

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
APRIL 24, 2013
6:30 P.M.
(rescheduled from April 18)

A. CALL TO ORDER

Chairman Rettke called the meeting to order at 6:30 p.m.

1. ROLL CALL

Members Present:	Mr. David Stoffel Mr. Patrick Feeney Mr. Anthony Rettke Ms. Bonnie Armintrout
Members Absent:	Ms. Michele Ray
Others Present:	Mr. Justin Robbins, Planning Administrator

2. APPROVAL OF MINUTES OF MARCH 21, 2013

Chairman Rettke: Are there any changes to the minutes of March 21, 2013?

Mr. Robbins: None from staff.

Mr. Rettke: Okay. Hearing none, we'll go ahead and approve the minutes of March 21, 2013.

3. APPROVAL OF AGENDA

Mr. Rettke: Do we have any changes or additions to the agenda as presented?

Mr. Robbins: I would like to add Section C and a discussion about pawn broking and title companies within the City as an item of discussion after Item B.

Mr. Rettke: Okay. We'll add Item C, a discussion of pawn broking and change adjournment to D. Any other changes? (No response.) We'll go ahead and approve the agenda as revised.

4. SWEARING IN OF SPEAKERS

(Mr. Rettke administers the oath.)

5. PUBLIC COMMENT

Mr. Rettke: I guess we have an individual here, so if you'd state your name, address.

Mr. Charles Rausch: Charles Rausch.

Mr. Rettke: Address.

Mr. Rausch: 1700 Lancaster Avenue.

Mr. Rettke: And we'll give you the floor.

Mr. Rausch: Beg your pardon?

Mr. Rettke: You have the floor.

Mr. Rausch: Thank you. Let me give you a little background. I'll make it short and brief. My family and I have lived here since 1945 at that same location on Lancaster Avenue. I was a member of the Reynoldsburg Police Department in 1969 to 1996, so I'm familiar with the City and somewhat with the rules. I became aware of the project on the C.V. Perry property moving forward when I saw surveyors surveying and I went out and talked to them and they told me there were apartments going in and then saw _____. So that's why I got nosey since I was living across the street and I wanted to see about his project. And let me say this: From what I've seen of the Redwood Project, like what I see. Okay. I'm not speaking in opposition to it. However, I had stopped at the Building Department and they said they had submitted plans for the units but had not other paperwork and that they them to come back at a later date. I then checked with the Clerk of Counsel and found out that it had gone to the Board of Zoning in January and I just found out about it the first part of April. I was used to them putting zoning notices up on the poles around the property so neighbors, if they had an interest, they could attend the meeting and I would have. Okay? But anyway, I found out – I got a copy of the minutes and I read them. I also came down and did some research on when the property was originally zoned, when the property was zoned in 2002 and accepted by the Council and the _____ with the property was zoned in 2003 and accepted by Council in 2003 with limitations. Both zonings say "with limitations." I've gone nuts in this building trying to find out what the limitations are. Now, it seems like-- Nancy Frazier's been very helpful; to me, but it seems like every time I would stop down, Nadine, who is the local contact, you know, she _____, or she left early today – I forget where she was the other time I was in, because I was going to file a public records request at least look, you know, to see what they were. Aaron was very helpful. He sent me the minutes of the January 17th meeting as well as the overview. I don't know what you call it. I'm not an architect or an engineer, or anything like that, but the picture, the aerial of what it's supposed to look like, whatever you call it. And I'm sure you saw that probably at the January 17th meeting.

Well, in my research, I found out that the City Council passed an ordinance, #17-10 in March 2010 which changed size limits from AR-1(c), limited to four units which it appears Redwood is complying with in looking at this plat. But it changed how much – how big the side yards are, they expanded them; how big the back yards were, they expanded them. Of course, they put the 70% material which was mentioned in the meeting and sounds like a very nice plan. Something when I sit on my front porch I wouldn't mind looking at. I'd much rather look at that than a medical building or a group home. If I you my personal preference, I'd like to see a city part, but that's not going to happen so let's get on with what they're going to build. The other thing that – in the minutes I believe it was Glen Dugger who mentioned that he had talked or had communications or something with the City Attorney – or City Engineer, but there wasn't anybody but the City Engineer that was at the meeting to talk about the traffic survey. And they said, "Aw, there's no need for an attorney." Well, gentlemen, I live just two driveways north of the entrance and this is what I see in front of my house every night for sure and most mornings. There are three pictures here. The traffic backs up to almost John Street from 256. Now, consider you have this traffic backed up John Street and now you have _____.

Mr. Feeney: I think you need to be by the speaker so we can catch the—

Mr. Rausch: Yeah. I'm sorry. Okay. So, anyway, it backs up to John Street in the southbound lanes. Now, the northbound traffic coming when this project is completed and somebody wants to turn in to go home. They can't get across the traffic because it's backed up to John Street. Where do you think that northbound traffic is going to back up to? It's going to be past Livingston Avenue and some nights almost to 70. When the original traffic survey was done, don't forget, most of what's down south of Livingston Avenue wasn't there. You know, they put in Culver's, Tire Discounters, NTB, all those places. How many restaurants did they put in? It's a busy area. The other day it took me 15 minutes to go from my house to Walmart. I generally avoid that but I missed something on my wife's honey-do list and I had to get it before I got home. It's a mess. Now, my feeling is, and I talked to some of the people in the street department, the Service Director, now is the time to address this traffic problem since Redwood is the one who is benefiting from this project and if we don't address it at the time it's built, three years from now Reynoldsburg will have to address it and it's going to be expensive. That at least needs a turn lane. My wife was almost hit tonight while we were putting our garbage out. The traffic was backed up, northbound traffic was thick and one car went off the road down in a ditch. My wife had to jump out of the road. I mean the tire tracks were four feet off the pavement. It's a busy, heavily traveled street. I can remember playing up there as a child and there might be only 20 cars a day go down that road. It's not that way. And, like I said, all I want to see is the project addressed, but properly so they have a nice development and the City of Reynoldsburg doesn't have another big headache like Graham Road. You know, traffic starts backing up south of Livingston Avenue, Graham Road's going to back up that much further. Now, as far as _____, he doesn't even go home that way. He goes up Palmer Road. He goes clear out to Taylor and then the back way because

