



MINUTES

DESIGN REVIEW BOARD THURSDAY, APRIL 7, 2016 6:30 PM

PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDSBURG, OH 43068

A. CALL TO ORDER

PRESENT: Hudson, Zollars, Bowman (6:59 PM), Hicks, Carr, Cullinan, Sampson
ABSENT:

2. APPROVAL OF MINUTES

1. Design Review Board – Regular – March 3, 2016

Minutes stand approved.

3. APPROVAL OF AGENDA

Mr. Snowden: Mr. Chairman, in the absence of Mr. Burd, I would like to propose we add item E.1., Election of Officers.

B. PUBLIC COMMENT

None.

A. SWEARING IN OF SPEAKERS

Mr. Zollars: All those speaking this evening need to be sworn in, so if you would please sign in and if addressing the Board, please stand and raise your right hand. Do you swear or affirm that the testimony that you will give in front of the Board will be truthful? If so, say, "I do."

C. UNFINISHED BUSINESS

D. NEW BUSINESS

1. **7520 E. Main St.; Application #172958; Applicant: DaNite Signs/J. Waddell; Business: Nationwide Insurance; Historic District Signage**

Mr. Snowden: 7520 E. Main Street - Nationwide Insurance - Signage (Historic District). Application: #172958 - Certificate of Appropriateness. Location: Property is located on the north side of E. Main Street just west of Waggoner Road. Existing Zoning: CC - Community Commerce District / HCO - Historic Commercial Overlay. The request is for a certificate of appropriateness for signage. Current Use: Business/Administrative Office. The applicant is DaNite Sign Company. The applicant is requesting the Board review and approve a certificate of appropriateness to reface an existing internally illuminated cabinet sign and ground sign. The applicant is requesting the Board review and approve a certificate of appropriateness to reface an existing internally illuminated cabinet sign and ground sign. The site is developed with an existing multi-tenant commercial building. Neighboring uses

include other commercial businesses in the CC district of the City. To the north, the property abuts multi-family dwellings in the AR-3 district. All parcels that front E. Main Street are in the Historic Commercial Overlay. Staff Review - The applicant is proposing to reface an existing 20SF wall mounted sign. The proposed sign face is constructed of acrylic and will contain 3 colors. The applicant is proposing to utilize one business logo that is consistent in color with the rest of the sign. The proposed sign reface will not add any additional colors compared to the existing sign faces. The applicant is proposing to reface an existing ground sign with a sign face that is approximately 32SF. The proposed sign face is constructed of acrylic and will contain 3 colors. The applicant is proposing to utilize one business logo that is consistent in color with the rest of the sign. The proposed sign reface will not add any additional colors compared to the existing sign face. Both the ground sign and wall sign are consistent with each other in terms of design, style, materials and colors. Just something to note here, since these are existing signs, we can allow them to be refaced without having them comply with the normal Historic District Materials that would be required for new signage. That is why Staff is recommending approval of the signage that is not consistent with the material regulations. The Board should apply the standards for design review and determine if the proposed signage enhances the characteristics of the Historic Commercial Overlay. Staff's recommendation is it that the Board approve the application for a certificate of appropriateness as submitted. And with that, I will turn it back over to our Chairman.

Mr. Zollars: Any questions or comments from the Board? Any comments from the applicant? I will entertain a motion.

(Vote)

Mr. Snowden: With that, I will give the applicant the remaining information. I will provide this in a letter. The applicant should submit a zoning sign permit application for the proposed sign reface. Staff will require two copies of plans to confirm compliance with the approved certificate of appropriateness. Sir, will you sign in on that sheet, just in case we need your contact information later.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Hicks, Board Member
SECONDER:	Tyler Cullinan
AYES:	Hudson, Zollars, Hicks, Carr, Cullinan, Sampson
ABSENT:	Bowman

2. **7366 E. Main St; Application #173040; Applicant Thomas Kidwell; Business: the Sleek Geeks; Historic District - Awning Reface**

Mr. Snowden: 7366 E. Main Street - The Sleek Geeks - Signage (Historic District). Application: #173040 - Certificate of Appropriateness. Location: Property is located on the north side of E. Main Street, between Lancaster Ave. and Jackson Ave. Existing Zoning: CC - Community Commerce District / HCO - Historic Commercial Overlay. The request for certificate of appropriateness for signage. Current Use: Business/Administrative Office. Applicant: Thomas Kidwell, 7366 E. Main Street, Reynoldsburg, OH 43068, 614-440-5150, thesleekgeeks@icloud.com. The applicant is requesting the Board review and approve a certificate of appropriateness to reface two existing awnings on a commercial structure in the Historic District. The site is developed with an existing commercial building. Neighboring uses include other commercial businesses in the CC district of the City. To the north, the property abuts French Run and is screened from properties along the north side of French Run Drive by natural vegetation. All parcels that front E. Main Street are in the Historic Commercial Overlay. Staff Review - The applicant is proposing to reface two existing awnings. The proposed awning material is constructed of black fabric. Painted graphics will be applied to provide a business logo on each awning. The total area of each logo does not exceed 10SF, which means combined, the painted area does not exceed the 20SF of signage permitted by the Zoning Code. Staff normally does not support bright or distracting colors in the Historic District, but the Historic Design Guidelines do not provide a specific color palette requirement. In this case, the white color paint matches the building's existing white trim. Normally, Staff might be concerned about using the color orange on signage within the Historic District but in this case, the overall composition of the signage and colors do not overpower the location or other surrounding structures. Furthermore, Staff supports the orange color choice because it is not fluorescent, is part of an overall branding for the business, is not removing or subtracting any existing natural material, and is not designed to attract un-do attention or mimic any traffic control device. I wanted to give a little bit more explanation as to why I am supporting the color. I did not want to set any bad precedents or make it seem we were approving anything that was not consistent with our regulations that prohibit neon sign and that sort of thing. The Board should apply the standards for design review and determine if the proposed signage enhances the characteristics of the Historic Commercial Overlay. Staff's recommendation is it that the Board approve the application for a certificate of appropriateness as submitted.

