



**SERVICE COMMITTEE - MEL CLEMENS
MONDAY APRIL 4, 2016**

**COMMITTEE MEETING: IMMEDIATELY FOLLOWING THE PREVIOUS
MEETING**

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

1. Call to Order

PRESENT: Cicak, Luzader, Spalding
ABSENT: Clemens

2. Approval of Agenda

Agenda stands approved.

3. Approval of Minutes

a. Service Committee – Committee Meeting – March 21, 2016

Minutes stand approved.

4. Discussion

a. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6549 E. Livingston Avenue; Proposed Use – Childcare Center); Applicant, Mark Jones, Sr..

Chairman Luzader: Mr. Snowden.

Mr. Snowden: Thank you Chairman Luzader and other Members of Council. This was on the March meeting of the Board of Zoning and Building Appeals. 6545 E Livingston Ave. The Jones School. Special Exception Use Permit. Application #172916. The property is located on the south side of E Livingston Ave, west of Baldwin Rd. Existing Zoning is CC - Community Commerce / CCO - Community Commercial Overlay. The request is for a special exception Use permit to operate a childcare center within the Community Commercial District. Current Use is Vacant and the applicant is Mark Jones, Sr. The request of the applicant is for a special exception use permit to operate a childcare center within the Community Commercial District. Looking at page five of the report you were given, you can see the operating hours and proposed ages of the children at the childcare center. With regard to parking, there are over 200 parking spots. This shopping center is commonly known as the Blacklick Plaza Shopping Center. There are over 200 parking spots on the site not including the rear loading area, given the amount of vacancy, Staff and the Board were both comfortable that there was adequate parking for the use. With regard to the play area, as we all know, this is typically the most complex portion of locating a childcare

center at a multi-tenant commercial building. In this case, there is an existing play area, for the existing daycare at the site. The applicant is proposing to expand that play area, to accommodate this additional daycare use. So, you will have two daycare centers at this location, with a dedicated play area for each one, although they are adjacent. Due to feedback received from the Board at previous meetings, and from our Staff during the pre-application process, the applicant has proposed to cordoned portion of what was previously the rear loading area of the property, with some knock down bollards. You should see that on the plan that was provided to you. I can provide additional copies and show you the original file if anyone has any questions.. The purpose of that was to separate the childcare play area, and the children going to and from the play area from any vehicle, loading and unloading at the rear of the property. The property owner also proposed to relocate the dumpster out of that cordoned area. Obviously, vehicles will not be able to access that, so they will need to relocate that. The Board's recommendation was for approval. I recommend that the Council apply the standards for review of special exceptions contained in section 1145.09, and determine if the proposed special exception complies with those standards. With that, I will be happy to answer any of your questions, and I know that the applicant and property owner are present this evening.

Chairman Luzader: Any questions from the Committee.

Councilman Cicak: I do not see where the dumpsters are located in the back isn't there suppose to be some development there with restaurants.

Mr. Snowden: Council Member Cicak, I will defer most of this question to the applicant, but there are about two dumpsters now within the area that the applicant is proposing to cordon off. So, they are proposing to relocate those to an area immediately outside of where the bollards are seen crossing the loading service drive. That would put approximately three large dumpsters in that area. With regard to additional uses, I know the applicant is looking to identify other uses on the site, so I would have to direct your question to them.

Chairman Luzader: Any other questions? Is the applicant here this evening? Please state your name and address for the record.

Mr. Jones: Mark Jones, 3389 E. Broad St., Apt C, Columbus, Ohio.

Chairman Luzader: If you could, please tell us a little bit about your school and what you hope to accomplish.

Mr. Jones: The Jones School is a school that we are looking to open in the Blacklick Plaza. The school will service children from six months to eleven years old, and provide educational services within the standards of the Department of Education and Job and Family Services. We will also provide services to private pay children, as well as subsidized childcare under the Title 20 Code of Job and Family Services.

Chairman Luzader: You expect to have no more than approximately ninety to ninety-five students at any one time?

Mr. Jones: Yes Sir. Form previous licenses that I have seen, that has been awarded at that location. That is what I have seen on those licenses, so that is what we propose to service at that location.

Councilman Long: I would like to speak to the Bishoff rep who is here. I believe Mr. Snowden said there was somebody? Thank you Mr. Jones. What happened? I am holding four news stories?

Council President Joseph: Can we get clarification as to who we are talking to?

Councilman Long: Yes. Thank you.

Mr. Heckman: I am Jeffrey Heckman. I live at 163 Parkview Ave., Westerville, Ohio. I work for the Bishoff Company.