traffic is so bad at times at night. So, these are some of my concerns. Some of these questions I wouldn't have if I could have just seen the _____. It seemed like I keep getting shuffled. I saw the master plot plan approval in the Building Department today and I said to Shelley, "I'd like to look at it." "Hasn't been approved, can't look at it." I just want to see if you have 35 feet of yard, side yards, and a 30-foot back yard, like the Ordinance 17.10 calls for. I know EMH&T has been the City Engineers since _____ was a Corporal, but, you know, sometimes these ordinances, if you don't use them and there hasn't been a new project in Reynoldsburg for awhile, _____. But that's what this ordinance called for under AR-1(c), a 100-foot lot and this plat that they sent me wasn't scaled, so I can't say it was or wasn't, but it called for a 100-foot of width, and counting the number of buildings going doing parallel to 256, I don't know how you can have 100 feet and get that many buildings. So, these are some of my concerns and when McGrady was going to be here – he was here last Thursday night with me, but he postponed and he's in Fort Meade tonight, but I do know that Councilman Todner and Councilman DeBrock and Councilman McGrady are both concerned about the traffic problems. And the thing is, this ordinance says that area is not retroactive and this was zoned in 2003. It says it's not retroactive, not – shall not be applied as long as the following conditions are adhered to, valid Condominium Zoning & Development plans appropriate to the project were granted prior to the effective date. They were, no argument there. Fifteen percent (15%) of the building permits for the project had been issued by the City – they weren't. The developer primarily offers the condominium units for sale to owner occupants on the open market. That's not going to happen. So it's _____ to the people I talk to that this ordinance applies to the Redwood project and if they vary in setbacks, side yards, whatever, they're going to have to apply for variances.

The other concern I have, and few people know this, the Stapleton property, which is where Truro deadends and makes a bend going to John Street, the driveway goes straight ahead. For about 40 years that was an orchard and in the 40's, 50's and 60's what did they spray on their fruit trees? Arsenic and DDT. Arsenic doesn't dissipate. The ground is saturated with it. That's a concern.

Mr. Rettke: Excuse me. You're talking that cleared out grove right at the bend at the south side of John?

Mr. Rausch: Yeah, well—

Mr. Rettke: I'm not-- You've referred to Stapleton.

Mr. Robbins: It's going to be dark in here for a minute.

Mr. Rettke: Put your mouse over where you think the Stapleton--

Mr. Rausch: --256, okay--

Mr. Rettke: Do you see his mouse?

Mr. Rausch: -- that clear part -- Now right where your cursor is, right next to the tree line on the Williams property, you can come down there today and still see--

_____.

Mr. Rettke: Okay. So that's the Stapleton.

Mr. Rausch: That's the Stapleton. Originally there was a slaughterhouse back there and they closed that down and then there used to be a slaughterhouse on the corner _____ north of the water park, but that area right there was orchards.

Mr. Robbins: This right here where my cursor is?

Mr. : Yeah, that right in there where your cursor is and above it to the right, that land was all orchards. Not that far. From the tree -- from there now go about there and then down. In fact, I'll bet some of those trees right where you're circling now, I bet if you go down there you'll see those are apple trees. Maybe the old cider press is still laying down there. But, anyway, I don't know. It's quite possible they already took core samples and had them analyzed and it's perfectly safe. But everybody I've talked to said "there was," "there could be" you know, it might not be at a dangerous level. It might be. Unless you lived here in the 50's, nobody knew it existed. I wish I had known the meeting was the 17th, cause I'd have sure been here to bring my concerns. But, again, let me tell you, the concerns I have are primarily traffic. The one little caveat and I know Sunbury did it. I know they do it down in Florida and I know they can do it here. Redwood is pitching this as a senior's project. That makes me even happier. The thing is, once the zoning's done and they can't get enough seniors in, who are they going to put in there? The Apartments of Cherry Grove or the Condos of Cherry Grove are now renters. You know, you can have a change of plans. If they're pitching it as a senior's, it would be nice if the zoning said seniors, 55 and up, or 60 and up, or 62 and up, so they keep it what they say they're going to do. We've seen other projects come in here where they said, "Oh, they will be no liquor," or we're going to do this and once that zoning's there, there's not much you can do to stop it. Thank you for your time.

Mr. Feeney: Thank you.

Mr. Rettke: Well, I should apologize to you first of all for not having the meeting Thursday. We had two out of five Board members be able to be present, so I apologize for that.

Mr. Rausch: It's just a shame Cornelius couldn't be here and Barth had a meeting tonight.

Mr. Rettke: Okay. So the traffic was an issue. I think we did try to discuss--

Mr. Robbins: Yeah. We've been working with the City Engineer, Matt Lambert, who requested a traffic study of the higher standard from what I understand and the numbers that resulted, he thought, did not warrant a turn lane.

Mr. Rettke: Yeah. And I think he was present, wasn't he?

Mr. Robbins: Yeah. He was—

Mr. Rettke: Yeah. He just nodded his head. We should've entered that in the record.

Mr. Rausch: It was discussed?

Mr. Rettke: Yeah.

Mr. Rausch: Good. Like I say, what was discussed at the meeting was Glen Dugger saying, "I spoke with." Not that I don't trust Glen, don't get me wrong. Glen is the one that got my property annexed to the City, but I like to hear it from the horse's mouth, not the Board of Zoning, you know what I mean?

Mr. Rettke: Yeah. I think he was sitting almost right where that gentleman was sitting and he nodded his head. We should've entered that on the record, but that was my fault for not having him come up. So traffic compliance with ordinance 17-10, the senior project/potentially if it's not fulfilled, changing that to Section 8, something like that, is a concern.

Mr. Rausch: One other thing and I don't know – I've gotten conflicting answers here. There is an old Reynoldsburg Overlay – does that sound right?

Mr. Robbins: Historic District, yeah.

Mr. Rausch: That I was told by one of the Council people that worked on that, that this is part of that.

Mr. Robbins: No. This is outside of the Historic District.

Mr. Rausch: Well, the Olde Reynoldsburg map was confusing to me. Part of it extended clear down to Livingston Avenue and then there's another map that stops at Fisher's.

Mr. Robbins: So the way this works, we have two different Overlays within the City. The first is the Community Commercial Overlay and that extends basically the length of Main Street and it comes down Brice Road and then parts of Livingston as well. That's a set of standards that basically reflects signage and site overlay, things like that. The second overlay we have is the Historic District. Now, if you look on the map up there, that red outline is the Historic District Overlay, so those are the properties

that are within that Overlay District. The one in question, you can see where my cursor is just below the unincorporated part of the City, is not on a commercial strip and it's not within the Historic Overlay so it defers to base zoning.

Mr. Rausch: That's good. That's what I've been wanting to see all along.

Mr. Robbins: As for the setbacks, you expressed concern about the setbacks and lot widths. Those numbers apply to the lot as a whole since this is a planned development. So we have a portion of the code that states that those buildings have to be a certain amount apart from each other and then the side yard and the rear yard apply to the development as a whole, so they have to be 15 feet from the side of property and then 30 feet from the rear of the property. So it doesn't apply to each individual unit.

Mr. Rausch: Okay. It's throughout a perimeter of the development.