Chairman Zollars. Any questions from the Board?

Mr. Hicks: My only question would be, I did not see any notation indicating it, but the door

has changed color between the existing picture and the proposed signage change, so I would like some clarifications as to whether they intend to change the color of the door, and if they are that it is going to be covered under whatever decision they make here.

Mr. Snowden: Let me take a closer look at that. That was not part of this application if my understanding is correct. You are absolutely right Mr. Hicks. I think you have caught it. Staff did not notice that, frankly. I think, given this drawing, I think they are indicating they want to do that. In this case, if the Board approved it and they had shown it on their drawings, it would certainly be acceptable for the Board to approve it, given they have shown it on drawings.

Mr. Hicks: It may even be a technical issue where their computer grabbed all of the burgundy and changed it to black and didn't mean to, or whatever. I guess my opinion would be rather indifferent as long as we approve what they are doing so that they do not end up having to come back because they changed the color of the door.

Mr. Snowden: Let's do two things. One, let's assume they did that on purpose and that they are actually trying to brand, because that door was consistent with the other branding. Number two is, I just want to clarify, especially for some of our newer folks, when applicants ask me if they need to attend our Design Review Board Meeting, there is nothing in the code that says that absolutely have to attend. However, I always recommend just for this type of situation. I just wanted everybody to know that we do recommend that they attend, but ultimately, they have to make that decision. In this case, I would recommend that the Board assume that they are making that specific change. It is nice to have it consistent with the signage that they are proposing. If it turns out that the applicant is not doing that, Staff will contact the Board and we will make a decision as to what to do at that time.

Chairman Zollars: Very good. Any other questions?

(Vote)

Mr. Snowden: Very good. The application has been approved. I will send the next steps to the applicant via mail.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Sampson, Service Director
SECONDER:	Richard Hudson
AYES:	Hudson, Zollars, Hicks, Carr, Cullinan, Sampson
ABSENT:	Bowman

3. **2056 Baltimore-Reynoldsburg Rd.; Application #173082; Applicant: Tima Mam; Business: Tima Nails and Spa; Signage**

Mr. Snowden: 2056 Baltimore-Reynoldsburg Road - Tima's Nails & Spa - Signage. Application: #173082 - Certificate of Appropriateness. Location: Property is located on the east side of Baltimore-Reynoldsburg Road between Slate Ridge Blvd and Farmsbury Drive. Existing Zoning: CS - Community Services District. The Request for certificate of

appropriateness for signage. Current Use: Personal Services. This is going to be a new business. Applicant: Mr. Tima Mam, 816 Persimmon Place, Columbus, and his contact information is listed there. The applicant is requesting the Board review and approve a certificate of appropriateness for a new wall mounted sign on the front facade of an existing commercial building. The site is developed with an existing multi-tenant commercial building and related improvements. The other tenant spaces include retail sales uses and eating or drinking establishments, and I think there are some small office uses within that shopping center. Neighboring uses include other commercial businesses also in the CS district of the City. To the south, the property abuts an office use in the CO District. To the east, the property is adjacent to a multi-family development in a Planned Development District. The applicant is proposing to install a new 34SF wall sign. The proposed sign consists of internally illuminated channel letters mounted to a black aluminum sign board. The sign does not exceed the 40SF of signage permitted by Code. The sign consists of channel letters and contains three colors. The proposed signage is consistent with the style of signage used throughout the entire commercial shopping center. For those of use who are not familiar with the Slate Ridge shopping center, I will go to it. The Board should apply the standards for design review and determine if the proposed signage enhances the characteristics of this commercial corridor. Staff's recommendation is it that the Board approve the application for a certificate of appropriateness as submitted. With that, I will turn it back over to our chairman, and I will be happy to answer any questions.

Chairman Zollars: Any questions from the Board? Is the applicant here? Is there anything you would like to add?

