He said it was worth too much money, completely and totally refused. He's a little money hungry. So my statement here tonight is that whatever council decides to do, this area, both commercial and residential, needs to stay in the residential neighborhood. The specific piece of property on the west side was connected to the funeral home property, had main street frontage. I hate to talk bad about people, but Mr. Bates was very stingy, wanted to get every dime that he could out of somebody. The funeral home bought only a portion of that. They had an easement, put the driveway into Oak Valley. I was accepting of that because the funeral home, all it is, is a little bit of overflow traffic and everything coming out of there. The second time we got together, Mr. Bates wanted to commercialize that whole piece of property and we fought him tooth and toenail on that one. And City Council agreed, zoning board agreed that we could not control if it went all commercial, we could not control what went in there. City council was very, very strong about what was going to go in there. He said some medical officers, some professional officers. Every bit of that traffic was going to fall back on Oak Valley. They did a traffic study, I work for the Department of Transportation, I took the traffic study, reviewed it, it was horrible. It was skewed for their benefit. We blew holes all in it. And that's, you know. It was just going to throw too much traffic onto Oak Valley. I am concerned at this point now, if this is rezoned to a commercial use, the office buildings and everything that's going there do not drop off on Main Street. Every bit of that traffic is going to come back on Oak Valley. So as far as the access point to the funeral home, that's going to be a hard no, because Mr. Bates tried to do that when he developed that at the funeral home, said no. So I am really, really concerned about what we're doing here. I mean, I live just around the corner. We have enough traffic flow through from Main Street to Palmer and down to 256, especially when things are blocked back up. If there's an accident or anything, we've got tractors and trailers that come through our neighborhood. I don't want to take your side of it, but I'm going to kind of back Mr. Blazek up on this thing. If you will build residential housing out there I'll kind of buyoff on it because it is a residential neighborhood in that area, it backs up the main street with no main street access to that piece of property. It needs to be changed to residential property and the whole thing be developed in single family housing. I said single family housing. Don't want an apartment complex going into that area. I thank

you for your time.

Mr. Furst: Mr. Blazek, if you want to come back and let us know how you'd like to proceed with this application, I'd appreciate it.

Mr. Blazek: Well, like I said, I won't go for rezoning of commercial unless I can do what I think is right there. Frankly, it's not my hardship to take a commercial piece of property right there that could be commercial. The other one is residential. I'd rather see it for the neighborhood, but at the same time, I did what I thought was best for the impact of everything, and I will change the access or whatever to it. But I don't think. There's a reason for someone to change for what will be probably the best permanent thing there is to. If I'm not misunderstanding, there's a lot of uses commercially that that west side of that property could be used for. I prefer not to see it that way, I want to know if I go and do what I'm going to do like that, that I know that I have an ability for it to be either all done or none. That's what I need to know and I need to know how. I don't know who I should talk to. I'm happy to do it.

Mr. Furst: Sure. So do I understand you'd like to withdraw this particular application and then resubmitted at a later date working with the city administration to find the proper path forward?

Mr. Blazek: Like you said, the application, I guess, as I understand it written doesn't work. It's inappropriate.

Mr. Bowsher Correct.

Mr. Blazek: For what I'm trying to do, it's inappropriate. It's just an attempt I will give you this much. I built over one hundred homes. And I do understand also, as he said, I saw this. I know what could be built on that piece of property as far as multifamily. And there isn't probably anything anybody could really stop for that part of it. I live in neighborhoods, I built neighborhoods, and no single families live there. That's what I think I'd want for my property. That's all I did. OK, but at the same time, I don't think that you guys should have a hardship or I should give you a special treatment by taking, you know, three properties that I bet anybody that neighborhood or even where I live in. If I could get back off the road and have something widens up like that, I'd take that lot first. The weakest lots are going to be the ones right there, but they're not going to add any more, this laying per square foot as a lot isn't going to add any more traffic to the other houses in the neighborhood just by their nature and that's what I thought. So. If I can find a clear pathway to doing that, then we'll take the soul out of the commercial altogether. OK, OK, so I'm going to need some help because I don't know how to do it.

Mr. Bowsher You can contact our offices, you know, next week. If you can make your formal request that you'll be withdrawing this on the record that would be appreciated.

Mr. Blazek: Sure, how do I do that?

Mr. Furst: Just say that to.

Mr. Blazek: I withdraw it.

Mr. Furst: Thank you. OK, thank.

RESULT:	WITHDRAWN
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3. Application #2021-5191; 0 East Main Street; Applicant Homewood Corporation - Jim Lipnos; Conditional Use (Main Street Apartments)

Ms. Wheeler: Thank you, Mr. Furst. This application is for a conditional use number 2021-5190. The property is located on two parcels. These are on East Main Street. There's no certified address at this point. These are within the east main Street district. The applicant is requesting board of zoning and building appeals approval of the conditional use for the construction of a multiunit apartment complex. One hundred eighty dwelling units on approximately 10.66 acres. The site is currently vacant. Then the site plan does also include a planned office building on the remaining four acres. Dwelling multiunit building complex is listed as a conditional use in the East Main Street district. The request is strictly for the multiunit residential component of the project. Office uses are permitted use in the East Main Street district, and with that I think the applicant is here.

Mr. Furst: If you could please state your name and address for the record, please.

Mr. Lipnos: Yes, thank you, James Lipnos, Homewood Corporation 2700 East Dublin Granville Road. If I have a PowerPoint presentation or some slides that I wanted to put up would I give you the slides?

Mr. Bowsher Yeah. Yeah. Just give us the thumb drive and well put it up.