Mr. Robbins: Correct. And that was a concern that you had mentioned with the ordinances that were passed that had more restrictive larger setbacks than the original zoning had. So when you mentioned that within the ordinance it has basically three tests saying that development plan approval for the project was granted prior to the effective date. It was, but we require them to go back through for the major site plan again because it didn't fulfill the other two, as you mentioned, 15% wasn't—

Mr. Rausch: Fifteen percent--

Mr. Robbins: Exactly. And the layout had changed a fair amount since when the original went through back in, I think, 2006 or something like that.

Mr. Rettke: They had more units in a cut-through.

Mr. Robbins: Yeah. So they – was it more or less than was originally approved, I can't recall.

Mr. Rettke: The original, I think, contained more units and they took out some of the units and put the park in the middle with a walkway.

Mr. Robbins: That's right. They removed some units.

Mr. Rettke: A lot more trees because of that.

Mr. Robbins: We do have a standard for open space requirements as well that was followed with that application, yeah. So what went through, what was originally approved by us in this meeting in January was to the standards of the Overlay as we saw. And if you would like, I would be more than happy to sit down with you at some point and possibly the City Engineer and we can discuss the traffic concerns and we

can look at the site plan that was approved by the Board and we can take you through a lot of the concerns that you have with that.

Mr. Rausch: Well, like I say, looking at what they sent me, like I said, would I be sooner happy sitting on my front porch looking at it? Not really. It's not a park. But would I have a frown on my face? No, I wouldn't. It's going to be upscale and that sort of thing, but they're pitching it at seniors and, like I say, they shouldn't have an objection to the caveat saying, you know, it's a senior's project because once the zoning is there, if they can say, "Gee, we're not getting any seniors to rent here." You figure with seniors, there might be two cars. But if they rent to just anybody and they have teenage kids, that's just going to make the traffic flow worse.

Mr. Rettke: In general, we didn't address the zoning, the zoning was in place, correct?

Mr. Robbins: That's correct.

Mr. Rettke: So we just addressed the site plan?

Mr. Robbins: Yeah. So the portion of it and what you're speaking about now, the test of whether or not this ordinance applies, there is the portion that said a certain percentage of units will be sold as homeowners.

Mr. Rettke: But when staff did the analysis they applied 17-10 to it, correct?

Mr. Robbins: Yes. That's correct.

Mr. Rausch: 17-10, I mean I read several opinions that says 17-10 does apply, but--

Mr. Robbins: Now, what that part is saying is that 17-10 doesn't apply if the developer primarily offers condominium units to sale to owner/occupants.

Mr. Rausch: But not they're offering condominium for sale.

Mr. Robbins: What I'm saying is, 17-10 does apply and we held it to that standard we're going through for the major site plan.

Mr. Rausch: Right.

Mr. Robbins: If it were condominiums on the open market, they wouldn't have to follow 17-10.

Mr. Rausch: No, they wouldn't.

Mr. Robbins: Yeah. That's what they're saying and—

Mr. Rausch: They're 15%. They've never issued a building permit, so that also applies. There are three caveats and they met one of them.

Mr. Robbins: Yeah. But they were held to that standard.

Mr. Rettke: He's saying they were held to that. So based on staff's interpretation of 17-10, it did meet all qualifications. So we didn't have any variances on that.

Mr. Robbins: Correct.

Mr. Rettke: The only issue that was really a concern for staff was the truly amount of trees.

Mr. Rausch: They've been cutting down all the cherry trees.

Mr. Rettke: We brought the issue of the traffic up, I know, because that was an issue. I was surprised there wasn't a turn lane either.

Mr. Rausch: I don't know why, but they've got some guy in there cutting the cherry trees down and leaving them lay. So he was told to come in on weekends, had something to do with bats. Have you ever heard of a bat nest in a cherry tree? I've never heard of that.

Mr. Robbins: I think I have your email address. If you would be willing, if you would like to meet possibly this Friday we can.

Mr. Rausch: That's fine.

Mr. Robbins: Does that work for you?

Mr. Rettke: Yeah. Definitely try and have Matt Lambert there and let him address the traffic, because he assured us that that wasn't going to be an issue, which I kind of thought it was far-fetched and I try to avoid that area, so I was like, okay, if the PE that represents the City said he was fine with it and he did nod his head or say yes. It just wasn't on the record, but I thought that was far-fetched, too.

Mr. Rausch: There are times of night you just stay in your house. I know we've got an ordinance for noise but, my god, my house is fully insulated and thump, thump – that's not a zoning issue but having been a cop for 27 years, they're not going to enforce that puppy. You're just not.

Mr. Feeney: You want the pictures back?

Mr. Rausch: Yeah.

Mr. Rettke: Yeah, keep those to speak with them.

Mr. Rausch: Yeah. I've got 12 of them made. Every once in a while I just stick my head out and—

Mr. Rettke: Yeah. And if there's anything we can do, Justin will make sure we know about it. As far as the signs, did staff make sure that signs were posted?

Mr. Robbins: It's a major site plan, so it's typically for a variance is the one the sign is posted for.

Mr. Rettke: But we don't require they post anything for a major site plan?

Mr. Robbins: That's correct.

Mr. Rettke: Okay.

Mr. Robbins: And my guess is , when it originally went through and it was re-zoned, that's why the sign was there unless City policy is—

(inaudible)

Mr. Robbins: For a variance.

Mr. Rettke: For a variance.

(inaudible)

Mr. Rettke: Not for a major site plan.

(inaudible)

Mr. Rettke: I thought all matters had to be posted.

Mr. Rausch: Because I always the legal ads and that sort of thing, although I don't get the, what is it the Franklin County Reporter? I don't get that anymore. I used to get that.

Mr. Rettke: Yeah. The Daily Reporter.

Mr. Robbins: Well, I think, sir, that's a very valid point and I think that's something we could probably pursue.

Mr. Rettke: I would like to see that looked into. If something was changed or if we need to change something, to send something to Council to try and get that, because any major site plan probably ought to be—

Mr. Feeney: Yeah. I think that would make sense.

Mr. Rausch: If you look into that as part of Reynoldsburg, I know just about everybody I talked to has got a big concern. In fact, I was a _____ . (Inaudible)

Mr. Rettke: You can just go up the street, right?

Mr. Rausch: Thank you, gentlemen.

Mr. Rettke: And then, thank you for coming back, for not having that meeting again. Any other public comments? (No response.) Hearing none, I guess we'll move on to Unfinished Business.

A. UNFINISHED BUSINESS

Mr. Rettke: Is there any Unfinished Business before the Board?

Mr. Robbins: No, there's not.

Mr. Rettke: Okay. Having no Unfinished Business, we'll move to New Business.

B. NEW BUSINESS

1. VARIANCE APPLICATION, 6781 E. MAIN STREET, REYNOLDSBURG, OHIO; PRESENT ZONING CS, COMMUNITY SERVICES; REQUESTING A VARIANCE FROM SECTION 1195.05(a) OF THE REYNOLDSBURG ZONING CODE TO ALLOW A 31'-0" BUILDING BUILD-TO LINE INSTEAD OF THE REQUIRED 20'-0". CONTACT: DON LAYMAN, INTERSTATE CONSTRUCTION, INC. (#159179).