(Vote)

Mr. Snowden: To the applicant, I always provide a written, mailed, next steps item, but in this case, you are going to want to submit for a zoning sign permit. Following that, you are going to want to submit for a building permit in order to finish erecting the sign. If you have any questions, you can contact me at the office.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Hicks, Board Member
SECONDER:	Richard Carr
AYES:	Hudson, Zollars, Hicks, Carr, Cullinan, Sampson
ABSENT:	Bowman

4. 2829 Taylor Rd.; Application #173085; Applicant: Mostafa Sheta; Business: LBrands; Minor/Exterior Modifications & Signage

Mr. Snowden: 2829 Taylor Road - Bath and Body Works - Exterior Modifications & Signage. Application: #173085 - Certificate of Appropriateness. Location: Property is located on the north side of Taylor Road just east of Baltimore-Reynoldsburg Road. Existing Zoning: CS - Community Services District. The request is for approval of a certificate of appropriateness for exterior modifications and signage. Current Use: Retail Sales. Applicant: Mostafa Sheta, 3 Limited Parkway, Columbus. The applicant is requesting the

Board review and approve a certificate of appropriateness for new exteriors finishes and signage. The site is developed with an existing multi-tenant commercial building. Neighboring uses include other commercial businesses in the CS District. To the rear, the property abuts multi-family dwellings in the AR-2 District. Wall signage - The amount of existing signage indicates that either a comprehensive sign plan or variance are in place to allow an additional wall sign. Staff was not able to find record of this, but most tenant spaces or shopping centers of this type would have been required to be approved for a comprehensive sign plan when they were constructed. So basically, in this case, not all the comprehensive sign plans that have been approved have come down to be. Some of them were intermixed with other records, and may have not been retained. So, I unfortunately don't have the comprehensive sign plan to reference. However, given how I know this area was developed, and the amount of signage that was already present at the location, there has been a comprehensive sign plan or variance approved. That is only relevant to say, "Hey, they have two wall signs, they get to retain their two wall signs, and that is ok." Otherwise, if you were removing wall signage, and were not in compliance, we could say you need to be in compliance with the current code. All that is just to say I am comfortable with them basically replacing what is existing. The applicant is proposing to replace both existing channel letter signs new channel letter signage consistent with their new branding. The sign labeled "Sign A" is 28.82SF and will be mounted to the south facade of the building. The sign labeled "Sign B" is 28.91SF and will be mounted to the east facade of the end tower structure of the building. That basically faces the entrance of the WalMart property, and that probably is why the applicant would have applied for a comprehensive sign plan originally when the structure was built, because they are on an end cap. Window graphics - Although it does not require review by the Board, the applicant is also proposing window mounted graphics above their entrance door. Per Section 1181.04 of the Zoning Code, which allows certain types of signs without a zoning sign permit, Staff is not classifying this as a sign. The applicant is also proposing to add a checkered material to the upper band of the storefront windows. The proposed colors are consistent with the signage, and the applicant has provide materials samples. The reason the applicant is doing this, and they can speak more to it, is because this is the same type of branding they are doing in an interior mall, and they are bringing that type of branding to an outdoor, more traditional, strip style shopping center. You can also see the remainder of their signage for the rest of the structure. With that, I recommend that the Board should apply the standards for design review and determine if the proposed signage enhances the characteristics of this commercial corridor. Staff's recommendation is it that the Board approve the application for a certificate of appropriateness as submitted. This one is a little more complex. I will turn it back over to our chairman and I will be happy to answer any questions.

Chairman Zollars: Is the applicant here? Would you like to add anything?

Mr. Highlander: Hello, my name is Justin Highlander, I am a Bath and Body Works designer for L Brands, and so I have designed this new store front in this existing center. Recently, since we submitted this design, we work with Casto which owns this property, and they are not approving the signs above the doors.

Chairman Zollars: Are you talking about the red and blue?

Mr. Highlander: The "Bath and Body Works" that is right above the door. So, we have agreed with them to remove that from our design. So, we would only have the two signs on the facade, the two existing signs that we are replacing with new branding that is going to be blue.

Mr. Snowden: So, the Board would be approving the two wall signs, and the material changes for the upper band of the windows there. That is more than window graphics. That is really a materials change. Those are the things the Board is being asked to evaluate, if the applicant is going to be removing that request.

Mr. Highlander: The Bath and Body works above the door.

Chairman Zollars: Is it on here? Just so all of the Board members are aware.

Mr. Highlander: We are looking at sign C. It is an acrylic sign that would have been installed to the outside facing the glass. We are no longer proposing that due to the landlord not approving.

Chairman Zollars: Anything else you would like to add?

Mr. Hicks: To the applicant, looking at the existing area where the proposed sign would be that you are now removing, there appears to be a kind of awning type sign, or something. Would that be retained, or is that going to be removed and basically we could assume that would be this, minus sign C.

Mr. Highlander: We are going to remove that red and white awning that is existing, that is underneath the overhang, on our store front. We are going to redo the storefront, and add what we call the gingham pattern, which is the blue and white checker, that is a vinyl applied to the backside of the glass.

Mr. Hicks: So the checkered pattern will still be there, but the extra "Bath and Body Works" above the door will be removed. I did have one other question Mr. Chairman, on your display you have some script on the glass. Is the existing address remaining in that same area. I want to make sure we are not approving you to remove the address from the storefront and that that is also being accounted for and is a part of this plan.

Mr. Highlander: It will be accounted for and it will be a part of the elevation. It is just not showing in this package.

Mr. Snowden: There is a gray area with regard to the window graphic signage because of the way that the Design Review Board was set up when it was originally enacted. So generally, we have not required Design Review Board approval to change window mounted graphics such as that, even if they are not showing it on the plan. We can definitely work with them on that. Our Property Maintenance Code requires that the address be posted. And the fire and police require it to be posted. This is a general broad statement. But, in this case,

because they are adding the extra materials and colors, even though that is window applied, I guess I am trying to differentiate between why it seems like we are being inconsistent, but is really because what they are proposing is different.

Chairman Zollars: Thanks for clearing that up. Does anyone else have any questions or comments?

