

Reynoldsburg Board of Zoning and Building Appeals
March 18, 2010

MINUTES

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. Lucas Haire Mr. David Stoffel Mr. Norman Brusk, Chair Mr. Anthony Rettke
Members Absent:	Mr. Patrick Feeney
Others Present:	Ms. Nadine Morse

2. APPROVAL OF MINUTES OF FEBRUARY 18, 2009 MEETING

Chairman Brusk: Are there any changes or errors that should be brought to my attention? (No response.) If not, they'll be approved as written.

3. APPROVAL OF AGENDA

Mr. Brusk: The next item is our Agenda and the approval thereof. We have six items on there. Are there any changes to the agenda? (No response.) No changes, therefore we approve the agenda.

4. SWEARING IN OF SPEAKERS

Mr. Brusk: Those of you who are going to be speaking, I would like you to stand so that we can swear you in. (Mr. Brusk administers oath.) If any of you have not signed in, be sure that you do sign in sometime and now would be a good time.

5. PUBLIC COMMENT - None

B. UNFINISHED BUSINESS – None

C. NEW BUSINESS

1. VARIANCE APPLICATION, 7332 – 7338 BRYDEN ROAD, REYNOLDSBURG, OHIO; REQUESTING ZONING CODE TO ALLOW FOR THE CONSTRUCTION OF A FRONT PORCH WITHIN THE REQUIRED THIRTY (30) FEET FRONT YARD SETBACK. CONTACT: STEVE AND VALERIE HOLLENBAUGH (65-ZV).

Ms. Valerie Hollenbaugh: My name is Valerie Hollenbaugh. I'm the property owner of 7332-7338 Bryden Road. It's a duplex. We are asking for a variance because our house sets within the 30' setback. It's an older neighborhood. The sidewalk – or the concrete that's leading up to our house is crumbling. So as opposed to replacing it with concrete, we'd just like to put a wood deck there. I have pictures if you want to see what it's doing now.

Mr. Brusk: How big is this wooden deck? Are you putting up one or two?

Ms. Hollenbaugh: It would be one continuous deck across the whole front. You should have a copy of the plan. I guess you can look at the plans and see that it's not a real big deck. It's not really coming out very far.

Mr. Brusk: About 4'?

Ms. Hollenbaugh: Right. It's not very far from what we had. It just has to come out far enough to cover what's existing with the concrete.

Mr. Haire: These pictures show what the front porch looked like. You're not making any adjustment to the roof? That roof will stay the same?

Ms. Hollenbaugh: No, the roof will stay the same. The only thing that we will probably do is remove the supports that are on the inside the two so that there's just two exterior post are there and that's what's in that plan.

Mr. Brusk: There's no concern that those two inside ones are support beams?

Ms. Hollenbaugh: No, they're not supporting anything. Actually the roof is self-supporting and the poles are there just for decoration. We did that years ago.

Mr. Haire: This is in the Historic District. You can see on this photo there's many encroachments into that setback. This neighborhood was designed before the setback, obviously, so the neighbors' houses set in front of this one, so I don't have any concerns.

Mr. Brusk: Is there anyone out in the audience who might have an objection? (No response.) I assume you've talked to your neighbors and you haven't heard anybody say "Don't do that?"

Ms. Hollenbaugh: I haven't heard any objections and there was a sign out in the front yard saying we were going to do this. No, I haven't heard any objections from my neighbors. I might have a couple neighbors who are not pleased because they can't do the same thing, because their house sits a little closer to the street than I do.

Mr. Brusk: All right, I guess I'll entertain a motion.

Mr. Haire: I move that we approve Item C1, 65ZV.

Mr. _____: I'll second the motion.

(Ms. Morse called the roll. Mr. Rettke voted "yes." Mr. Brusk voted "yes." Mr. Stoffel voted "yes." Mr. Haire voted "yes.")