Mr. Lipnos: OK, thank you. OK, as mentioned, the site is located on East Main Street in the East Main Street Insight district. It consists of two parcels, one in Licking County and one in Franklin County. They are currently zoned, as I said, in the Main Street district. The current zoning allows for a multiple uses, including cultural shopping plazas, commercial retail. It does permit multiuse residential as a conditional use permit. So tonight, we're here to talk about the conditional use permit for the multifamily. The site plan approval process will go through the planning commission at a later date if the conditional use permit is granted. The site plan, I just want to run through the site plan to kind of demonstrate that the site plan will comply with all the zoning. Site plan requirements for the zoning. We're not asking for any variances, when we first submitted, we did submit for a variance for a revised set back. We've withdrawn that part of the application. So we're just here strictly for conditional use permit to allow the multifamily residential. Fast forward three slides, I think. OK, so this slide right here, this is out of your code talking about building

typologies that are allowed in the East Main Street district, if you see on the right hand side, those are multifamily apartments pulled up along the front of the road, just as we're proposing on this property. And the next slide shows another example also from your code there in the top right. That is just directly from your code. So what we're proposing, I'm going to show it later on in our slide deck to show what we're proposing as the multifamily residential. The lot coverage and density required by the site plan. We meet those requirements. We have 30 percent open space. You can fast forward one slide. I'm sorry. I just kind of wanted to run through what the requirements were for the site plan and what we are meeting as far as the site plan requirements go. So we have the open space of 30 percent. The next slide, please. This is the overall site plan you'll see on the east side of the property. I'm sorry, the west side of the property is what is being retained as a commercial outparcel. That's about four acres of land. The remaining 10 acres is being proposed for the conditional use of the multifamily. Consistent with the typology that was shown in the previous sections. We've got the units pulled up along the road to keep the road frontage consistent kind of commercial corridor look. We've got the units also in the back try to leave as much buffer as we could between the properties to the north and obviously we've got road roads between us and the properties to the east and to the west. There would be cross access between both roads. There's no direct access onto East Main Street other than through those two side streets. Also on this page, you'll also see our public improvement kind of circulation. You'll see in the purple is highlighted our existing sidewalks, what's highlighted in, I guess, red and something dashed. Those are sidewalks that we'll do external to the site. And then the blue sidewalks are internal to the site. You can go to the next slide. Buffering and landscaping, street trees, the street tree frontage along East Main Street would continue that, as you see shown here, meet the street trees and then a buffer location along the rear lot line between that and the existing multifamily and single family to the north. We would also propose to put a fence along there, too, for buffering. So the permitted density, I believe, goes up to twenty four acres or I'm sorry, twenty four units per acre, we're proposing ten point six, six units per acre. Yeah, there it is 16.9, so we're below the required or the maximum density. Next slide just shows again, I kind of went through the public circulation, but also looking at public transportation, there are three bus stops located in the immediate vicinity, sidewalks connecting all of those. And then we also have a clubhouse and a pool that we'd be proposing with bike racks. The next slide is kind of where we're going to go into the architecture. So this is the architecture we were proposing. I know a different slide was kind of submitted with; the units are the same. They've got different skins on them, different color schemes and materials. The materials we're proposing here are brick boarding and baton siding, hardy plank and vinyl siding. And this is a color scheme that we have built before and we're proposing to build the same style of units here. I would think that these are substantially compliance with what was shown in the zoning code is as your typical typologies. The conditions for the conditional use permit are listed here. I believe that Andrew even answered these questions in the staff report, we have met every requirement to allow for the conditional use permit. I think we blend in with the neighborhood very well. I don't think it's a burden on the adjacent neighbors to the east, west or north and to the

south is the cemetery. So I can go through these one by one or I'm open for questions.

Mr. Furst: Any members of the board have questions or comments for the applicant?

Ms. Barnhart: Why wasn't more of this property considered for other uses other than the residential?

Mr. Lipnos: Why wasn't it? So we're trying to; what's called for is mixed use development and we're trying to find a good balance between commercial and residential. The four acres, we are currently talking with a medical use office building. However, the demand at this point is, you know, maybe not high enough to get the full use of commercial. As mentioned in your code, the residential is a conditional use. So it's allowed and actually encouraged by your code to do mixed use. So we're proposing mixed use is consistent with your code.

Ms. Barnhart: Also, with regards to the parking that you've laid out here. Why so much parking?

Mr. Lipnos: OK, so we were asked that question by staff as well. So historically we built single family and multifamily residential family across Central Ohio. It's been our experience that the parking requirements are. Even if it's required, it made a minimum of like one point six or one point eight per dwelling unit. We're finding that more people have cars and we try to get about two units per acre, just under or two parking spaces per unit, as far as parking. I understand the need for pedestrian movement. The problem with this site is you really are this is your home base. This is where people live. So we are proposing just about two parking spaces per unit. We also have a clubhouse. We expect people to be pedestrians internal to the site. But if you zoomed out and looked at the overall map, there's other than walking down the bike path to the park down to the west a little bit, the general amenities that you would need to easily walk to grocery stores and that kind of stuff are a little bit further away than you would be able to easily manage. So we understand that this is going to be a home base and then people can do public transportation and use the sidewalks to move elsewhere from it. But again, this is home base and we don't want people kind of parking outside of parking areas and taking up where they're not supposed to be parking. Just historically, we've generally found that your parking code of one spot per unit, plus one for every five is woefully under parked.

Ms. Barnhart: OK, thank you.

Mr. Furst: Pastor Linder?

Pastor Linder: Thank you. What would you project as a timeline from start to finish, including the commercial component?

Mr. Lipnos: So the construction process of the multifamily part would probably be from start to finish, probably just less than two years. Depending how quickly we got the permitting back. By that I mean the engineering permits, site plan development permits and the building permits. As far as the commercial park portion goes. We would like to have that under contract as soon as possible. We are already looking and working with people on that. So I couldn't actually list their timeline because I think the architecture of that kind of takes a little bit longer than what we would do on site plan development and architectural building permits for the multifamily. So I can't speak to their timeline, but I know the end user that we're speaking with now is anxious to move forward as soon as possible. There is a need for them to be in this section of town.

Mr. Bowsher Speaking of staff, I would echo that sentiment. We are in negotiation with a major medical provider that is looking at this space as its top space here in the city. It would be a very attractive use and a large income tax base to the city.

Mr. Lipnos: So to echo that as well, our original submittal in discussions did not include a commercial component of this of this magnitude. It was because that mutual connections that we've incorporated them into our site plan. I think just by running the numbers on this, I mean, we're looking at an additional the projects probably about 24 million dollars, just the multifamily residential portion, not including the commercial.

Pastor Linder: And then additionally, the commercial parking, all of that, is your projection related to that space? Do you anticipate overflow from, which there seems to be sufficient parking, to say the least?