Mr. Robbins: We have two items in the agenda, both are the same applicant, both are for the proposed Wendy's demolition and rebuilt. The first is the variance for 6781 E. Main Street, Application #159179. The property is located on the south side of East Main Street approximately midway between Rosehill and Briarcliff Roads. It's Zoned CS, Community Services, which restaurant is a permitted use in the district. The applicant is requesting a variance from Section 1195.05(a) of the Reynoldsburg zoning code to allow a 31'-0" building build-to line instead of the required 20'-0" build-to line as stated in the Community Commercial Overlay District. The applicant will be applying for a major site plan with the commercial structure as well and the proposed Wendy's restaurant is to be in the same location as the existing restaurant with the exception of how it sits on the site. It needs to be moved closer. I think it's about 70' right now from the right-of-way and it's – the variance would allow it moved up to 31' but not all the way to the 20' build-to line. The justification for the variance is that Wendy's owner had replaced – rebuilt the sign that was in the front of the building with the Reynoldsburg Streetscape improvements and the sign does not allow for the building to be moved all

the way to the built-to line without a complete destruction and rebuild of the sign. You can see it on the major site plan here. This is the existing sign that they have in front of the building and you can see it's 30' off the right-of-way. As mentioned it was constructed, it is a brick base monument sign. It is the recommendation of staff that the variance from Section 1195.05(a) be granted to allow the proposed building setback greater than the required 20' build-to line for the property at 6781 E. Main Street. The applicant has worked with Staff to respond to some of the other issues with the proposed building and Staff believes that the current configuration represents a good faith effort following the intent of the code. The presence of the existing signage, which was constructed as part of the Reynoldsburg Streetscape Beautification effort does not allow the building to be placed at the build-to line and Staff does find that the full application of the code on this lot would represent a hardship on the applicant that is unique to the property. I'll zoom in a little further and get a streetscape view of that sign. Is there anything the applicant would like to add?

Mr. Rettke: If you'd state your name and address for the record?

Mr. Doug Kincaid: Mr. Doug Kincaid, Interstate Construction, 3511 Farmbank Way, Grove City, Ohio. Nothing really to add, but would be happy to answer any questions. I might just comment that the brick walls that are on each side of the property are taller until you get to the property proper. So even if we were to look at trying to do something with the monument sign, there's really, I think with the taller brick walls that are on the east and west sides before you get to the property, it would be difficult to find a location to even do something. So the Wendy's owner, yes, would like to bring it as far forward as possible, but we thought this was as reasonable as possible to get it as close to the build-to line.

Mr. Rettke: One thing, the site plan's showing 30' and the variance is requesting 31. Which is it?

Mr. Kincaid: We would be fine with the 30'.

Mr. Robbins: When the variance was originally written, they had indicated anywhere between 30 and 31. We erred on the side of caution on that. If we grant a variance for 31' and they build it at 30, it's—

Mr. Rettke: Yeah, no, I understand. I just want to make sure that everybody was clear.

Mr. Robbins: Once that had gone out, it was too late to change it to 31, so we just let it lay.

Mr. Rettke: So this is a total tear down and rebuild?

Mr. Kincaid: That is correct. Basically we're trying to just keep the same building pathway on the property, but bring it as far forward as possible.

Mr. Rettke: I use this Wendy's a lot, but when you come around the back of the building, it looks like you're not adding too much of a lane. There's only enough for one car to fit in there now.

Mr. Kincaid: With this new site plan, what it will enable us to do though is because we are bringing it so far forward, it will open up that back area where there's clearly a drive-thru lane and a bypass lane. So it will be much wider than what it presently is and actually what is being shown there is wider than the existing. But we will clearly now have the room to have good clearance back there.

Mr. Rettke: Now it's a tight turn.

Mr. Kincaid: Definitely. I admit that one time when I was there I couldn't get through when a truck was a little too far over. But since we are pulling the building so far forward, the building is not going to be that long that actually we will gain a lot of space back there by pulling it forward to this 30'.

Mr. Stoffel: Yeah, it looks like you're going to have at least 25', cause it's outside the setback on the curb.

Mr. Feeney: Are you planning any screening for – to the residents on the court?

Mr. Kincaid: There's already existing privacy fence there, so that will be maintained.

Mr. Feeney: On either side, what about to the court?

Mr. Kincaid: I believe there's screening pretty much to the entire cul-de-sac there existing.

Mr. Feeney: I think it's open to the cul-de-sac. I think he has the picture up there.

Mr. Stoffel: There's a retaining wall or something, but that's about it.

Mr. Feeney: I'm sure some people use that as a walk-thru, but, at the same time a lot of people – and this thing's open so late at night and the headlights coming around there shines back into the residents and I thought there would be an opportunity to put some screening back there. As it's laid now, there's just not enough room to do anything, but with this new plan, maybe there is.

Mr. Kincaid: I'm sure the owner would not have a problem if we just needed to continue the existing fences and enclose that.

Mr. Rettke: I don't know if I'd necessarily want it enclosed.

Mr. Kincaid: Or just landscaping, a hedgerow or something?

Mr. Rettke: I think greenery.

Mr. Feeney: If there's an area to plant that back there, just something to break up the headlights coming in cause I know they're open late.

Mr. Rettke: A minimum of 3' screening around the perimeter? It fronts two streets, but it doesn't have an entrance. That was an issue with BW3s and IHOP. We had screening around there coming around the back, cause there was parallel parking, not head-in parking.

Mr. Robbins: These residential properties are actually zoned commercial. If the applicant would be willing, Staff would definitely be in support of some type of screening in the back basically to shield the site or to shield the turnaround from cars heading in and out of Wendy's.

Mr. Kincaid: I'm sure that would be fine to be a condition on the approval that a greenery—

Mr. Rettke: Like arborvitaes. I wouldn't care about a walkway entrance. I mean that gets kind of dangerous swinging cars around, but if it was striped correctly I think it would be okay.

Mr. Feeney: I was thinking some screening. I just always thought of that going there late at night and my headlights are coming around and hitting those people's front yards and this would be a nice time to take care of that and I don't think that would add that much to it. I agree I don't like the idea of a totally fenced in area or a wooden fence going in there, but the greenery would make it look nice.

Mr. Kincaid: A green hedgerow or whatever we need to write in would be fine.

Mr. Stoffel: This is all conversation regarding the major site plan review which is the other aspect, so I don't know if we want to go ahead and approve that and get it out of the way. I'll make a motion that we approve Item B1, Variance Application number 159179.

Mr. Feeney: I'll second.

(Mr. Robbins called the roll. Mr. Stoffel voted "yes." Mr. Feeney voted "yes." Mr. Rettke voted "yes." Ms. Armintrout voted "yes.")