2. SPECIAL EXCEPTION APPLICATION, 1616 BRICE ROAD, REYNOLDSBURG, OHIO; PRESENT ZONING, COMMUNITY COMMERCE (CC); PRESENT OWNER'S NAME, DONALD HALLOWES (TRUST); EXISTING USE, VACANT; PROPOSED USE, STATE LICENSED DAYCARE. CONTACT: JAMES MATTHEWS (34-SE).

Chairman Brusk: Is there anyone here to speak on this issue? Again, be sure to give your name and address and a little bit about what it is you want to do.

Mrs. Lorrie Matthews: Hello, I'm Lorrie Matthews.

Mr. James Matthews: I'm James Matthews and our home address is 5187 Maplewood Court, E. in Columbus. And, as you can tell, the proposed address is 1616. We are interested in opening a childcare center there. My wife has been doing this for about 12 years, off and on. I'm sorry, 12 years doing different things within childcare. She's been in the classroom, been in the office. She's been an assistant director. Just got to the point where maybe we should just go ahead and do our own and we searched long and hard. Dealt with another place here in Reynoldsburg once before, found out that it wasn't going to work out. We found this wonderful place down on Brice Road, so we talked to Mr. Hallows and here we are.

Mr. Brusk: Does anyone have any questions?

Mr. Stoffel: Yeah. I had a couple questions. You mentioned in your description that you hope to have seven employees?

Mr. Matthews: Yes.

Mr. Stoffel: At one time. Where – is there adequate parking for that? And also, I didn't see the number of children that you'd expect. Is there adequate space for a drop-off area for that as well?

Mr. Matthews: The way we have our plan proposed, we have a few spaces in the back, three spaces in the back. We have three up front and the dentist office right next to us, our landlord mentioned that – and we haven't spoken to the dentist yet because we wanted to make sure we were able to do it, but he mentioned that he had an agreement once before with them because there's lots of parking back there right next to us and he usually – generally doesn't use it. So he mentioned that we could possibly take a look at working with him. As far as the number of students, I think for

childcare, for licensing rules we're going to be somewhere around 30, 32 and obviously, not everybody will be there at one point, but we will have people coming and going. And given the fact that we're going to have some other space for employee parking, we think that the other parking spaces will be sufficient for drop-off and pick-up.

Mr. Brusk: Will you be – are you going to have any outdoor play area?

Mr. Matthews: We are.

Mr. Brusk: And where is that going to be and how are you going to do that? Is that going to take up your three spaces in the back?

Mr. Matthews: It will not. We actually – it will be in the back and the way it's set up now, it's already enclosed on three sides. We need to enclose one more side. The way we're going to enclose that is by running that straight on back so that those three spaces right there in front of the door are still going to be there and that gives us possibly another space for a car to go right along that gate there.

Mr. Haire: So, Mr. Matthews, can you describe where the fenced in area will be on the – the photo up here, I don't know how well you can see that. Would it be in the area above where it says 16? Is that the area you're talking about, right where the address numbers are?

Mr. Matthews: Correct. Right where the address numbers are, going right along the bottom of the 16, 16 straight back to the parking.

Mr. Haire: (Lucas is talking to Nadine) Can you go a couple more photos? Show the rear of the building there.

Mr. Matthews: So right along where the back door is, that wall that it's on, just keep running that straight back.

Mr. Haire: Okay. So you'd run it back to the end of the property?

Mr. Matthews: Yes. All the way back, straight down.

Mr. Haire: And then you'd have – how many spaces would be left in the back because there's five now there, so you'd have—

Mr. Matthews: Say that again, sir.

Mr. Haire: There's five spaces along the back property line now. You would leave how many?

Mr. Matthews: One, two, three right there. On this, right here. On this part over here.

Mr. Haire: Can we go back to the first one? Yeah. On the back property line where the cars park, there's five spaces there, so you're talking about fencing part of that off?

Mr. Matthews: Correct. So those spaces in the back would not be there because that's where the playground will go. Yeah. It goes right there. That's going to be the playground area back there, yes.