Mr. Havener: I just have one question as to the operations for L Brands. Is this a typical combo store within the company, the White Barn and the Bath and Body Works? Is that something new that they are starting to roll out?

Mr. Highlander: That is correct. This is our brand new 2016 design. We built many of them in 2015, but this is the newest of the new. So, what it is, on the interior of the store is a Bath and Body Works in room 1, a White Barn in room 2, and a Bath and Body Works in room 3. So there are finished product changes, so we kind of go from the soaps to the candles, back to the home fragrances. This is kind of two brands in one linear store, with a Bath and Body Works front face to it as our brand name.

Mr. Hicks: I would like to make a motion that we approve the submission contingent upon the removal of sign C, retaining the plaid banner D, other than that, as submitted.

(Vote)

Mr. Snowden: I will provide a written letter of action stating what took place tonight and what the next steps are. In this case you are going to want to apply for a zoning sign permit application for the proposed new signage and a zoning certificate application for the exterior modifications. You want those plans to be consistent with what is approved, so you cannot submit the original plans again since Mr. Hicks made a motion removing those from your application. Staff will require two copies of plans for each application to confirm compliance with the approved certificate of appropriateness. Once a zoning sign permit is secured, the applicant will need to contact the Building Division at 614-322-6802 to submit building plans for the new sign, secure permits, and complete the required inspections for the signage, any subsequent exterior modifications, and any other modifications to the building.

RESULT:	APPROVED [6 TO 0]
MOVER:	Steven Hicks, Board Member
SECONDER:	Tyler Cullinan
AYES:	Hudson, Zollars, Hicks, Carr, Cullinan, Sampson
ABSTAIN:	Bowman

5. **5978 E. Livingston Ave.; Application #173092; Sign Shop Inc.; Business: R&N Carryout; Signage**

Mr. Snowden: 5978 E. Livingston Ave. - R & N Carryout - Signage. Application: #173092 - Certificate of Appropriateness. Location: Property is located on the north side of Livingston Ave between McNaughten Road and Idlewild Drive. Existing Zoning: CC - Community Commerce District / CCO - Community Commercial Overlay. The request for certificate of appropriateness for a sign reface. Current Use: Retail Sales. Applicant: Sign Shop Inc., DBA Signarama Reynoldsburg, 6253 E. Main Street, and their contact information is listed there. The applicant is requesting the Board review and approve a certificate of appropriateness to reface an existing internally illuminated cabinet sign. The sign is an existing non-conforming sign mounted to the roof of the building. The site is developed with an existing commercial building. Neighboring uses include other commercial businesses in the CC district of the City. To the west, the property abuts vacant land in the City of Columbus. To the north, the property adjoins several non-conforming two-family dwellings, also in the CC district. This item was referred to the Planning & Zoning Division from the Code Compliance Division. This sign was refaced to match a neighboring ground sign but was not included in the certificate of appropriateness application for the ground sign reface. Those of you that were on the Board in 2015 recall that this ground sign was refaced. For whatever reason the property owner or contractor at that time elected to go ahead and reface this sign even though they had communicated with staff that they were not. Needless to say, once our Code Compliance Division made contact with them, Staff started working with the property owner to get them into compliance, just as we always would.

Unknown Speaker: The existing polycarbonate face, or acrylic face, has cracked halfway down the middle, so we are coming in as a reface. We are going to make it look exactly the same way it is, and we are going to use Lexian this time and slide a new face in with the matching existing artwork.

Mr. Snowden: To finish my report, the applicant is proposing to reface an existing 30SF roof mounted cabinet sign. The proposed sign panel contains three main colors and two small product logos. The sign face is consistent with the face of the neighboring pole mounted sign on the same lot which received a certificate of appropriateness from the Board in 2015. Again, those of you that were on the Board probably recall that the Board sort of massaged this original drawing because of the number of logos, and worked with the property owner to explain that you cant display every single product that you sell on your sign in front of your building. What the applicant is proposing here is consistent with what they have already been approved for with the ground sign. That is definitely something we would like to see.

With that, the Board should apply the standards for design review and determine if the proposed signage enhances the characteristics of the Community Commercial Overlay. Staff's recommendation is it that the Board approve the application for a certificate of appropriateness as submitted. I will turn things back over to our Chairman, and I am here to answer any questions.

Chairman Zollars: Do you have anything that you would like to add to this?

Unknown Speaker: Only that we were not the contractor last time.

Chairman Zollars: Ok. As shown, the Western Union, Ohio Lottery, ATM, and Billpay, are currently on the sign and the new sign will reflect the same, yes?

Unknown Speaker: Correct.

Mr. Snowden: Let me interject. This property was visited by myself, and one of our code compliance officers last summer. We started working with the property owner to address various code violations on the site. In this picture, you can see they have repainted part of it. Some of the doors have been replaced. It is never going to be a world class building but I think it is definitely moving in the right direction and this is just another item on the checklist to get them into compliance with the regulations of the City, and that is what we like to see.

Chairman Zollars: Very good. Any discussions?

Mr. Sampson: This is a back lit sign, correct? There are two lights on either corner at the top of the sign, are these security lights.

Unknown Speaker: I would assume so, yes. I have never seen them lit, so I am going to think that maybe after hours they are on a motion detector or something.