Mr. Rettke: Okay, we've got the first issue, so you're allowed to build it up to 31' from the right-of-way. You sort of touched on Item B-2, correct? So we'll move on to Item B-2.

2. MAJOR SITE PLAN REVIEW APPLICATION, 6781 E. MAIN STREET, REYNOLDSBURG, OHIO; PRESENT ZONING, CS, COMMUNITY SERVICES; PRESENT USE, RESTAURANT; PROPOSED USE, RESTAURANT; PRESENT OWNER, LANCHECK LLC. CONTACT: DON LAYMAN, INTERSTATE CONSTRUCTION INC. (#159184).

Mr. Robbins: As Mr. Rettke said, this is Application #159184, major site plan review for the Wendy's restaurant. The information is basically the same as the variance that went through. Applicant is requesting a major site plan review for a new commercial structure. The proposed Wendy's is to be at the same location as the existing Wendy's and the applicant had been considering two different building types and decided on the ultramodern building. I don't know if you guys received both designs, but they have decided on the ultramodern that was shown before. There we go.

As far as the site goes, there are three curb cuts existing in this site. The existing structure is placed roughly 70' behind the right-of-way and the proposed building is to be 31 or actually 30' from the right-of-way. The applicant states the existing signage built under the Main Street Streetscape prevents the building from being built to the required 20' build-to line. The site layout is essentially unchanged with the exception of the building footprint, the building being moved closer to Main Street. There were a couple issues that Staff noticed on the site plan. The first – and I think the applicant's going to have something to talk about here as well – the site plan actually takes care of this, but the dumpster is located on the southeast corner of the lot and we'd like some screening provided. The secondary dumpster, I can see they have – it looks either like recycling or some sort of oil that's basically sitting out there and Staff has concern about that, whether or not that should be there and whether or not it needs screening. The second is they have what seems to be a secondary cooler out there as well. Let me bring this up. You can see this right here. This would be the cooler and then you can see the dumpster that's back there. After speaking with the applicant, I believe that the new building plan actually addresses these.

Mr. Kincaid: Yes, actually all of that will go away and the new building design has a freezer/cooler large enough behind the building that that remote freezer will no longer be required, so we will be – you know, that will go away and a completely new dumpster enclosure will be constructed.

Mr. Robbins: So parking-wise, the new use – the new size parks just fine. I think they have 52 existing spaces and the City Code requires 32 – I'm sorry 31. The landscaping plan has been provided by the applicant. Staff has no issue with what was shown. The one thing that Staff would like to recommend that the Board consider is requiring a brick walkway coming from the existing Reynoldsburg Streetscape and extending down the walkway. Now we have spoken with the applicant. He mentioned that Wendy's did have concerns about extending that all the way down. Apparently this is something they have done in the past and it's been a maintenance issue, especially with women in high heels, and the bricks become uneven, and wheelchairs rolling and

things like that. And I believe, as we spoke on the phone, you would be willing to bring it down basically to the front of the building.

Mr. Kincaid: That is correct. And part of the concern is, too, that the brick pavers on city walks and everything, they work well, but in a commercial property like this they're using deicers and things like that and sometimes it's really hard on these brick pavers. You know, they're trying to keep their customers safe as possible and a lot of times I don't think you see as much deicers and things like that used on public walks that they're using around these buildings to try to keep it safe for their customers. So, you know, we wouldn't have a problem trying to bring it to the front of the building if that would be acceptable, but the preference would be to have regular concrete then everywhere else, just for the safety of their customers.

Mr. Robbins: So, as the Staff Report does say, we did recommend that the Board approve the major site plan with the conditions that they address the dumpster and the cooler on the rear and then the walkway material being partially brick. I think after the discussion from the Board earlier, we would also like to add the screening to the rear of the property as well. Following those conditions, Staff would be in favor of the site plan as proposed. We do find that it will cause no undue harm or negatively affect the health, safety or welfare of residences or businesses within the City of Reynoldsburg.

Mr. Feeney: Yeah, I was thrown for a loop on the secondary dumpster and the cooler, cause I just didn't see it on the .pdf I got and I was scratching my head. So you're fine with the enclosure that's around the proposed trash? It looks like it's just a fence.

Mr. Robbins: There is fence that is continued basically-- Let's see. This portion of it, it looks like the fence would just be continued on where the dumpster would occur.

Mr. Feeney: But you don't see a need for any green around it? Just the fence is sufficient?

Mr. Stoffel: It looks to me like the existing fence stops at the corner, so I would like to see something happen to the east, maybe take it all the way out to the easterly property line or something, because that -- you're obviously going to have to remove some of that fence and I don't know what Staff would like to see happen there, but some kind of screening has to take place there.

Mr. Feeney: Yeah, I swear there was a landscape buffer requirement around the whole site.

Mr. Stoffel: I thought so, too. Isn't there a requirement for landscaping around the whole site?

Mr. Robbins: This is where it gets a little tricky. This is a residential property in the back, but, like I said, it is zoned commercial. However, I think this would be an appropriate time to provide a landscape buffer completely around the building. I think the sides where the fence is, I think the fence can stay. I would agree with the Board that landscaping would be appropriate in that area.

Mr. Feeney: So it's two commercial properties, they don't require it?

Mr. Robbins: Typically, no. Let me get the Code out.

Mr. Feeney: Isn't that building in the back like a hairdresser or something? Don't they use that parking?

Mr. Kincaid: I think at times they use it for overflow. Yeah, they use it because of the excess spaces.

Mr. Feeney: So if we require fencing all the way through—That's where I see the majority of the people. I don't know if there might be an agreement with Wendy's property or the owner of Wendy's and this hairdresser. They may have an agreement.

Mr. Kincaid: If we did some type of greenery though, I mean if there is some type of agreement there or something, we could always have an opening in the greenery or something. Once again, I don't know if you're maybe just talking hedgerow or 3' greenery that will grow. I'm sure that would be fine to extend that along that rear property line from the – you know, keeping the existing fence and then just extend the – you know, do more of the greenery.

Mr. Rettke: We had that issue with BW3, I'm almost positive, because they had the fence and then IHOP was the same way. They ran that parking lot almost out to the road and I swear we had a landscape buffer that still have to be maintained between the edge of the road, that access road and their parking, and that would be commercial against commercial.

Mr. Stoffel: Yeah, that's what I recall.

Mr. Rettke: I think we missed something there.

Mr. Feeney: It looks like there's space to do it.

Mr. Rettke: Yeah. I can't remember the width. I know we bumped – I want to say we bumped IHOP down to 3', wasn't it?

Mr. Stoffel: Yeah, that sounds right.