Mr. Lipnos: There is sufficient parking on the multifamily side. The parcel with the commercial, that site plan is conceptual. So when that medical end user does come in, they would have their own site plan review, not through this board, but I think through the planning commission. But that demonstrates the 5.5 per one thousand square feet of office space. That's a typical building parking code. It may or may not align with the Reynoldsburg code, but again, it's conceptual. We just want to demonstrate for marketing purposes that we can meet the five point five for one thousand square feet of office space.

Pastor Linder: Thank you. If I could just two more really basic. Actually, everything I ask is pretty basic. I'm a basic person. But you referenced that look being a look you've used before, do you actually have pictures of that actual location?

Mr. Lipnos: I can actually I can provide them to Andrew. I don't have them with me this evening.

Pastor Linder: The other thing I was curious about in terms of your experience, had you ever in another location built and combined the residential commercial in the same building?

Mr. Lipnos: We have not. We've been talked to about it. It's just not realistic unless you are in a good example would be the Bridge Street corridor in Dublin. But even in areas like that, they have a there's an Oak Park place where they've had commercial slated to be, you know, what I would call local retail. The problem with it is after 15 years, they've rezone that to residential because nothing has survived in that area. If you were driving down Main Street, you're not going to pull in and grab a cup of coffee at an apartment complex. So the mixed use doesn't work unless you're in a much higher density area. We're talking five, six stories tall. That's kind of not what was shown in your comprehensive plan or I'm sorry, in your zoning code. So we're not that type of developer. We wouldn't if that was what was required, we probably wouldn't have looked at it.

Pastor Linder: Thank you. Thank you very much.

Mr. Furst: I do have a question so that I think the horizontal mixed use, as you're shown here, is supported by the code and even the comprehensive plan. So I think that makes sense. But the city has the unfortunate experience of having phased developments happen in the past where some external event has occurred and everything has stopped. There was supposed to be, for instance, you know, very similar to this. There was a residential portion that was meant to be another portion for another use. And, you know, in 2008 that occurred and then nothing happened. So there is a significant concern here, I think, from the public that given you planned to outparcel the commercial portion of this property, what happens if that deal falls through or something like that? You know, would you be open to, you know, if we were to allow this this evening to have a condition there that that out parcel only be restricted to the allowable commercial uses in this district? Because I think this district really is trying to promote mixed use. And one of those considerations that we do have to consider for the conditional use application is the intent of the district. And combined mixed use is very much a part of that.

Mr. Lipnos: Correct. And I understand that, you know, we're asking for the conditional use and what we're trying to and we try and do this everywhere we developed is to promote a good mix of jobs and workforce. And if you put the jobs close to the workforce, your traffic goes away. So short answer. Yes.

Mr. Furst: OK, thank you. Staff, do you have any questions or comments?

Mr. Bowsher I do not think that I do. I do know that we've got two emails that I'll read.

Mr. Furst: Yeah, yeah. So what I was going to suggest is, Ms. Wheeler, if you wouldn't mind reading the emails and then I'll call the public comments here.

Mr. Bowsher Mr. Lipnos, when we're done reading and having residents come up and speak or have you come back up and you can have the final word.

Ms. Wheeler: OK, I have two emails to read. The first is from Mr. Keith Benner at 1200 Creekside Place in Reynoldsburg. In regards to the proposed Homewood development, I would urge the board to either table this or deny it outright. I have no issues with the proposed multiunit building plans or the proposed clubhouse in pool, and this is no reflection on the developer. The plans look to be very nice. However, I don't feel the traffic issues have been fully evaluated and the impact of turning north on Hanson from Main Street will be a real issue. In addition, turning east out of Hanson onto Main will also be hazardous and will probably require another traffic light. It is also my opinion that this is not what most of us envision when we thought of mixed use development. There is only a guarantee that there will be apartments on this site. The developer has no concrete plans for any office, retail, etc.. I would prefer to see the MIXED-USE incorporated into the residential development as envisioned in the comprehensive master plan. That plan and most of the discussion surrounding and envision ground floor, retail or office and living space above. I would prefer to see something along those lines for this property. Lastly, we currently have a significant amount of housing already approved throughout the city. The development department, the board and the Planning Commission should work hard to ensure the remaining land and the future developments are the absolute best the city can expect. I just feel like we can do better. Thank you.

Ms. Wheeler: I have a second email, this is from. Mr. Deryl Happe on Goldsmith Drive. I don't have a specific address. I feel that an insight zoning district should have the desires of the neighborhood first and foremost and simultaneously grow the corridor in a manner as to promote our community and bring people into the city for revenue. Another apartment complex promotes more non-permanent residents not paying property taxes. That does not guarantee that they will even utilize Reynoldsburg local and corporate businesses. The other legislation, which I believe was recently passed for rentals, actually brings in less revenue because there's a cap on what the owner has to pay to five units total per building. These building types normally have twenty four to thirty six units, clearly not maximizing any revenue. Water control from the project is another item I don't believe has fully been taken into consideration. Once the property gets to an overflow capacity beyond the planned retention ponds, where is that water going? Towards downtown Reynoldsburg. New or increased floodplains need to be recognized as a possibility. I feel the construction is disrespectful to the generation of Reynoldsburg residents that rest in Glen Rest Cemetery, not to mention those who will wish to be peacefully laid to rest over the two to three year construction period and will not be able to do that. As a resident that backs up to this property, I look forward to lack of privacy and increased crime from the intent of design and possible property damage. I do not think this is the intent of the zoning, nor is it an appropriate use of a beautiful Ohio prairie. And I will have to consider moving and it will be out of Reynoldsburg if this is allowed. Thank you.

Mr. Furst: Thank you, Mrs. Wheeler, first up for public comment is Mr. Luzader.