Councilman Long: I apologize Mr. Joseph, I am a little fired up. Can you explain to me what happened. We have numerous news stories. "Bishoff Company plans to renovate Blacklick Plaza." "Remodeling Plaza will Include Restaurant Row." You even utilized Stem students and turned the attention to the vacant store fronts. And then the last one, your "(Bishoff) Company to Adopt the Student's Ideas for the Plaza." You take a look at what is currently going on in the City of Reynoldsburg, in a lot of our store fronts, and I will agree with almost everybody. We can't regurgitate, and keep reinventing things, with child daycare centers, and churches, and expect our economic development to really have any significant impact. I look at the bollards that you are talking about installing here, and you have completely eliminated all rear entry commercial delivery for anybody that you would put in there, whether it be a restaurant, or something of that sort. Based upon the plans that were proposed in this, no offense to you Mr. Jones, but I can not support this. I believed very strongly, was very excited as were many in our community, with what you were planning on doing over there. And, you had 110% support of the City of Reynoldsburg behind you, and the community. I do not know how my fellow Council persons feel. Maybe you could tell me what happened to these plans.

Mr. Heckman: This is a project that is still under way. We are still developing those areas that were in those articles. We have had meetings with the Middle School there, and took questions from the students, and we have incorporated some of the things into the shopping center. Those articles were listed in the Fall of last year, and then we went through the Winter, and now you will see more of the development taking place. The Western area of the shopping center behind it has been closed for about a year now because there was no, in this size of the shopping center, most of the merchants take their deliveries through their front doors. So, it is not as critical. This is just a neighborhood center. This is not like a center that has a KMart, or some building like that. I hope you will be patient and keep letting us work on this, and we will get the job done.

Councilman Long: So, my question is, if you bring Mr. Jones in as a tenant, and we approve his Special Use, and then we determine that a daycare with the overall makeup of that plaza,

does not fit, are you going to ask Mr. Jones to move his school?

Mr. Heckman: No, because I would have a lease with Mr. Jones. But, I think it is important to remember that this particular daycare center has operated in this shopping center for fifteen years.

Councilman Long: There isn't one in there now, and there wasn't one at the time that you presented your plans to the City for the redevelopment of the plaza.

Mr. Heckman: There have been two daycare centers in the shopping center. One for fifteen years and one for about eight years.

Councilman Long: Once again, prior to your presenting the plans, the development, and everything else at Blacklick Plaza.

Mr. Heckman: Yes Sir, I would agree with that statement.

Councilman Long: Thank you.

Chairman Luzader: Are there any other questions?

RESULT:	REFERRED TO COUNCIL [2 TO 1]	Next: 4/11/2016 7:30 PM
MOVER:	Brett Luzader, Ward II	
SECONDER:	Marshall Spalding, Ward III	
AYES:	Luzader, Spalding	
NAYS:	Cicak	
ABSENT:	Clemens	

- b. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1909 Baltimore-Reynoldsborg Road; Proposed Use – Carry-Out Retail Food Establishment); Applicant, Jeanne Cabral AND DECLARING AN EMERGENCY.

Chairman Luzader: Mr. Snowden.

Mr. Snowden: Thank you Chairman Luzader, President Joseph, and other Members of Council, this is another Special Exception Use permit. The second one that was heard by BZBA at their March meeting. 1909 Baltimore-Reynoldsborg Road - Mi Fonda Cristo Rey - Special Exception Use Permit. Application #172905. The property is located on the west side of Baltimore-Reynoldsborg Road just south of Livingston Avenue. Existing Zoning: CC - Community Commerce District. This is an existing shopping center, and this was pizza place. It was known as Tarantino's. The applicant is proposing to bring in a Mexican restaurant, using the same format as the pizza restaurant. That is takeout and extremely limited counter seating, and maybe one table. Per our code, this is an eating and drinking establishment use. The reason is because the definition is the code says, anywhere where food is prepared and sold, sold and consumed onsite. However, given the length of stay, Staff's view is that this is almost more like a retail sales use. Customers come in, they go to the counter, they buy food, it is packaged up, they leave. The definition of eating and

drinking establishment is so broad, it encompasses everything from that type of use, all the way to a bar restaurant with live entertainment where the length of stay is very high. The reason this is relevant is because of parking. The requirements for eating and drinking establishment for parking is one space for every one hundred square feet of the use. In retail sales, it is one for every two hundred square feet. Staff evaluated the site. There are one hundred and two spaces on the site. If the entire center was developed for retail, this would be an adequate number of parking spaces. This would be a third of an eating or drinking establishment use. There is also Scali's restaurant and SC Grille operated within the same center, which obviously have a longer length of stay than this. They are probably a little under parked, per the Code today, given the requirements of the zoning code. In this case, Staff and the BZBA felt that given how this use operates, that it would not be an inappropriate use of the site, and that the traffic and parking considerations may even improve slightly over the pizza shop use because the pizza shop was doing deliveries. So, they were in and out constantly. This applicant is not proposing any delivery services. So, BZBA and Staff felt that taking that into considerations, that the parking concerns were minimal. BZBA recommended approval, and I recommend that the Council apply the standards for review of Special Exceptions contained in section 1145.09 of the Zoning Code, and determine if the proposed Special Exception Use complies with those standards. With that, I would be happy to answer any questions.