Mr. Sampson: One of them appears to be missing. Is it your plan to replace these lights or eliminate these lights.

Unknown Speaker: Our plan is just as a sign maker to slide in a new face, but I can bring your concerns to the owner of the establishment.

Chairman Zollars: Any other questions?

(Vote)

Mr. Snowden: You are going to want to apply for a zoning sign permit, and as soon as you do that, you can do the work.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Hudson
SECONDER:	Richard Carr
AYES:	Hudson, Zollars, Bowman, Hicks, Carr, Cullinan, Sampson

6. 7619 E. Main St.; Application #173093; Applicant: Karlissa Saffold; Business: Buckeye Cheddar & Chili; Historic District Signage

Mr. Snowden: 7619 E. Main Street - Buckeye Cheddar & Chilli - Signage (Historic District). Application: #173093 - Certificate of Appropriateness. Location: Property is located on the south side of E. Main Street just east of Waggoner Road. Existing Zoning: CC - Community Commerce District / HCO - Historic Commercial Overlay. The request is for a certificate of appropriateness for signage. Current Use: Eating or Drinking Establishment. Applicant: Karlissa Saffold, 3400 Brook Spring Drive. The applicant is requesting the Board review and approve a certificate of appropriateness to reface an existing externally illuminated, wall mounted sign board. The site is developed with an existing multi-tenant commercial building. Neighboring uses include other commercial businesses in the CC district of the City. To the south, the property abuts residential uses in the R-3 district. All parcels that front E. Main Street are in the Historic Commercial Overlay. The applicant is proposing to reface an existing 32.75SF wall mounted sign. The proposed sign panel is wood and the proposed vinyl graphics will include 5 colors. The applicant is proposing two small logos to show their product. I am reminded of the Board's review for signage for Carnival Ice Cream around the corner, which was pretty similar to this in size, style, materials, and the use of the logos. In this case, this is showing the products here. The Board should apply the standards for design review and determine if the proposed signage enhances the characteristics of the Historic Commercial Overlay. Staff's recommendation is it that the Board approve the application for a certificate of appropriateness as submitted. With that, I will turn it back over to our Chairman, and I am here to answer questions.

Chairman Zollars: Do you have anything you would like to add to this.

Mr. Bowman: I noticed the delicious looking hot dogs and chili dogs on the sign, do you represent the sign company?

Ms. Saffold: No.

Mr. Bowman: Will those food pictures be noticeable, so that you can tell what they are?

Mr. Snowden: Mr. Bowman, let me help you out here. Looking at that drawing, I don't think the drawing you are seeing gives you a good idea. The carnival ice cream sign, although done by a different sign contractor, much of the contractors have the same technology and I think you are able to see some definition there. It looks pretty small, but if you look at this, it is taking up more than two-thirds of the tenant space and that is a relatively large sign given the size of the space. And, with the external illumination, I think that the drawing would lead you to believe that it is all sort of mashed together and I think it is going to be alright.

Unknown Speaker: Is there a specific reason that the word "Buckeye" is in quotation marks before the "Cheddar and Chili".

Ms. Saffold: *(Inaudible)*

Unknown Speaker: This is not a chain branding then, correct?

Ms. Saffold: Not yet.

(Vote)

Mr. Hicks: No, and as we discussed in prior meetings, a brief explanation, nothing personal against your business, but in the Historic District area, I think it would be appropriate even if you have logos and designs on the sign for the specific product, that they had a bit more historic flavor and appeal to them. So, I would like to reverse the precedent that has already been set prior and vote no, even though I know this will pass. Thank you.

Mr. Snowden: In this case you will also want to go for a zoning sign permit for the sign reface. And, my understanding is that these signs at this business are refaced in place? Ok, very well. I will provide all of that in the written statement.

Chairman Zollars: When do you anticipate being open?

Ms. Saffold: The next thirty days.

Chairman Zollars: Very well. Thank you.

RESULT:	APPROVED [6 TO 1]
MOVER:	Eliot Bowman
SECONDER:	Bill Sampson, Service Director
AYES:	Hudson, Zollars, Bowman, Carr, Cullinan, Sampson
NAYS:	Hicks

7. 6545 E. Main St.; Application #173099; Applicant: Jim Dorenbusch; Business: Dairy Queen; Minor/Exterior Modifications & Signage

Mr. Snowden: 6546 E. Main Street - Dairy Queen - Comprehensive Sign Plan. Application: #173099 - Certificate of Appropriateness. Location: Property is located on the south side of E. Main Street between Beeler Drive and Crest Street. Existing Zoning: CC - Community Commerce District / Community Commercial Overlay. The request for approval of a certificate of appropriateness for exterior modifications and signage. Current Use: Eating or Drinking Establishment w/ Drive-Thru. Applicant: Jim Dorenbusch /Junction Architecture. Th Applicant is requesting the Board review and approve a certificate of appropriateness for new exteriors finishes and signage. The site is developed with an existing commercial building, related parking and offers drive-thru service. Neighboring uses include other commercial businesses in the CC or CS Districts. To the rear, the property abuts a semi-