Mr. Luzader: Thank you, folks, chairman Furst, members of the board. First, let me say that I am not against apartments. But with that being said, I am against this proposal. The lighting is not very good. I can't see my notes here. Conditional use. There we go. Not against this proposal for a conditional use. This is not what city council or the residents were told when this property was rezoned. According to the Comprehensive Master Plan, Future Development and medium density mixed use districts. The districts should incorporate a mixture of small commercial office uses and residential uses, along with retail, including shopping and dining. Development should integrate public spaces such as pocket parks, and the structure should help defined the character of the street. Section 1103.15 of the zoning code states, the Main Street Insight District, is intended to create compact, mixed use, walkable environments. In the district and zone section of the code under Insight zone, supplemental regulations and the design standards. It states that 60 percent of the ground floor is transparent. Clearly intending these areas to be commercial in nature. I don't think anyone wants 60 percent of a ground floor apartment to be glass. The vast majority of allowable uses in this district is commercial. There is no commercial element to this proposal. The purpose of this body is to ensure development happens in a responsible manner and to follow the code as intended. Your purpose is not to override the intent of City Council. If you approve this application, I believe you're setting a dangerous precedent for the future development in Reynoldsburg. I respectfully ask that you vote no on this application. Thank you.

Mr. Furst: Next up is, I believe, Pamela Pate.

Ms. Pate: Hello, everybody. I'm a 40 year resident of Green Tree, what I believe we call it, the neighborhood behind, I guess would be going north on Carlisle. We've been in that area for forever, obviously, in 40 years a lot has happened in Reynoldsburg and a lot of changes. And, you know, yeah, it's up and coming in new and good and property values are going up. However, for the longest time, that field is what we call it. It was a soccer field, a baseball practice, little league field for forever. And that brought a sense of community to that area. And between that and the facing cemetery where my dad is actually buried, gave a park feel to the neighborhood. You have a lot of homeowners, not renters, even though there are rental properties to the east of Carlisle and also a little strip behind where this new property would go. I just want to speak for the people on my street, which is Johnson and Johnson Court that we are really hoping as everything becomes so urbanized and to a Taylor Road, Kroger, there's so much housing that's gone up onto a family housing. Waggoner Road used to be a little country and this is when you've been there 40 years, you know, used to be a country road. And now we're going to have 400 single family homes or units. Just getting to Main Street now from Carlisle is almost an endeavor in and of itself, not even to mention all the people coming from the east who are using Main Street instead of 70 often. So when you talk about the plans that you're going to put on this space, when you have so much residential and residential and possibly commercial, all of a sudden we're in an urban type oasis. I'm all for having stores and people come to that area. But it's such a big, beautiful green

space. It's facing a cemetery that doesn't even have headstones. It's laid the headstones down flat, which kind of gives more of a park feel to Glen Rest. So I was just hoping that in the future, a lot of what will go there will be progressive family oriented, and in keeping with the kind of beautification, not urbanization of that space. I know a lot of people who own their homes, you know, people could have moved away from Reynoldsburg because they don't have mortgages that they're still working on. But it's a nice location. It's drivable. You can get out on Main Street relatively well and get to 270 or 70, you know, with a normal amount of ease. If we just build and build and build and build and don't have a park and don't have a place to sit or don't have a historic beautification where families can come and enjoy. It will definitely change the neighborhood to the north of Main Street, to what would be behind this property. So I just hope you keep in mind the people who do live there and have lived there for a long time and enjoy living there and want to be part of the upward swing of Reynoldsburg in a popular way. Take your mind that with a lot of urbanization, too much going on, you do have property, you do have crime, pedestrian crime, possibly that could be in there with people who are not as invested in the community. That's all I wanted to say. Thank you.

Mr. Furst: Mr. Cicak.

Mr. Cicak: Chairman Furst and members of the BZBA have particular concern for the long range consequences of tonight's decision to approve a conditional use permit for the nine, three story tall apartment buildings. I completed the MORPC Inside 2050 program in 2016, and I brought back the knowledge from this program to Reynoldsburg by writing and proposing the legislation for the first bipartisan, comprehensive master plan based on the needs of the city and the school district. Many of us here tonight spent hours and months and then years writing the comprehensive plan and rezoning that was based on that. This area was zoned medium density, mixed use. I just want to review some of the highlights of that comprehensive master plan. It called for the integration of mix of different kinds of housing, neighborhood orientated retail. Public space, all connected by a network of comfortable, pedestrian friendly streets. The mixed use district should connect gateways into Reynoldsburg and serve the commercial needs to accommodate the immediate neighborhood. This proposal does none of that, and the sidewalk cafes, awnings, landscaping there are all encouraged to help define the character of the neighborhood for this gateway into our city. This plan doesn't do that. I respectfully ask you that you deny this conditional use. Thank you.

Mr. Furst: Thank you. Ms. Whitney Raisley.

Ms. Raisley: I have lived my entire life. I actually live on Green Tree Court, and I'm here on behalf of all of my fellow residents that live on the street. We do not feel it is necessary to have apartments right there. We think that personally, if we would split it up and do a park, a dog park, and then this is a normal park. Yes, we have JFK, Civic Park and the other parks, but those parks don't cater towards more than just the basketball courts, the skate park, the diamonds for baseball. I mean, we have all

that there, but we need something personal to where I take my dog over there and we run and play. People will have their kites. Fly drones do everything already over there as a free space lane. Having apartments is going to bring more traffic. It's already enough traffic on Hanson and the Cota bus is basically put a stop on Green Tree going in, you can't drive. It's a hazard. I almost daily will hit someone because they're parking in front of our street. So if you have Cota there already, if we have more traffic of Cota, the bus is already running multiple times daily and it's excessive. The road is already messed up there from Cota. How are we going to if we're going to put apartments there, we're going to have more traffic? The roads are going to be crappy. We just started with the Main Street paving down on that side. That has taken an excessive amount and pardon my throat, have a little soreness going on, but there's too much. There's going to be too much traffic. We already have enough traffic going through people's speed through there. I can see and I know from having apartment complex and living in apartment complexes in the past with friends, the traffic people don't care. They literally already have littering going down the street in general. I'm just concerned that personally there will be crime, there's going to be just more people around and potentially causing issues. We don't need more issues to have to stir up trouble. The neighborhood is quiet and peaceful. I love it. I've actually lived on Glenview for a decent part of my life before I moved to Green Tree Court. So it's always been quiet bike riding, having fun, friends in that whole area. Personally, if we do apartments or even commercial. Yeah, he even said it's not realistic for commercial. So why would we put a commercial there when we don't need another building. Reynoldsburg is personally. It's just a waste of space to put a commercial building there to add more traffic on both sides. You're going to have congestion. You already have people that are already frustrated with certain things and with the traffic. The complaints that I have heard on our next door of just traffic and other things and vandalism that happens on our streets. Imagine it getting increasing with twofold, because if you're adding more apartments, that's at least one hundred and eighty units. So that's at least a minimum of one hundred and eighty people living. But if you add extra their families and the kids. People don't tell their kids to be respectful anymore of the land and people just throw things everywhere. I'm picking up trash constantly around the area. So I see it as an issue for we're going to have more traffic, more garbage laying around, people aren't caring, just the land's going to be used in a way it should be used. We need to preserve land. We don't need to keep building. There's no point adding more buildings. We have enough houses. We're building more houses on Waggoner. Pataskala is adding, we have enough space. There's enough land to add more apartments. Is waste a waste of space. In my opinion, we need to do something for the community and adding apartments. In my opinion, this is not a community thing. That's just adding more people, more traffic, and more potential problems in the area. It's been quiet my entire life. I want it to stay quiet. I want to have a nice little park area or somewhere that we can all just come and enjoy. I've enjoyed watching the little leagues with the RAF back in the days. Everything. If we did something, we could do so much more in that area other than apartments and commercial use. It's a waste of space to do that personally. Half of the neighbors are saying on my street, well, I'll move. Why would we? I mean, if you're going to build stuff, then