Mr. Rettke: We considered 2-1/2', but that wasn't enough to—

Mr. Stoffel: I think we talked that opening a door would actually may possibly conflict with traffic. And I can't remember if it was a requirement, or we just didn't want to see a 3' concrete—

Mr. Rettke: I swear there were two variances on that, though, to reduce the landscape buffer. We had a landscape buffer on the storage shed with the Family Dollar on the side. There was a setback and a landscape buffer I thought. I could be wrong.

Mr. Kincaid: I'm sure if we're just talking additional greenery along that 84' run there, I'm sure the owner wouldn't have a problem with that. He appreciates you working with him on the variance and this is something he's trying to do to enhance the property, so I'm sure that wouldn't be a problem.

Mr. Rettke: Anything else you guys have issue with?

Mr. Feeney: Well, I was going to ask about the lighting, site lighting. This is a pretty good parking lot and I just wonder what—

Mr. Kincaid: Right now the plan was just to existing site lighting to remain, no change. If there were any changes it would just be with, you know, newer, fresher type of site lights, but basically the same style as what's there.

Mr. Stoffel: Is that all brick paver now in front of the _____?

Mr. Feeney: No, that's concrete.

Mr. Stoffel: Yeah, it looks like it's all concrete now.

Mr. Feeney: I did have a question about that. What was the nutshell reasoning on the paver aspect as opposed to concrete for the walk?

Mr. Robbins: Just to tie into the existing Reynoldsburg Streetscape.

Mr. Rettke: But is it matching? Can we get a little closer? Would they actually be tying into brick paver down there?

Mr. Robbins: There would be a sidewalk in between.

Mr. Stoffel: So you would have the paver, concrete walk and then you'd want to go back to paver?

Mr. Robbins: Or just concrete. I mean it's – if the Board feels that concrete would be more appropriate—

Mr. Feeney: I don't have a preference either way.

Mr. Stoffel: I think to me, if that concrete right now is in good shape, I think it actually might look a little goofy you went from paver to concrete to paver then back to concrete again.

Mr. Rettke: That's sort of what I was thinking. What was the reasoning in having that whole sidewalk in pavers?

Mr. Robbins: I believe the Board had wanted that in the past with Charley's and it was my understanding that that was kind of what was to be expected in some of these redevelopment areas—

Mr. Stoffel: That's Charley's down there at Brice, there by McDonald's, Charley's Steakhouse. We had some with a brick path going around.

Mr. Robbins: Some of that was on the street, so they repaved the sidewalk.

Mr. Feeney: Yeah, we were just talking about – I think the sidewalk that was adjacent to the right-of-way, not extra, where it comes down Brice Road more to complete that streetscape right there, not a sidewalk back to the business itself.

Mr. Robbins: Well, if that's the case, Staff would be in favor of that, just keeping the same sidewalk.

Mr. Rettke: Yeah, that sidewalk has some grass, or a sidewalk that runs to the curb down there and I think we wanted that continued throughout, pretty much what you would be doing with the Brice Corridor if that ever gets done, if and when. I think that's what we're going for on that one, not all sidewalks around that place.

Mr. Feeney: They kind of offered to do that. That was part and partially their idea.

Mr. Rettke: Yeah, I think they actually did. They were going to take it to one point and then after the entrance of something they can go to the sidewalk and just continue with the rest.

Mr. Robbins: Okay, so let me pull the GIS up real quick for this site. I don't have the zoning working, but it does look like the parcel – and the parking is held off a fair amount from that area. I think with landscaping, and the code does require that within a year it be at least 6' high, arborvitae or whatever kind of evergreen tree would be available, to be planted along that southern edge of the property there.

Mr. Kincaid: Okay, that would be fine.

Mr. Feeney: Now would that 6' apply to the cul-de-sac as well?

Mr. Robbins: I would say if we're doing that, I think that would be a reasonable--

Mr. Rettke: So you want 6' there?

Mr. Robbins: Yeah, just to keep it consistent.

Mr. Rettke: I wouldn't have an objection of an opening along either line if there's a shared – cause you'd have to maintain that shared use with the hairdresser, and if there was people walking – I would just ask that that – if one's put in there that appropriate pavement marking's done as a crosswalk along that back. And if you striped it, you know project the sidewalk down to the cul-de-sac, striped that, I think that would give sufficient room for notice on the curve.

Mr. Stoffel: I would think for safety's sake, if nothing else, you'd want to stripe out a path there at the south end of the walk going into the cul-de-sac, whether you provide a real connection there, just for your own sake I would probably do that, because it is coming off of a public roadway.

Mr. Feeney: I know if I lived there, I'd walk. It would save me a lot of gas money.

Mr. Kincaid: A little bit of hash marking is good safety.

Mr. Feeney: For a couple hundred bucks, it's well worth it.

Mr. Rettke: As far as down time, what do you anticipate for Mr. Feeney here?

Mr. Kincaid: We'll say 90 days. I'm sure the franchisee would love to see it sooner.

Mr. Rettke: Are you serious? Ninety days for a rebuild?

Mr. Robbins: That's incredible.

Mr. Stoffel: That's pretty much the timeframe you had up on Broad.

Mr. Feeney: I don't even think it was 90 days, seemed like 45.

Mr. Kincaid: When they were building their conventional buildings, we've actually scraped and rebuilt in 35-45 days. We scraped and rebuilt the one in German Village Brewery District, 799 South High, that one was rebuilt in 42 days, but with this style building there's a lot more to it, so it's a little more involved construction-wise.

Mr. Feeney: My only concern in this whole thing is this hairdresser. It looks like they've been encroaching on your property for a long time with their parking and it's going to be gone. They're not going to have any parking. I just hope you work with them as a good neighbor.

Mr. Kincaid: I'm sure the franchisee is. He had mentioned to me that I think there's a friendship there and that type of thing, so I'm sure he's looking to maintain that relationship.

Mr. Feeney: I would caution the franchisee that if there isn't anything in place, he might want to get something in place between that and the hairdresser, get something recorded. That's usually a sticky point later in life, cause relations can sore. It would be good for Mr. Teague, but not so for your client. But if you're going through the expense of doing that and trying to help him out, get some rules in place between the two parties.

Mr. Rettke: Anything else, gentlemen and Mrs. Armintrout? (No response.) And we're fine with the north/south line on the east side? Does that need landscaping with that code?

Mr. Robbins: There is a commercial building next to it, but I think if we're being consistent with the interpretation of it, I think that would be a reasonable request to make as well.

Mr. Rettke: How about the left side, it has a fence.

Mr. Robbins: It does have a fence.

Mr. Rettke: Does that need anything?

Mr. Robbins: I would not in front of the fence.

Mr. Rettke: So we've just added about 360' of landscaping, six-foot hedgerow.

Mr. Kincaid: We're talking about the east property line, that's about 138'.

Mr. Rettke: So you'd have the 138, the 84, the 61's fenced; you'd have the 95 around the curve.

Mr. Robbins: Now what's the feeling of the Board basically screening in front of the existing building that's to the east?