public use which was approved as a special exception by BZBA. All adjacent properties are within the Community Commercial Overlay. The applicant secured approval of a comprehensive sign plan from the Board of Zoning Building appeals at the March 21 meeting of that Board. This allows the applicant to have more signage than would normally be permitted by the Zoning Code. The comprehensive sign plan is probably the most misunderstood approval we have in all of our planning approvals. The comprehensive sign plan is basically a variance package that allows BZBA to approve more signage than the code would allow. The types where this has been used before would be Walmart as an example, it is big. It has a lot of varied signage. It basically does not meet the normal code requirements for signage, so you can do this comprehensive sign plan. The idea is have all the signage work together to create a master signage plan for the site. In this case, because of the additional requests for additional signage on the east and west facade, the applicant requested and was approved by BZBA for a comprehensive sign plan to allow that. This is very consistent with this type of business, they want signage on both sides and the front because they are trying to articulate the entrances to the structure. They are trying to articulate the drive thru, and they are trying to articulate the main entrance. The applicant is proposing to install new signage with a total of 125.8SF of sign area. The proposed signage consists of internally illuminated channel logo style sign. The signage is internally consistent and is consistent with the colors of the proposed exterior modifications. The signs on the east and west facades do not exceed the area of signage that would be allowed if these were the main sign of a typical business. The proposed signage on the north facade exceeds the signage regulations of the Code by 30SF. The signage as proposed is significantly smaller than the current, non-conforming wall sign and is consistent with the approved comprehensive sign plan. The applicant proposed to re-clad the exterior of the building in stucco and construct one entry/accent feature on the north, east, and west facades. The entry feature will be encased on manufactured stone. The proposed materials meeting the definition for natural materials found in Chapter 1196 of the Zoning Code. That concludes my report. I want to bring one other issue to light that I overlooked when I was doing the report, but first I want to bring up the pictures that the applicant sent, so that the Board can see and example of this type of prototype structure from another location.

Mr. Dorenbusch: Jim Dorenbusch with Junction Architecture. Basically the goal for the owner is to bring the image of the restaurant up to current Dairy Queen standards. This restaurant has been there for a long time and has been through a lot of renovations over the years. We are filling in a couple of recessed pockets that are in the building with new wall, adding just a couple of hundred square feet to the restaurant and cleaning up the facade in the process. The lighting we are proposing is LED lighting. As you all know, lighting is changing dramatically everyday. The typical lighting that is being used on these is up and down lights shining on the facade and neon bands around the soffit. What we are proposing are but LED's, the blue band which you see is recessed in a channel which has a frosted cover so it has consistent lighting. And then we would have LED bands for the up lighting and the down lighting. So, rather than the hot spots you get from typical can lights, these would have a consistent light on the facade up and down. As you can see in that picture, the type of lighting they use for the blue band actual has a black background anyway. It just outlines the structure, it is not a bright glowing neon type thing. The idea is you can identify it as you go by. The nice thing about the LED is you can control the dimming with those so that can be

adjusted to make sure it stays that way. This is also an example to give you an idea of what it would look like at night, except that "Orange Julius" sign you see, it will not be there. That is not part of our package.

Chairman Zollars: Board discussion or questions?

Mr. Snowden: Mr. Chairman, I think Mr. Dorenbusch has this photo and one other. This is shown to give you the daytime image and what materials... *(Inaudible)* ...and that is just a wall section of the actual stonework because some of the colors don't show up.

Mr. Hicks: I have one question for the applicant. I am not seeing anything indicating any changes at all with the monument sign out front.

Mr. Dorenbusch: That is being left as it is.

Mr. Snowden: To put a little finer point on it, the monument sign was redone a few years ago. The monument sign has been refaced at least once since the building has been redone, so the monument sign is consistent more with Dairy Queen's overall branding and prototype.

Mr. Sampson: Mr. Dorenbusch, the pictures you show have an awning over the windows. For this design, it will not include the awnings?

Mr. Dorenbusch: There are existing awnings and they will remain. They are smaller than *(inaudible)*.

Mr. Sampson: What color will they be?

Mr. Dorenbusch: They are that red-orange color.

Mr. Snowden: Mr. Dorenbusch, if that is the case, when you apply for the zoning certificate, could you please make sure that is at least noted in a written statement or something so we don't have any confusion? I don't want to have to refer back to Mr. Sampson's statement to make sure.

Chairman Zollars: Anything else?

Mr. Cullinan: Mr. Dorenbusch, we will give you a written statement, as we did last time, providing you the remaining administrative permits that are going to be required, it is basically a zoning sign permit, and a building sign permit for the signage, zoning certificate and building plans submitted to us for the remaining site work.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tyler Cullinan
SECONDER:	Steven Hicks, Board Member
AYES:	Hudson, Zollars, Bowman, Hicks, Carr, Cullinan, Sampson

E. OTHER BUSINESS

1. Election of Chairman

Chairman Zollars: The last item is under other business. I thought we had done this last month.

Mr. Bowman: Mr. Burd moved and I thought we agreed to vote on this, this meeting.

Chairman Zollars: That is fine. I did not remember either way.

Mr. Snowden: Mr. Zollars, I encouraged the Board to at least give themselves a month so nobody felt that were on the spot. If it is ok with you, the same as we did for the election previously, why don't I temporarily chair the meeting and open the floor for nominations for chairman. Whoever is elected chairman can then take over and open the floor for nominations for vice chairman. Unless there are other questions, I will temporarily chair this meeting and open up the floor for nominations for Chairman of the DRB.

Unknown Speaker: Because I have had a month to reflect here, I would like to nominate Mr. Zollars as Chairman of the Design Review Board.