you're going to make people move out of their area just because you're adding more to convenience, which we think would help populate Reynoldsburg. Reynoldsburg is already, it's growing and I get it, it's going to keep growing. We don't need to grow this way. We can grow a different way and we can make this beautiful by just keeping it with giving back to nature instead of destroying all the land we have. And like the other parcel that the lady was trying to buy for the house, that's literally right by my house. We need to keep the trees, we're killing the environment, if we add more houses, that's more carbon. You know, we're just we're just destroying the environment in my opinion. We need to give back to the environment, quit tearing down trees and tearing down things. Just make the land, give it back to the people. That's what I feel. And that's what the majority of my neighbors feel on my street. But thank you for hearing me and that's all I have.

Mr. Furst: If the applicant would like to come back.

Mr. Bowsher Mr. Furst, if I can say a few things. I want to be very clear that the city does not own this property. This is a private landowner that owns this property that is selling this private land to this private developer. So the city is not in control of the land to pick and choose. You know what we allow for that. I think it's always been owned by a private owner when it was allowed for public space. I believe the private landowner sort of looked the other way. It's obviously been vacant for a very, very long time. But I want to make sure that that's very clear. And on the record. To some of the other concerns about some of the traffic, we do a full engineer staff report moving forward. If this were to be approved and move to a major site plan, our city engineer will do a full staff report. If a traffic study is warranted, it would be located in there and it would be conducted as part of that process. I guess some of the other comments, I think, that were made about this district and sort of mixed use. I want to be very clear that in the Comp Plan, when speaking about various uses, that doesn't mean that every single parcel has to have every single one of those uses on that parcel. It's a mixture of said parcels throughout the district to make it walkable. So to hold one parcel to a standard that says that you must have a certain number. It doesn't actually meet the intent of the code either. So I just want to be very cognizant of some of that and make it very clear that regardless of owner occupied or renter occupied, property taxes are paid in full and those are typically paid by the renters paying their rent to the property owner, therefore, the Homewood company then paying their taxes that way. I think that's a misclomer that that gets thrown around, that only owner occupied residents pay their taxes. And that's just entirely not true.

Mr. Furst: Is there anything you'd like that?

Mr. Lipnos: Yeah, actually, I was actually going to hit on a number of those same points, the project is going to be valued in excess of twenty four million dollars. So the property taxes are going to be substantial on that. Not to mention the residents would be paying if they work in the city of Reynoldsburg, which predominantly people try and live close to where they work at. You would be able to retain that

income tax. The commercial component, that's a 50,000 square foot medical office building would certainly generate additional income tax revenue. As far as it being left is a park and open space again, the person we're buying it from is selling it at a substantial price that the city evidently passed on buying it as a park. But within walking distance and we are making the connections and pedestrian connections to I believe it's called Pine Quarry Park just to the north in the west. So, I mean, it's.... I'm sorry.

Unknown Inaudible member of the audience not at a microphone.

Mr. Furst: Pine Quarry Park is a public park in the City of Reynoldsburg.

Unknown I know it's a park, but (inaudible).

Mr. Furst: OK, thank you.

Mr. Lipnos: OK, moving on. I don't know where the impression that just because these are apartments that increases crime and vandalism. I probably lived in two or three apartments in my lifetime, and when I moved to Columbus 15 years ago, moved into another one until I found my single family home not far from where the apartment was, because it was near where I started working with Homewood. There are current rental properties to the north, there are current rental properties to the east. The rents in these apartments are going to be probably in excess of twelve hundred dollars a month. These are not cheap run of the mill apartments. They are for families and they are going to be very nice. We keep most of our apartments for, we've owned some of them for twenty seven years. When we manage our apartments, we manage them all out of our office. They are very well kept. We don't allow trash. We have a vested interest in the property and making it very nice, as evidenced by the materials that we use. Interior and exterior, we use granite countertops, hardwood floors, and easy maintenance. So I just kind of wanted it reiterate to, somebody mentioned the MORPC study. MORPC study also says the economic growth of the region is looking at growing, you know, by a million people or up to a million people, whatever the numbers are, and that we should be building a lot more housing than we are. I understand that there is a lot of housing, and it seems when you drive, you see housing. The fact of the matter is we're still under building. I've spent the last seven years on the BIA board of trustees last year as the president working closely with MORPC and with how the different housing studies. We are trying to accommodate jobs in housing in conjunction. You can't talk about one without talking about the other. Integral to all that is traffic. So we're trying to integrate as much as we can. This is a 14 acre site. I can't solve all the problems with it, but we can make the mix used as best we can, that is a win win situation for the developer, for the city and for the jobs.

Ms. Comac: Good evening. My name is Laura Comac, I'm counsel for Homewood Corporation. I wanted to point out just a couple of quick things, because as we're sitting here and listening to the folks and their points are very interesting and they

represent what is typical when a community decides to chart a new path and to make changes associated with growth and development. So I hear the comments and I appreciate the breadth of the comments. From rural and park to actual suggestion for density and additional retail. We are trying to fit into your existing code and the East Main Street district that is applied to this property. So to that end, I just wanted to ask Andrew a couple of quick questions. The first one is, in your professional opinion, do you believe that this application complies with your code and your standards?