Mr. Haire: So how many parking spaces would you have then?

Mr. Matthews: So counting the front of the property, there are one, two, three there and then there are three right there on the first 16, right in front of the first 16, there are three there.

Mr. Haire: So you'll have six after using—

Mr. Matthews: And then right there on 1608 – I think I'm going the right way, I think it's 1608, there are some spaces on the back wall back there, on the back of the property and those are the ones that our landlord mentioned that he had a relationship before with the dentist.

Mr. Brusk: Now, my concern might be with egress of the cars getting back out of the line after pulling in. How are they going to get out? They're going to come in on Brice. There's no real room to turn around on your property. How are they going to turn around to get out? They're not going to back out obviously.

Mr. Matthews: Correct. We were thinking – we were hoping that we would be able to use – again, after talking with the next door neighbor, that that space will allow us to use enough space to back out of there and then pull back up. So we're talking about the spaces above the 16?

Mr. Brusk: Um-um.

Mr. Matthews: Back straight out and then turn around and go back out onto Brice.

Mr. Brusk: Is there parking along the back of 1608 against the building?

Mr. Matthews: No.

Mr. Brusk: No? Just against the fence?

Mr. Matthews: Against the fence.

Mr. Haire: And I have some concerns over the amount of parking that you're going to fence in. I think you should probably leave a couple spaces there, just with the number of employees you have and the drop-off. The front area really should be kept for just the pick-up and drop-off and I think you at least need to have enough employee parking in the back. Is there a certain size that you need to have for that outdoor area? It just depends on how many children you have out there at one time, correct?

Mr. Matthews: Yes. 60 square feet?

Mrs. Matthews: 65.

Mr. Matthews: 65 square feet.

Mr. Haire: Per child.

Mr. Matthews: Per child at any given time.

Mr. Haire: And how many square feet were you intending on enclosing?

Mr. Matthews: We didn't actually measure how much that little piece would be because we were assuming in the very beginning all of that back there, so I would say that – I actually don't know exactly what the square footage was.

Mr. Haire: If you fenced in two parking spaces in the drive aisle, you probably have about an area that's 20 by 35.

Mr. Matthews: So it's like 700 square feet?

Mr. Haire: Right.

Mr. Matthews: So we could maybe get—

Mr. Brusk: 10 or—

Mr. Matthews: --10 or 11 kids in there.

Mr. Haire: So if you fenced in from where the car is parked on the back lot line and fence straight over to the building and just fence that corner off, that would still leave you the three spaces in the back.

Mr. Brusk: And two more—

Mr. Haire: Right. And then two additional so that would—

Mr. Brusk: That gives you three, six, eight.

Mr. Haire: I'd be more comfortable with that amount of parking, just in case you can't work out an agreement with the neighbor and—

Mr. Matthews: Could you repeat that for me again just so I make sure I'm clear on it.

Mr. Haire: Just the area from this car over to the building.

Mr. Matthews: As playground. You're saying as playground?

Mr. Haire: Right. And then that would leave you the rest of those spaces to the — leave you those three spaces there, because I just have concerns about having enough adequate parking and enough area for drop-off.

Mr. Brusk: If they -- _____ was able to get a written permit to park on the other lot, would that alleviate that? Would that be — you'd be okay with that?

Mr. Haire: Yeah. I think so.

Mr. Brusk: In other words, if you get written rights to park x, you know, the two cars or three cars, then you could take — go with the full three cars. If not, (inaudible)

Mr. Matthews: And, if not, then we could just still do what Mr. Haire suggested?

Mr. Brusk: Yes.

Mr. Haire: If that's something that you're agreeable to. Is that something — you're not showing us anything in the packet, so we're just kind of determining at the meeting. Is that something you're agreeable to?

Mr. Matthews: (Inaudible)

Mr. Haire: The State — all they care about is that you have a certain number of kids out there, right?

Mr. Matthews: Right.