Mr. Snowden: Mr. Zollars, do you except your nomination?

Chairman Zollars: I would be happy to do that, thank you.

Mr. Snowden: Any other nominations for the position of chairman? Seeing none, I will close the floor. We will vote by voice seeing there is only one candidate. All those in favor or retaining Mr. Zollars as our chairman, electing him for the remainder of the 2016 calendar year, please signify by saying aye. "Aye." Any opposed? "(Silent)." Pat, you have the job so I will turn it back over to you.

Chairman Zollars: Are there any nominations for vice chair for the remainder of 2016?

Mr. Bowman: I would like to be the vice chair. I would like to try it. It would be a good learning experience for me.

Chairman Zollars: Any other nominations? Ok, I will call the vote for Mr. Bowman serving as chair fro the remainder of 2016. All in favor please say aye. "Aye." Any opposed? "(Silent)."

Unknown Speaker: Mr. Chair, before we adjourn, to bring up something that I had been in communication with Eric about, out at the Shoppes at East Broad, they have the conservation

easement which the attorney representing Shoppes at East Broad indicated to me at our last meeting that they probably were not going to be able to add six trees around the pond because the Ohio EPA would not let them touch anything near the conservation easement in the corner. I would like to make sure the Board is aware that between our last meeting and this meeting somebody decided to take down forty to fifty mature trees along the corner, which appears to be outside of the conservation easement, which I guess technically they may be permitted to do, assuming they are compliant with our tree ordinance. I just wanted to make sure that the Board was aware that what he applicant indicated to us at the last meeting, maybe he was not properly informed as to the boundaries of the conservation easement, or the intentions of his clients to remove a lot of trees that we specifically mentioned.

Chairman Zollars: What is the process?

Mr. Snowden: Gentlemen, I have been in communication. I was aware that the situation had occurred. Mr. Hicks brought it to my full attention, and at that point I researched the scope of what was going on here. This was a case of the applicant's right hand probably not knowing what their left hand was doing. Yes, there is an EPA conservation easement at the site. The conservation easement is twenty-five feet from the center line of the stream bed on either side. So, that area can not be touched, per EPA. The City does not enforce that. The EPA enforces that. So, what happened, on the last round of site plans, actually throughout the entire site planning process, the applicant had shown that entire area, including the easement, and an area outside of it, as a tree preservation area. So, what that would mean to me is that the applicant would not remove anything that we would call major trees. Now the applicant may not have really been aware of what they were committing to. The applicant may have put down tree preservation area on the site plan, but what does that mean. So, we classify major trees as anything over six inches caliber at one foot above the ground. That is a major tree that must be maintained or replaced during the development process. So, what the applicant did, I made contact with their engineer and site designer, what the applicant/property owner did, was basically tell their contractor to remove anything that is outside of this conservation area easement, which they would have been permitted to do, had they not shown a tree preservation area on their site plans that all of our DRB and BZBA approved. I think it is a misinterpretation of what they put down on their plans. I believe that they are probably in compliance with EPA, but they definitely are not in compliance with our site plan. Obviously, that is unfortunate. I can't go and put a forest back. So, the question now arises, what do we do in this case? My view would be, and I think that the amendment that was made by the Board, at the recommendation of Mr. Hicks, requesting additional trees in the Waggoner area, I think the applicant is willing to do that. So I contacted the applicant last week, when this was brought to my full attention, to say the following, "Hey, we have got a problem. By the way, you still need to submit your final zoning certificate, and that includes a landscape plan with the requirements that were put on you by DRB." This might be a case where the applicant wanted to ask for forgiveness rather than permission. How I would propose to resolve the situation, understand that I can not make the trees re-grow, in this case I would request that the applicant replace the trees there that were considered major trees. I did go out to the site. I counted about twenty-five. You counted closer to forty? Were you counting the six inch, Mr. Hicks?

Mr. Hicks: I just counted the stacks that they had up there, which it is possible that they may have cut some of them in half in order to fit them on their trucks. It was a significant number of trees.

Mr. Snowden: They still need to submit a final landscape plan. I would propose that I have one of our inspectors go out to the site with me, whatever stumps are flush cut to the ground, that is over six inches, get a number, we will share that number internally between Dan, the Board, and Mr. Sampson's people, and we require the applicant to replace the major trees. The major trees have a specific definition. It is not just any big tree. It is six inches caliber at one foot off the ground. I can not measure one foot off the ground, but I can measure what the stump is. I propose we get a number, I send that number to the applicant and say this is what we are going to require in order for me to approve the final zoning certificate so you can complete your project.

Chairman Zollars: I have a question on that thought. I understand what they are trying to do, and it is probably better for that development, and possibly Reynoldsburg, if it is not there, those trees are not there. We could argue that either way, but going down the road, when it is a forest again, I would rather not deal with this. So, why don't we find a way to put twenty-five trees in that general area, and still let them accomplish what they want.

Mr. Snowden: Mr. Zollars, I think that is definitely possible. The area that they had marked as tree preservation is pretty large. And, there was a lot of dead material back there that is not going to show up when I go out to the site and look at the stumps and count. So, I still think the net result for them is going to be that they got what they wanted, which was visibility to their site. It is unfortunate that it happened in this manner.