Mr. Bowsher I do.

Ms. Comac: And let me ask it right. This development also complies with the spirit and intent of your EMD district, doesn't it?

Mr. Bowsher Of the Comprehensive Plan? Yes.

Ms. Comac: OK.

Mr. Shook: Can we clarify real quick that this is just the development director's opinion and this doesn't represent the opinion of the BZBA?

Ms. Comac: You may clarify that.

Mr. Shook: I want to make sure that's clear.

Ms. Comac: Andrew, are you a planning professional?

Mr. Bowsher I am.

Ms. Comac: OK, and is your official staff position that the plan complies with the code?

Mr. Bowsher It does.

Ms. Comac: OK, now let me ask you just a couple of other general questions. Within your code there's no requirement for that vertical mixed use component that we've heard a couple of people references it?

Mr. Bowsher That is true.

Ms. Comac: OK. I certainly understand the gentleman's comments about the idea of complying with the building typologies. Can you go back to the slide with those, please? Yes, and go to one right before it, if you would. Thank you. So in your opinion, does our development look like the illustrative components of your code?

Mr. Bowsher It's pretty close, yes.

Ms. Comac: OK. And if you hit the next slide, that's kind of more aerial view. Wouldn't you agree that from a typology standpoint, the units that we are proposing fit those typologies that the code calls for?

Mr. Bowsher I would agree.

Ms. Comac: OK, so one other point. Mr. First, you asked about the use of the corner. So Andrew, just to confirm the use is already set in the EMD district for that corner, is that correct?

Mr. Bowsher The western corner?

Ms. Comac: Yes.

Mr. Bowsher Yes.

Ms. Comac: The uses are set by code?

Ms. Comac: Correct.

Ms. Comac: So nobody can add apartments without coming back to this board for an approval, isn't that correct?

Mr. Bowsher Absolutely.

Ms. Comac: OK, and in your opinion, with regard to development patterns. Right. So rooftops come before the commercial. Is that a fair point?

Mr. Bowsher Most of the times, yes.

Ms. Comac: OK, so is the point of your code trying to achieve a maximum density so that there is more commercial growth?

Mr. Bowsher Yes.

Ms. Comac: Do you feel that this project contributes to that?

Mr. Bowsher I do.

Ms. Comac: OK, great. One other thing. Andrew or Emily, would you guys please read the conclusions in your staff report for the board about the items of compliance as relate to the conditional uses and your determinations?

Mr. Bowsher I'll let Emily take that.

Ms. Wheeler: Oh, sorry, which section specifically?

Ms. Comac: So 1109.15D.

Ms. Wheeler: You want the full reading of all this?

Ms. Comac: yes, please. I want to make sure that everyone here is your evaluation and assessment of the compliance items and then if there's any questions, we can talk through those.

Ms. Wheeler: Sure. Item one, the proposed use is consistent with the existing development pattern of the area and the essential character of the zone as it currently exists is unlikely to be changed. A reference to factor two the East Main Street district is intended to serve as a transportation corridor lined with compact, mixed use development. In this case, the proposal calls for the 14.66 acre site to have both a residential component as well as a future planned office component. The commercial component of the project is essential in achieving the goal of mixed use development, as laid out by both the comprehensive plan and the zoning code. The comprehensive plan suggests the ground floor residential be reviewed as a conditional use. The second factor the proposed use will not adversely affect the use of adjacent property. Adjacent parcels to the north and east or zoned suburban residential and existing uses are predominantly duplexes in a detached single family residential. Parcels to the east and west are zoned east main street district. There is an attached single family apartment community immediately to the west, to the south as Glen Rest Memorial. Factor three of the proposed use will not adversely affect the health, safety, morals or welfare of persons residing or working in the neighborhood. Four, the proposed uses adequately served by existing public facilities and services. A reference to the engineer's report. Item five, any new use will inevitably increase the traffic burden as the site is currently vacant. The proposed use will not impose a significant traffic burden greater than that of other permitted uses in East Main Street district, for example, food sales, large format, grocery or event center, public meetings and conventions. City engineer will review submitted plans to further understand any adverse traffic impacts and make appropriate recommendations, specifically along Hanson Street, which is being proposed as the primary ingress and egress for the site. Next factor. The Comprehensive Master Plan calls for the East Main Street corridor to incorporate a mixture of small commercial and office uses, residential units and retail uses, and calls for residential density of 10 to 30 dwelling units per acre. The plan further emphasizes attractive streetscapes and walkability in this area. The proposal is submitted calls for sixteen point nine dwelling units per acre and provides a multi-use trail along the quarter mile east main frontage. The office building included on the site, but only conceptual at this time, is crucial in achieving the intent for the corridor. The proposed site plan is submitted, does not comply with all applicable provisions and development standards of the zoning ordinance. The variance is being sought for front yard setback. This was obviously withdrawn. No variance is being sought for the front yard setback. And then last dwelling multiunit building

complex is listed as a conditional use and East Main Street district. The proposed proposes, as described, meets the definition of this use.

Ms. Comac: Thank you, Emily. So the reason I had to read those is both for the record, but also so that, you know, and so that the audience knows a significant amount of consideration went into not only her writing that report, but as working with your staff to develop the plan that we think meets your code. All right, do you have any other questions?

Mr. Furst: Mr. Shook, go ahead.

Mr. Shook: Yeah, I have a couple of questions for the development director and again, these are yes or no questions similar to what counsel just asked you. As we heard from the applicant earlier, the office portion of this proposal is something that they are not currently in contract on. Is that correct?

Mr. Bowsher That is correct.

Mr. Shook: That is not something that is guaranteed with this proposal. Is that correct?

Mr. Bowsher That is correct.

Mr. Shook: This proposal was only for multifamily residential. Is that correct?

Mr. Bowsher Yes.

Mr. Shook: There is no current commercial component to this proposal, correct?

Mr. Bowsher Correct.

Mr. Shook: All right.