Mr. Haire: You obviously have more than one employee. You're not going to have all 30 children out there at one time. If you have 30 children in the daycare.

Mrs. Matthews: One class at a time.

Mr. Haire: Right. I'm okay with that as long as we specify that the fence is there.

Mr. Stoffel: I just had one question, too, and I'm sure you've looked into this. Just looking at the sketch and the square footage of the building you have, that will be adequate classroom space for the maximum number of children you hope to have at one time?

Mr. Matthews: That was my handiwork and it was kind of rough. My sister actually drew up a floor plan of how it will be and I didn't submit that because I just got it the other day. I do have copies here if you want to take a look at it.

Mr. Haire: If you could pass those around it would be helpful.

Mr. Matthews: Okay.

Mr. Brusk: Yes, please.

Mr. Stoffel: Thank you.

Mr. Brusk: Has the State already looked at your plan and everything?

Mr. Matthews: No. These are _____.

Mr. Brusk: Not yet.

Mr. Matthews: Not yet. Obviously we wanted to make sure that we were able to do that at this location. But according to the State and according to the ratio requirements, we have knocked out walls in our plan to accompany or to accommodate the number of students that we want in the classrooms.

Mr. Brusk: Yeah. One of the things we have found is that the State is a very good overseer of this type of thing, so if there's problems they'll become a State issue and for licensure. Any other discussion?

Mr. Rettke: My main concern was the parking and where the playground was going to go.

Mr. Brusk: I'm going to – if that's-- Any comments from the audience? (No response.) No comments from the audience. I'm going to bring forward this motion, Item C2, 34SE, asking approval of Special Exception application with the contingency that parking be limited to – how do you – maybe you can help me on that part.

Mr. Haire: I don't know that we necessarily need to put anything. If we just specify where that fence is going to go and then we can just – when I issue the zoning certificate or our Planning Administrator issues the zoning certificate, we can just make sure it's on there.

Mr. Brusk: Okay. That you allow adequate parking – how much did we say that that would be? Eight, three, six? We came up with eight, right?

Mr. Haire: I would say that you just fence in no more than two parking spaces.

Mr. Brusk: Um-um. That you don't – with the exception that if you get permission for two parking places in writing from the dentist-- You don't want to do that?

Mr. Haire: (laughing). You're talking in circles, Norm.

Mr. Brusk: Okay, then—

Mr. Haire: I don't think I understood your condition.

Mr. Brusk: The condition was that if they were able to get permission to park on the other lot, they wouldn't need to fence in that tight. They could extend the fence.

Mr. Stoffel: Why, I don't even know if we determined the number of parking spaces they'd have to have total because if there were seven employees, that takes up all the spaces there would be, plus no spaces for drop-off. And I got to believe you'd need two or three drop-off spaces, so I -- whatever number you would work out with him, and it may not even be a number, but obviously you'll need that agreement with him before you could proceed. I'm sure right now there's an agreement that along the property line there that you both are able to use that for access. That wouldn't surprise me, but definitely you have to get an agreement on the parking.

Mr. Matthews: Just to make sure I'm clear. You are not considering fencing in those spaces in the back at all?

Mr. Haire: That was not my – my understanding is that you wouldn't be able to – what we discussed is you wouldn't be able to fence in more than two.

Mr. Matthews: So that's still an option—

Mr. Haire: That's my understanding.

Mr. Matthews: --if I cannot get the okay from the guy next door in writing.

Mr. Brusk: If he gets the okay from the guy, I thought we agreed that he could—

Mr. Haire: Fence in more.

Mr. Brusk: Right. Fence in more.

Mr. Matthews: Right.

Mr. Brusk: Okay.

Mr. Haire: Are we clear on the condition?

Mr. Brusk: I hope so. Are you clear because you're the one who has to

_____.

Mrs. Matthews: I'm clear.

Mr. Brusk: Okay. Do we have a second?

Mr. : Second.