Mr. Rettke: The hairdresser you're talking about?

Mr. Robbins: No, no. This building right here.

Mr. Rettke: Between that and the carryout?

Mr. Feeney: I mean I'm not for it, but if the code requires it, then I'd say it has to be in there to be consistent.

Mr. Kincaid: Is there a problem with that property owner then that something 6' and getting even higher over the years is going to block the view of their business?

Mr. Feeney: Well, that's why if it's required, I think it needs to be there. If it's not required, I don't know that we need it. That's up to Justin if it's subject to it or not subject to it, I guess.

Mr. Robbins: I mean definitely the area in front of the head-in parking to the east, and I would say there's some portions of the building-- You have an existing tree in this area. I think if you would want to screen up to that tree with arborvitae and then in the rear basically pulling them back so it wouldn't necessarily have to be a continuous hedgerow, you can stop it where that tree exists in front of the building.

Mr. Kincaid: Primarily the parking spaces along there. Okay.

Mr. Feeney: And as long as it's on your property, I don't think -- and you've got a nice setback there, so you've got plenty of room to do it. You do have an existing easement, though, to maintain. Is that going to cause some problems? Cause there's not much room between that existing easement and—

Mr. Robbins: Yeah, and that's an easement from -- it seems to be the Hair Cottage to the rear.

Mr. Feeney: No, that's a plotted easement for utilities.

Mr. Stoffel: Yeah, those boxes there might very well be running power back to the back of the hairdresser.

Mr. Kincaid: Actually there's what, a sign there for Hair Cottage at the first parking spot. We could run the greenery up to that sign. I think from what the site plan is showing here, it seems to indicate a sign and it says beside it, "Hair Cottage". I think that's why he's noting that as an existing sign.

Mr. Feeney: Oh, I was looking back here in the back.

Mr. Kincaid: Yes, I have an as-built and that is a sign there.

Mr. Rettke: We're getting plagued with all sorts of stuff here.

Mr. Robbins: With regards to the Hair Cottage sign?

Mr. Feeney: Well, the easement on the east side, screening that. I don't know that you necessarily want to screen an easement with two big boxes or cabinets out there.

Mr. Kincaid: Well, they're in the cabinet area. I mean he could screen down probably one, two, three, four, a good four spaces and still be outside the easement. You know, and the fact that the last couple spaces don't have something because it's in the easement, that's fine, but we can certainly screen those boxes and stay out of the easement.

Mr. Feeney: And, of course, the front's fine, because that's all matching the corridor.

Mr. Robbins: Yeah, it does, as Mr. Stoffel said, there seems to be a fair amount of room in between the edge of the parking lot and the edge of those boxes which basically ride the front of that easement and you could carry that down a fair amount basically until that easement snuggles up against the parking lot, then it becomes a little more difficult.

Mr. Feeney: Yeah, and that's per code, right?

Mr. Robbins: Not planting on the easement?

Mr. Feeney: The landscaping. This is nothing we're requesting additional because we want to. I just want to make that clear.

Mr. Robbins: Right. And I think with these parking spaces along the back, I mean I don't know how much clearance you're going to have for planting. They do seem pretty long.

Mr. Kincaid: Well, those are the existing.

Mr. Feeney: It looks like they're putting new ones, cause they're going to utilize their full property.

Mr. Rettke: You're putting a new curb back there, correct?

Mr. Feeney: Go back to the GIS.

Mr. Kincaid: Actually all of that should be remaining as is. The only thing we might be doing is topping the asphalt or sealing it. So, really, all the asphalt area should remain as is.

Mr. Rettke: Then the drawing's not accurate then, or our property line on the GIS isn't accurate. I'll have to look at that tomorrow.

Mr. Robbins: Yeah, I see what you mean. They do show the parking basically dropping down into the existing driveway.

Mr. Stoffel: The existing GIS basically shows it running along what would be the overhead electric.

Mr. Kincaid: Right. And, actually, the new plan has the parking pulled to the north further. As he kind of reconfigured for the new dumpster and got rid of the existing cooler/freezer and trash enclosure back there, it does appear that he reconfigured that a little bit, actually pulling the curb forward a little bit further away from that back property line. I think he was probably just concerned that the parking was so far back toward that property line that he was trying to keep it further away from the property line.

Mr. Feeney: Yeah, we don't always want to trust the GIS.

Mr. Rettke: That would go against half the presentations I've given in life. We will check that tomorrow though and see how accurate that is. Any other comments or questions? (No response.) Good luck working this one.

Mr. Feeney: I'll make a motion that we accept Item B-2, major site plan review application for 6781 E. Main Street, #159184, with the additional screening along the court and the south property line and also additional screening on the east property line, and also pedestrian signage or striping from the Wendy's lot into Walt's place, the court.

Mr. Stoffel: I'll second.

Mr. Rettke: Are we clear on that, Justin?

Mr. Robbins: Yes.

(Mr. Robbins called the roll. Mr. Stoffel voted "yes." Mr. Feeney voted "yes." Mr. Rettke voted "yes." Ms. Armintrout voted "yes.")

Mr. Rettke: Now that may be subject to City Council too, correct, since we put conditions on it?

Mr. Robbins: I know that's the case with Special Exceptions, but I don't think so in this case.

Mr. Rettke: If he finds out differently, he'll contact you.

C. OTHER BUSINESS

DISCUSSION: PAWN BROKERING

Mr. Robbins: Let me give you a little background. There's a property not too far down the street from where this application was on Main Street. There is an existing Restricted Industry building in the rear and a vacant, what I believe was a Car Quest at

the time. We get a call from an applicant who wants to put what's called a Title Max Loan business in there and, from my understanding, you basically sign over your car title to them in exchange for a loan and then when you repay it with interest, then they give you your car title back. If you don't repay it, they get your car, so basically your car's collateral.

Mr. Rettke: Like Auto Pawn on Harrisburg Pike used to be?

Mr. Robbins: I believe so. The reason this came up is we're at a little bit of a struggle trying to figure out how this actually fits in with some of the uses within the district. Let me grab this email.

Mr. Rettke: So we're talking a Car Max site, correct?

Mr. Robbins: Yes, that's correct.