Ms. Comac: I'm going to object for the record for any questions being asked that are adverse to this proposal. Your attorney represents you and it appears that he is asking questions that are not within his authority to do.

Mr. Shook: I am simply seeking to clarify the record counsel. May I proceed?

Ms. Comac: Yes. That just for the record.

Mr. Shook: Going to the comprehensive master plan, you're familiar with that plan, is that correct, Mr. Bowsher?

Mr. Bowsher Yes.

Mr. Shook: You worked on the Comprehensive Master Plan Committee. Is that correct?

Mr. Bowsher Correct.

Mr. Shook: As did Mr. Cicak, who spoke here earlier this evening. Is that right?

Mr. Bowsher That is correct.

Mr. Shook: OK, and with respect to medium density mixed use, which is what the current plan called out for this parcel. Is that correct?

Mr. Bowsher Correct.

Mr. Shook: With respect to medium density mixed use it indicates that the district should incorporate a mixture of small commercial and office uses, correct?

Mr. Bowsher Correct.

Mr. Shook: Does this incorporate any commercial laws or office uses?

Mr. Bowsher Not at this time.

Mr. Shook: Residential units, it does incorporate residential units, is that correct?

Mr. Bowsher Correct.

Mr. Shook: And retail uses, does it incorporate any retail uses?

Mr. Bowsher No.

Mr. Shook: Thank you. I have some questions for the Planning and Zoning Administrator. Ms. Wheeler, just to refer to your staff report. On factor number one, you indicate that the commercial component of the project is, quote, essential in achieving the goal of mixed use development as laid out by both the comprehensive master plan and the zoning code. Is that correct?

Ms. Wheeler: Correct.

Ms. Wheeler: And the commercial component of this particular project is not guaranteed, is that correct?

Ms. Comac: Objection. That is the existing zoning is commercial.

Mr. Shook: Anyways, can you answer the question Ms. Wheeler?

Ms. Wheeler: To my knowledge, it is a planned component, correct?

Mr. Shook: But it is not guaranteed at this time. Correct, as we already established?

Ms. Wheeler: As far as I know, correct.

Mr. Shook: And yet you called it essential to accomplishing the goal of the comp plan and of the zoning code, correct?

Ms. Wheeler: Yes, correct.

Mr. Shook: Thank you I have no further questions.

Ms. Comac: OK, we've got to come back on that. First, I'm objecting to the record for questions that seem like they are contrary to the expressed written report. It speaks for itself. Someone can come in tomorrow with an application. That piece of ground, the remainder is already zoned office, correct?

Mr. Bowsher Correct.

Ms. Comac: OK, so. Good enough. Law Director, is the code controlling here or is the comprehensive plan controlling here?

Mr. Shook: That the code is controlling.

Ms. Comac: Thank you.

Mr. Shook: And one of the factors under the under the code, under conditional use.

Ms. Comac: What is the controlling code? What is the law that applies to this property?

Mr. Shook: The law that applies to this particular property and your application or the conditional use factors, one of which is the intent of the proposed zoning district that includes the comp plan.

Ms. Comac: I object, that is not accurate. That's not accurate legal statement, but even so, we comply. Thank you.

Mr. Lipnos: I don't think I have anything to add.

Mr. Furst: I did want to clarify the question I had asked previously that of course, nothing in this world is guaranteed. Mr. Shook, a meteor could fall on us tomorrow. But beyond that, you did agree, sir, that to restrict the out parcel to the allowable uses under the current district.

Mr. Shook: I'm not entirely sure we can do that.

Mr. Furst: Why wouldn't we be able to do that?

Mr. Shook: Because this administrative body cannot put on a deed restriction on that parcel.

Mr. Furst: This is not a deed restriction.

Mr. Shook: They could transfer it to anybody else.

Mr. Furst: Correct? We did not ask them.

Mr. Shook: And we can't put any tail on that.

Mr. Furst: They would only be allowed to build what is allowed under the code even then.

Mr. Shook: That is correct. But you can't put that condition on an approval of this application.

Mr. Lipnos: This is a conditional use permit request. So that's just to allow the residential portion, the commercial is already allowed and that's what its zone for. We our next step, Andrew, is at Planning Commission, and that's I think in three weeks,

Mr. Bowsher June 3rd, I believe.

Mr. Lipnos: June 3rd, in which at which point we would ask for approval of that plan with the commercial use. And if that was approved, that satisfies the requirement.

Mr. Furst: Understood. Members of the board, do you have any further questions? Comments?

Pastor Linder: Now, I do have a question. Regarding the traffic, do you do any type of preliminary evaluation in your own preparation as to how things will be impacted? I know Hanson was mentioned, but also Carlisle.

Mr. Lipnos: We've not done a formal traffic study, but we've talked with the city about traffic and looking at the potential uses of the site. What we're proposing is less impactful than some of the allowable uses, but a formal traffic study and traffic evaluation doesn't happen at this point.

Pastor Linder: And I recognize that, thank you for answering, so the question for staff would be. I felt like the stress on Hanson is accurate because that's the main entrance, but I'm not in some ways I could easily see and this is just me without the

benefit of your experience and anyone's experience who study these things. I can easily see a lot of activity going out towards Carlisle. So from a safety standpoint. The study is going to come. At what point, and I know that the engineer can make recommendations, but at one point, if the engineer felt there was a true concern, what are the remedies available at that point?

Mr. Bowsher Yeah, so at that point, that recommendation would be made to us as staff as well as sort of the developer. I know that there has been talks just preliminarily, I'm not a traffic engineer, but I am a planner and taking a look at this. I know we've discussed traffic light at Carlisle and also a dedicated left turn lane on to Hanson as being potential remedies of some of those. Obviously, we would allow the city engineer who is by far more of an expert in that field than I to take a look at this further. That would be part of his purview and his job and come up with some recommendations. And if a full traffic study is warranted, we would conduct that at that time.

Pastor Linder: Thank you.

Mr. Furst: Mr. Bowsher, for the record, for those not familiar with that process, if changes were required, according to that traffic study, compared to the plan I submitted here. Those would be made at that time, is that correct?