Mr. Brusk: Can we have the vote?

(Ms. Morse called the roll. Mr. Stoffel voted "yes." Mr. Brusk voted "yes." Mr. Rettke voted "yes." Mr. Haire voted "yes.")

3. SPECIAL EXCEPTION APPLICATION, 6411 E. MAIN STREET, REYNOLDSBURG, OHIO; PRESENT ZONING, COMMUNITY COMMERCE (CC); PRESENT OWNER'S NAME, CARTER ENTERPRISES; EXISTING USE, VACANT; PROPOSED USE, STATE LICENSED DAYCARE. CONTACT: SCOTT BAKER (35-SE).

Mr. Scott Baker: Scott Baker. I'm with Kaiser Design Group. This is the daycare at 6411 E. Main Street.

Mr. Brusk: Now this is not only a daycare, but you also have the home health care in part of that building?

Mr. Baker: It's the administrative office of the home health care, yes.

Mr. Haire: Can you just kind of walk us through what they're proposing, Scott?

Mr. Baker: Yeah, I will. This is an existing vacant Ethan Allen store on the south side of Main. It looks like just over half will be proposed for a child daycare, the other half would be proposed office space. The building itself is 14,000 square feet. About 7,600 will be the daycare. That will be on the south side of the building away from Main Street, and then the general office would be facing Main Street. They're proposing a 3,000 square foot playground in the back of the building, again away from Main Street. On the south end of the building it's entirely paved for the existing parking lot. Per the zoning code we don't need that much parking, so they're going to propose that their playground will sit on about half the parking that's in the back. I do have revised parking counts from before what I submitted. They're slightly different if you want to pass these out.

Mr. Haire: Are these the new plans for striping?

Mr. Baker: It's more along the lines of what's required. I have two less classrooms than specified before and a little more office space, still compliant for the zoning code.

Mr. Haire: I noticed that you'd mentioned that 7,600 square feet and your application says 8,000.

Mr. Baker: Yeah, I've updated the report if you guys want a copy.

Mr. Haire: Yes, definitely we would like to have that. Thank you.

Mr. Baker: The only thing that's changed on that application is what's been highlighted.

Mr. Haire: So in terms of your site plan, it'll still remain the same then with the proposed playground and then the parking?

Mr. Baker: Correct.

Mr. Brusk: Is the playground to be fenced?

Mr. Baker: It will be fenced and on the large sheet, probably that 11 x 17, in one of those corners there should have been a fence detail, a 6' tall privacy fence.

Mr. Haire: Scott, will that storm sewer grate you see there, will that be outside of the fenced-in playground area or will that be inside the fenced-in playground area?

Mr. Baker: That looks like it would be outside. That looks pretty far away. Yes, it would be outside of the playground area.

Mr. Haire: This does show that those driveways are connected, but there's parking blocks that block that off and they don't share parking. That access is continued to be blocked off.

Mr. Brusk: (Inaudible)

Mr. Baker: (Inaudible)

Mr. Brusk: How many children do you expect?

Mr. Baker: I think there's going to be right around a hundred.

Mr. Brusk: What time frame?

Mr. Baker: I believe 6:30 to 6:00 p.m. I'm not sure if kids are dropped off quite that early or not.

Mr. Haire: Yeah, it says 6:30 to 6:00 p.m. and then bi-weekly training seminars?

Mr. Baker: Yes, and I was asked to add in here on my way to the meeting, to include that they may very well have some training seminars during the weekends. It might be rare, but it's possible, and in this report I did not list that. I listed Monday through Friday, which is what I was initially communicated.

Mr. Haire: What do those training seminars consist of? Is that for the home health agency?

Mr. Baker: It's the home health agency. It's them training those who go out and assist (inaudible).

Mr. Brusk: Home health, is that for the elderly?

Mr. Baker: Mainly elderly, yes. Those who can't take care of themselves.

Mr. Brusk: Physically handicapped?