Chairman Luzader: Does anyone from the Committee have any questions?

Councilman Skinner: Was there any discussion as to whether they were going to park food trucks there, or maybe use it as a center to prepare food and then take it out to the public?

Mr. Snowden: That was not discussed. I would direct that to the applicant. The way that our Zoning Code is set up now, food truck use is really not allowed in the City, because it modifies commercial parking sites. Food trucks would be allowed at a special event or even something organized through the Department of Parks and Recreation. But, the way that the Code is set up for commercial spaces, we do not really allow them. That is definitely something that needs to be evaluated, because food trucks are increasing in the area, and there are some changing views on that, but specific to this site, I would have to refer you to the applicant. Nothing was mentioned in the BZBA hearing.

Councilman Spalding: I am very familiar with that site and all the places on the one end, the cleaners, the beauty salon, and the comic book place, nobody is there at those hours, so all of those slots are wide open. When the (pizza place) was there, they had two spots with their name asking people not to park there because it was in and out for pizza. They could do the same thing.

Mr. Snowden: It was my view, and BZBA concurred, that taking the entire site in context, the differentials between the various uses and when they are using the parking, and the characteristics of this particular use, that they were comfortable that there was not a parking issue at the site.

Chairman Luzader: Any other questions? Is the applicant here this evening.

Ms. Cabral: Hello, my name is Jean Cabral, 2939 Bexley Park Rd., Columbus, 43209. I am the architect for the restaurant owners. So, we started this process and did not know we had to get a Special Exception. The drawings were all done and ready to go for a permit. The old place had a counter, not too far from the front door, so it was very limited seating. They do not have the means to do trucks, and they do not have a truck. Trucks cost more than a kitchen, frankly. Mr. Cicak had asked about whether or not they were going to cater, I don't think at this point they will. If they do, they are not doing deliveries, they do not have the means. This is a young family, parents and two teenagers, and they are all pulling their money together for this. So, one of the things I would like to ask for, if you do recommend approval, is that we waive the second and third reading so that we can get them in a little quicker. None of them knew that they were going to have to go through this process, so they have been paying rent all along, and kind of waiting to go through the process. It is a pretty modest establishment. It is for the most part, just take out. People will be coming in, and again, no deliveries. And, if they did any catering, they would take it out in their car. This is a first venture for them.

Chairman Luzader: Basically just lunch and dinner?

Ms. Cabral: Pretty much, and when you are not doing liquor, you will not have people hanging around. They are going to sell pop and Mexican sodas, and maybe some prepackaged snacks.

Chairman Luzader: Are there any questions for the applicant.

Councilman Long: Just as we did here last week, and Mr. Snowden, I am assuming that the vote was unanimous on the BZBA, it is completely up to you, but I would like to ask that you move this on as requested, for adoption next week so that we can get this business open. I have been watching the construction on this place for six to eight weeks now, and they have got to be very close.

Chairman Luzader: Yes, that was my intent. I would like to recommend we send this on to Council for its first reading, with recommendation for adoption as an emergency.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 4/11/2016 7:30 PM
MOVER:	Brett Luzader, Ward II	
SECONDER:	Marshall Spalding, Ward III	
AYES:	Cicak, Luzader, Spalding	
ABSENT:	Clemens	

c. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1731 Brice Road; Proposed Use – Church); Applicant, Paul Powell. (First Reading 3/28/2016).

Chairman Luzader: I do not know if there is more information. We still do not have the applicant here.

Mr. Snowden: Chairman Luzader, and other Members of Council, I do not have any new information to provide, other than the information that was provided at BZBA and Council. I do not see the applicant here, although I know for a fact that they were notified. In this case, I would just request that given this type of use, these church worship spaces, our main consideration is parking, and Staff and BZBA felt that was satisfied, given the characteristics of the site, that the Council approve this at their next meeting. Otherwise, the applicant is going to have to continue to wait, unless Council really wants to speak to the applicant about characteristics of the site. I do not know what they would be able to add at this point, Sir.

Chairman Luzader: Any questions? Any comments? If not, I would still like to make a motion that we send this on to Council for its second reading, and if there are no objections, we can amend it next week at the Council meeting.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 4/11/2016 7:30 PM
MOVER:	Brett Luzader, Ward II	
SECONDER:	Stephen Cicak, Ward I	
AYES:	Cicak, Luzader, Spalding	
ABSENT:	Clemens	

- d. Ordinance Authorizing Engineering Services for the 2016 Street Program; Appropriating Funds Therefore; and Declaring an Emergency. (First Reading 3/28/2016- Requests Adoption at Second Reading).

Chairman Luzader: Any Questions? If not, I would like to make a motion that we refer this to the Finance Committee this evening. Do I have a second?

Councilman Spalding: I will second.

Chairman Luzader: All in favor. (Audible) "Aye." Opposed. " " Motion Carries.

RESULT:	REFERRED TO COMMITTEE	Next: 4/4/2016 7:31 PM
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