Mr. Bowsher Correct. Yeah and even outside of the if it were to be approved tonight and then also be approved and planning commission, there's a whole other side civil process that has gone much more detailed engineering type drawings. If things were even found during that time, things could potentially shift based on requirements. It also allows for some leeway if for some reason infrastructure needed to be rearranged only would it need to come back to the board as if it was an increase in somehow density or a change of the major site plan altogether.

Mr. Furst: Thank you. I will certainly entertain a motion if anyone has one.

Ms. Barnhart: I'll try this, I make a motion to approve the Homewood Corporation's conditional use permit for this application,

Mr. Furst: A motion on the floor. Is their second? I'll second. Ms. Wheeler will you please call the role?

Ms. Wheeler: Ms. Barnhart. No. Mr. Furst. Yes. Pastor Linder. Yes.

Mr. Furst: Is there any further business before the board?

Mr. Shook: Just to just to clarify and again, I think that as we talked about before, we needed three votes in the affirmative to approve an application. So we've got a two to one vote. It is inconsistent for a member of the board to make a motion to approve and then to vote against. So, I think that it needs to be clarified what the

vote count is one more time. We have a no vote for Ms. Barnhart, is that correct? OK, and then two yeses, is that right, then the application is denied, correct?

Pastor Linder: Can I ask a question, Mr. Shook? And she withdraw all her motion?

Mr. Shook: She can withdraw her motion and then you can make a motion to approve a motion to approve his conditions or a motion to table.

Ms. Barnhart: OK, I'll withdraw the motion.

Ms. Comac: All due respect, but a vote has been taken, the next step would be you can't vacate the vote that they have taken. That would be a reconsideration.

Mr. Shook: Sure, that would be a reconsideration.

Pastor Linder: You need a motion to reconsider?

Mr. Shook: Yes, you would need a motion.

Ms. Comac: May I ask what your intent?

Pastor Linder: I make a motion to reconsider. I'm not sure I have to give you a reason.

Ms. Comac: Oh, no, I was just wondering

Mr. Furst: OK, so we have a motion to reconsider. Is there a second?

Ms. Barnhart: Second.

Mr. Furst: Second by Ms. Barnhart. Please call the roll on this motion, Ms. Wheeler?

Mr. Furst: Ms. Barnhart.

Mr. Shook: This is just to reconsider, this isn't a vote for or against.

Ms. Barnhart: Yes.

Ms. Wheeler: Mr. Furst. Yes. Pastor Linder. Yes.

Mr. Shook: Now we can entertain any one of the four motions we discussed earlier.

Ms. Barnhart: Does somebody else want to make a motion since I messed that up?

Pastor Linder: I do have a question for staff and excuse me for backpedaling, I

hope I can do this. If my concern is a safety concern that I just don't at this moment. If I table it, can I get that information advanced at some point in some way more formally? Not a full traffic study, but something a little more concrete than just the speculation that I feel I'm reading.

Mr. Furst: Traffic concerns, even if we ask for a study to be conducted, are within our purview.

Pastor Linder: Then I'm open to making a motion to table. Or making a request for the traffic study.

Mr. Shook: I think the best way to handle that would be to make a motion for either, depending on your preference. Tabling, would just table this until the next meeting. If you wanted to table this pending a traffic study, then I think that would be a separate motion.

Pastor Linder: Again, just for the sake, I'm not trying to create hardship for the applicant. Can a table to the next meeting provide them enough time to give any type of presentation that would maybe answer that particular concern?

Mr. Bowsher I would say that would come at the planning commission, and I guess my ask would be, is the applicant wishing to move forward with Planning Commission with the tabled application tonight?

Ms. Comac: Yeah, we're considering what you're considering. So we were just talking about, we don't know if we can do that, but we would certainly be willing to see if we could. And so the answer is, if we can, we will. And if you want to table it, that would be great for our opportunity to do that. So certainly we would try if we can't, then we would let you know that the next time this is brought up.

Mr. Bowsher So my question was, I'm sorry, would you be continuing with the Planning Commission application on June 3rd where there would be at least a study done or an analysis by our city engineer while this is tabled and then come back later for the BZBA conditional use in June?

Mr. Lipnos: Wouldn't it be part of the planning commission?

Mr. Bowsher It is part of the planning commission.

Ms. Comac: Pastor Linder said he has a question about it, and so he's looking for more information on that.

Pastor Linder: If I can interject. I would even be informed by what comes out of planning commission in that regard, so that's why I'm not hesitant to create a formal, rigorous hardship for the applicant. If it's understood that some information would become available in that process. We meet after them, then I'm probably going to be

able to reflect on that information. It doesn't have to be formal.

Mr. Lipnos: Good, because I just have got some contractual obligations that with my deadlines on whether to move forward with the contract in closing or not, that I need to answer on the conditional use permit.

Mr. Furst: Any approval, if that was granted by planning commission, would be subject to the conditional use approval here. So, I just want to make sure that was understood.

Mr. Lipnos: Yes.

Ms. Comac: And we understand because we would need that. We would come back when you have a full complement of your board members and all of that. So because I don't think it matters if we table.

Mr. Shook: If we table it and the full board is here, we have to reopen the public hearing so that they can vote on it.

Ms. Comac: I'm sorry we can't table just because of our contractual obligations on the timing. Thank you, though, for the opportunity.

Mr. Furst: Well, now that we have reconsidered, some form of motion is required this evening.

Mr. Shook: One of the one of the four options that was presented before.

Pastor Linder: I'll make a motion that we approve the conditional use application.

Mr. Furst: Thank you, Pastor Linder. There's been a motion on the floor is there a second?

Ms. Barnhart: Second.

Mr. Shook: Again, just for clarification, you can second, but your vote can't be inconsistent with your motion.

Ms. Barnhart: OK, so I'm not seconding.

Mr. Furst: I'll second.

Ms. Wheeler: Ms. Barnhart. No. Mr. Furst. Yes. Pastor Linder. Yes.

RESULT:	DEFEATED [2 TO 1]
AYES:	Linder, Furst
NAYS:	Barnhart
ABSENT:	Rettke, Bulls

4. Application #2021-5190; 0 East Main Street; Applicant Homewood Corporation - Jim Lipnos; Non-Residential Zoning Variance (Main Street Apartments)

Withdrawn

E. OTHER BUSINESS

None

F. ADJOURNMENT

8:30 PM

Chairman

Planning and Zoning Administrator