Mr. Baker: Yes. That training might be CPR seminars or something similar.

Mr. Brusk: Any questions?

Mr. Haire: I don't have any concerns. I'm happy to see the building be used. It's been vacant for about two years, so I'm glad to have a potential user in there and it looks like they're proposing about 30 jobs, so those are always welcome as well.

Mr. Baker: It's much nicer than the last building they were looking at, of course that was in the City of Columbus.

Mr. Brusk: With that being said, I would accept a motion.

Mr. Stoffel: I make a motion that we approve Item C2, number 35-SE.

Mr. Brusk: Actually it's Item C-3.

Mr. Rettke: Second.

(Ms. Morse called the roll. Mr. Brusk voted "yes." Mr. Rettke voted "yes." Mr. Haire voted "yes." Mr. Stoffel voted "yes.")

Mr. Brusk: When do they plan on opening it?

Mr. Baker: As soon as they can. They're getting stuff prepared for the Building Department now. I would imagine they'd like to be open in the next four months or so.

4. SPECIAL EXCEPTION APPLICATION, 7100 E. LIVINGSTON AVE., REYNOLDSBURG, OHIO; PRESENT ZONING, OFFICE AND INSTITUTIONS (C9); PRESENT OWNER'S NAME, DENNY ABRAHAM (CD CONCEPTS, INC.); EXISTING USE, VACANT; PROPOSED USE, STATE LICENSED DAY CARE. CONTACT: CHRYSTAL TOWNSEND-KIDD (36-SE).

Mr. Gene Johnson: Hi, folks. I'm Gene Johnson. I represent both the owner and the operator for this project. I'm kind of excited about this lady. She's very experienced in daycare. She's highly educated and well trained. Her family operates several daycares in California and a couple in Las Vegas. She has one now in Columbus. We looked at a number of different properties for her when she was determined to get into the Reynoldsburg market and is particularly excited about this location which some of you would know at one time was Norm and Susan Brusk's law office, directly across the street from Blacklick Woods on the north side of Livingston. The second page in the insert is the site plan. There's parking for about 14 cars there. There's two curb cuts which is obviously desirable for parents dropping and picking up kids. There should be no congestion at all because of that. That's an attractive, and probably expensive, fence that the Brusks had put in on the south side of the building and that will be expanded to accommodate the required playground area. We've been working with the fire department and with the licensing people. They like the site and we will be doing all the things necessary to comply with all the agencies. The architect that we've hired is one that we've worked with a lot of times, a guy named Mike Murica, who has done numerous daycares around Ohio, from national chains, to regional, to just locals. At the back of the book is the preliminary drawing, how it will be laid out. There will be much more specific plans that will be finished in just a few days to comply with our building department and also with the licensing division. For example, Norm, you probably wondered about this when you were there, you probably had questions about it, the legitimacy about using the lower level.

Mr. Brusk: Right, right. Exactly.

Mr. Johnson: And we've addressed that and we'll comply with that. And what there will be is, some of you are familiar with the Bilco door and stairway, so we'll punch a hole in the west wall of the west classroom, provide a door and a pad and stairway and that will be covered by the steel Bilco door and that does satisfy. The alternative would be a sprinkler. This, I think, is a more attractive and more efficient way of doing it.

Mr. Brusk: (Inaudible)

Mr. Johnson: I can't remember when you were – as many times as I was in your office, I can't remember – you had a restroom on the ground level, didn't you?

Mr. Brusk: No, just the lower level.

Mr. Johnson: The kiddie bathroom will be on the ground level and the adults will be on the lower level. It's a perfect setup for her. She particularly likes – she's had a lot of the parents that she has now come over and visit the site and they're thrilled with the idea of being able to go across the street on tours into the park. There will be about 30 kids, possibly 32. One of her specialties, and there's kind of a niche for this, is infant care. A lot of the daycares don't have sufficient space and facilities to do very many infant cares, and that's kind of her specialty. The garage will no longer be a garage. It'll be classrooms. There's 420 square feet in that space.