Mr. Rettke: From what I saw of the Auto Pawn, the number one is storage. Normally if you give the title over, they're going to have the vehicle, wouldn't they or are they going to file a lien against the title of the vehicle and let the—

Mr. Robbins: I'm not a hundred percent sure how it works. It's my understanding that the applicant will be coming into the meeting next meeting basically to get the Board's interpretation of what pawn brokering is. The Ohio Revised Code, Section 4727.01 defines it as "A means, a person engaged in the business of lending money on deposits or pledges of personal property. Other than securities, printed evidence of indebtedness, titles, deeds or bill of sale, at a total charge, rate of interest of discount or other remuneration in excess of 8% per annum and includes a person engaged in the business of purchasing personal property from another person with an agreement that the personal property will be made available so that the other purchase, for repurchase, within an agreed to time period, and for an amount greater than the price originally paid to the other person for the purchase of the personal property." The one portion of this, and this is what the applicant is kind of looking at, is it says personal property other than titles. Our first kind of thinking that this is basically looking at banks and how you would take out a mortgage against your house and that's basically a mortgage against the title. Now I believe the feeling is that this might be a different animal, but I just wanted to let you guys know that this might be on the agenda for next meeting and they're going to be looking for a definition based on what you see here in the Ohio Revised Code. Now we're going to be looking at this a little bit further. I just wanted to put it on the radar just so you can consider it for the next month.

Mr. Rettke: And you've inquired of the City Attorney on a definition of title?

Mr. Robbins: That will be the next thing to do. Now this came up today and since we had the BZBA meeting today, I thought I'd let you guys know.

Mr. Rettke: I would ask for his definition of the title, if it applies in this circumstances. Cause usually in those sections there'll be a definition of a title and how it refers to something else.

Ms. Armintrout: Where is this going in?

Mr. Robbins: The old Car Quest.

Ms. Armintrout: Where is that?

Mr. Rettke: Right next to Auto Zone on Main Street and then there's a sports bar right next to that and then an antique store.

Mr. Feeney: It sounds like it's nothing more than what you could do if you have your title to your car you can go into the credit union and get a loan on it and that sounds like it's the same type of thing. I just don't know if he's going to turn into repossessing cars and selling them off his lot.

Mr. Rettke: Well, see, Auto Pawn, when you turned over your car, I thought it was like anything. When you go to a pawn, you give them the product, they hold onto it for X amount of agreed upon days and if you don't return with payment, it goes out on the showroom one minute after that agreed upon time for purchase. So Auto Pawn down on Harrisburg Pike, you had your storefront, you had vehicles for sale out front and then there's a big fence and then a holding tank of cars. That site's not conducive to holding. If he's going to retain the car until payment's made, no. I'd be against that totally. And he'd almost have to have it onsite, because if I walked in with my \$1,000, I'd want my car. I wouldn't want to—

Mr. Stoffel: I don't know where he would keep the cars near that place.

Mr. Rettke: I don't know how he'd do that. How much property does he own? Does it also go back into that—

Mr. Robbins: The parcels are different, but it's the same owner.

Mr. Rettke: So he could store those all the way back into there.

Mr. Robbins: They had another one that they were looking at that rented car wheels, rent-to-own car wheels.

Mr. Rettke: Well, when you're paying \$2,000 for them, you can defer the price. It's probably not a bad business.

Ms. Armintrout: Auto Zone, is that still in business?

Mr. Robbins: Yes.

Ms. Armintrout: This whole side of the building is vacant (Inaudible – several people talking at once). --the same guy owns this Car Quest, right?

Mr. Robbins: According to our records, yes.

Mr. Stoffel: What they do, it's just like a bank. They take the title, they'll file a lien against the title and you keep your car. However, you miss a payment, they're going to repo it a lot quicker than a bank will.

Mr. Rettke: So that's in the old 3C right there on the corner of Brice and Livingston?

Mr. Stoffel: Yep. I couldn't believe it either. I was actually looking at the other pawn shop, because when I was Commander of the Detective Bureau, I had to hit all the pawn shops down in Columbus. On Weber Road, I think it was right next to 71, they had a deal where they took titles, but also not everybody's got a clear title to their car. So what they would do, if they – they would check with the bank, see what equity you had in it, they would loan you on the equity, but they held the car in that case. But if you could give them a clear title, you drove the car away and they put a lien on it.

Mr. Robbins: So, like I say, this is just a preliminary discussion. I will be in contact with the Board over the next month after we speak with the City Attorney and get a better idea of how the Ohio Revised Code is interpreted and how this has been done in the past. I just wanted to let you know that next month this might come up. It does mention 8% per year as an interest rate that I think would kick it into the next level, but the language is confusing to me, so I'll defer to the attorney for that one. But that was it for Other Business.

Mr. Rettke: Any other business? (No response.)

Okay, now it's my turn to beat Justin here a little bit. I know three meetings ago we discussed about getting things in a timely manner. You know this is coming. We didn't get anything really in a timely manner on this one, so just want to put it out there again.

Mr. Robbins: I understand.

Mr. Rettke: Let's make sure we get these in a timely manner.

Mr. Robbins: You will get these in a timely manner.

Mr. Rettke: Luckily this one was put off, but the email I'm sort of fine with. I can view and I could plot these if I wanted to, but sometimes it's nice to actually get them in an email. You can see more detail. So I don't know if you want to also do that, if it would be too much of a hassle.

Mr. Robbins: We can do that, send it in an email.

Mr. Rettke: Because .pdfs you can actually open up and see a little bit more detail sometimes.

Mr. Stoffel: I would honestly prefer getting them both, because—

Mr. Rettke: Hard copies are nice to get them in the mail a week in advance, we can see it over the weekend, take a look at it, go out and visit the site or something like that if there's questions. I'd like to go back to getting it hard copy a week before so you have time to review it and actually go out and look at the neighborhood that somebody wants to add a porch into or wheelchair ramp. I'd kind of like to see those things.

Mr. Robbins: We'll get those out. I'll make sure that the applications basically – we request additional information when we get these applications and sometimes they don't come in in a timely manner, this being one of them. The site plan that they originally turned in, I mean they had the major site plan and they came back and said it's got to be a couple of steps up, is the best way to describe it. I know they scrambled to get it in there and get it done and then we received it late.

Mr. Rettke: Like I said last time, there is a balance between the two.

Mr. Robbins: I know I don't like getting these to you guys late.

Mr. Rettke: I'd like to say I work for the county and the Auditor, if you don't file your BOR form in triplicate by March 31st, you're not going to get it on. So there are some timeframes that we can uphold. We're only meeting once a month. I hate to see somebody turned away, but when you're talking something this large, the time and consideration to look at it is appreciated.

Mr. Feeney: Well, they also know those dates as well. I mean they know the deadlines. They know all that as well.

Mr. Rettke: You know, the homeowner coming in for a safety ramp, is it as critical? Probably not, because their product isn't nearly what this is, but just try and do us a favor on that.

And, again, we need to welcome Bonnie.

Ms. Armintrout: Thank you. This was interesting, very interesting. (Small talk.) I never knew that Wendy's owned clear over to the hair salon. I've lived here for 26 years and never knew that. That was just interesting to find out this evening. Now are they going to get rid of all of the trash bins and that kind of stuff? That looks really trashy.

(More talk about hair salon and Wendy's.)

C. ADOURNMENT

Mr. Rettke adjourned the meeting at 7:58 p.m.

Anthony Rettke, Chair

Justin Robbins, Planning Administrator

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