Mr. Hicks: Mr. Chairman, I would like to point out that I was out there again, and once those trees leaf out that were in the conservation easement area, you still are going to have a blocked view corridor of their tenants, which I am sure they made agreements with their tenants that they were going to clean that up to be able to get more visibility. I would disagree. I would say that it still does not achieve the visibility that they want. These are professionals that have done this in other cities, not this specific occurrence, but have built other things in other cities and knew darn well that stream was there, knew darn well that the Ohio EPA was going to require a conservation easement and that there were going to be trees there, and if it is a tough sell to their commercial tenants, then that is their issue. If they marked things as tree preservation area, and came in here and tried to explain to us that they couldn't add a half dozen trees around a pond that was adjacent to the conservation area, I think the City is within its full right to hold them accountable for what they have done. And so, I would support Mr. Snowden pursuing whatever action we redeem here necessary in order to get us back twenty-five or thirty trees, maybe not necessarily all in that location. We could give them some flexibility to spread them around their site. When I drove by there I was somewhat frustrated because I also work in real estate, and I also go before boards like this, and I would never indicate in front of a board what that man indicated, while at the same time the right hand of the company was executing a plan.

Mr. Snowden: Gentlemen, I definitely hear the frustration in what you are saying. I appreciated the Board members trying to find some sort of compromise. The thing that is frustrating to me is that the applicant did not have to put tree preservation area over that entire area. That is something that they chose to do. That is not something that the City required, and it was not required per our ordinance specifically. So, I think Mr. Hicks point is well taken.

Mr. Carr: I did want to agree with Mr. Hicks, hat is the plan that we did approve.

Mr. Snowden: They had the opportunity to submit to us a different plan, which would have been in full compliance with our regulations.

Mr. Hicks: So, outside of requiring them to replant trees, there is no other recourse that this board has. They did clear out a very large area.

Mr. Snowden: Specifically to the Board, no. Specific to the City, yes there is. If we wanted to we could have the City's Attorney Office file an injunction on them. Ultimately civil penalties regarding land use and so forth, the goal is to correct the violation. So, even if I go to the City Attorney and say they are in violation of this section of the landscape ordinance, the remedy from that is to tell them to plant trees to replace them. Criminal law is different. The short answer to your question is that we do have other options, but the end result is going to be the same. If I do not approve the zoning certificate, based on them not wanting to cooperate and make some mitigation of this situation, they don't have zoning clearance, which means they can't submit building plans, which means that can't build their building. Although it is frustrating because the Board has already approved it, I have not issued zoning clearance for the phase two that states they are good to go. We still have many of our cards as far as our land use regulation system goes. We can require them to do a variety of things to try to mitigate it.

Mr. Carr: I am trying to figure out some way if someone does come before the Board that they are professional enough, and done this enough times, and they knew what they were proposing, and they knew when they were getting cleared out that it wasn't part of the plan. There has to be some sort of recompense that the Board has when we approve a plan that is directly violated.

Mr. Snowden: I would be happy to look into that, but ultimately it is Staff's job to enforce what the Board is approving. You are granting a Site Plan Approval or a Certificate of Appropriateness. It is my job to make sure what they do is in compliance with that, working with our team here.

Unknown Speaker: Our job is not to micro-manage, or do anything like that, but can you keep us in the loop on developments?

Mr. Snowden: In this case, we will get to a number we can all hopefully agree on. Then, I will send that to the applicant and say that it is what I am going to require in order to approve your zoning certificate. At that point, they are going to have to send me a landscape plan that

reflects that. They may have some additional flexibility with some species choices that maybe would not get quite as large as some of the things there, but I will have them note all of that on the landscape plan. I will have electronic copies sent to the Board members and if folks have additional comment, we will take feedback from the Board and see where we are at that point.

Unknown Speaker: Will they have to come before the Board again to get that second plan review?

Mr. Snowden: Not necessarily. It is something I would approve administratively.

Mr. Sampson: *(Inaudible)*

Mr. Snowden: Not at this time. Is that something you were doing when you were on the Design Review Board previously?

Mr. Sampson: No.

Mr. Snowden: BZBA, and soon to be Planning Commission, is approving landscape plans, consistent with the Major Site Plan approval process.

Mr. Sampson: We have opinions, but we have no input.

Mr. Snowden: Sure.

Chairman Zollars: I think it came up in conversation. If I remember, I think Mr. Hicks brought it up, and I think rightly so, regarding the conservation area. That is really when we started talking about trees, I think. As a citizen, I am glad that the businesses are coming in. It is good. They are bringing jobs, revenue, and things. And while we can't grow back the trees, there is really only one thing we can do, and that is ask them to fix it.

Mr. Snowden: And, although they will not be standing in front of you again, I hear the frustration in what you are saying. I have the power, working with our team here, to require that. That is a power that is delegated to me as your Planning Administrator. So, if you have an opinion on it one way or another, strong, indifferent, send it to me. We will make sure the Board is getting a look at what is being approved. We don't want you to just feel like you are part of the process, we want you to be a part of the process.

Unknown Speaker: Do you need help counting tree stumps? I will volunteer my time.

Mr. Snowden: It would probably be best if only Staff went out to the site since it is a working construction site. If the property owners are open to that, I will get back to you and let you know. But, from a legal standpoint, it may be best if it is just Staff.

F. ADJOURNMENT

Eiv Snowden

Chairman

Planning Administrator