Mr. Haire: Gene, did you mention the fence will be extended, or altered, or is it just going to stay the same as it is now?

Mr. Johnson: It'll have to be extended to comply with the requirement for 65 square feet per kid.

Mr. Haire: So your intention is to bring it out toward the street more?

Mr. Johnson: Yeah. There's two large trees—

Mr. Haire: Toward Livingston Avenue?

Mr. Johnson: Yeah. There's two large trees on the site that are north of the sign and the plan would be to extend the fence to include the base of those trees and then run it east over towards the little side street there. We've shown that there will be no problem complying with the requirement of the playground area.

Mr. Brusk: They do need to have those trees checked out, because large branches have broken.

Mr. Johnson: Right. Her brother is a arborist and he's supposed to be coming in to assist with remodeling – fairly extensive remodeling. There's a lot of money being spent on that.

Mr. Brusk: Will the upper bathroom be ADA compliant?

Mr. Johnson: Oh, of course, for kids.

Mr. Brusk: Any questions?

Mr. Haire: To continue the theme of the evening, I'll go ahead and propose that we approve Special Exception Application 36-SE.

Mr. Rettke: I'll second.

(Ms. Morse called the roll. Mr. Haire voted “yes.” Mr. Stoffel voted “yes.” Mr. Brusk voted “yes.” Mr. Rettke voted “yes.”)

5. SPECIAL EXCEPTION APPLICATION, 6222-6224 E. LIVINGSTON AVE., REYNOLDSBURG, OHIO; PRESENT ZONING, COMMUNITY COMMERCE (CC); PRESENT OWNER’S NAME, CASE BOWEN COMPANY; EXISTING USE, EATING AND DRINKING ESTABLISHMENT; PROPOSED USE, AMUSEMENT ARCADE. CONTACT: SCOTT SELLERS (37-SE).

Ms. Karen Dye: Hi. My name’s Karen Dye. I live at 663 Red Fox Road. Mr. Sellers is out of town on business, so I have a prepared statement from him that I can read to you.

“Hello. My name is Karen Dye, manager of Scotty’s Bar & Patio. Mr. Sellers was not able to make it tonight as he is out of town on business. I am representing Mr. Sellers and Scotty’s Bar & Patio tonight as we petition for an arcade license from the City of Reynoldsburg. Mr. Sellers purchased the business February 3, 2009 after being honorably discharged from the United States Army on December 30, 2008. Mr. Sellers has served in Iraq in 2006 and in 2007 with the 5th Special Forces Group Airborne. His deployments include England, Iran and other countries in the Middle East. His awards and decorations include, but are not limited to, the Bronze Star, Combat Infantry Badge, Special Force Tab, and Green Beret. He currently holds a Top Secret security clearance from the Department of Defense.

“Since February 3, 2009, Scotty’s Bar & Patio has seen significant growth in sales and patronage. This business growth has presented a need to increase the size of the physical location by 2,000 square feet in order to accommodate the additional business. The business is now renting the adjacent unit which was vacant for over two years. During his ownership of the business, Mr. Sellers has increased employees from 1 to 5, made countless improvements to the interior of the establishment and doubled the seating.

“Currently there are 13 sanctioned pool leagues that are based out of Scotty’s Bar & Patio. The purpose of this petition is for an arcade permit to be approved as he starts developing a viable location in the area for dart leagues. There are several businesses in the area that offer limited dart boards, but only a limited number have the capacity to support leagues. It is the judgment of Mr. Sellers that to increase sales and growth, these dart leagues are very important.

“The business is well represented within the Reynoldsburg community and strives to remain that way. The business has held two benefits since last May and raised roughly \$9,000 to help individuals and organizations while they are going through problems. Plans for this year include contributing to the Susan G. Komen Breast Cancer Fund, and holding a benefit for a soldier’s family that was killed in action in Afghanistan.

“In conclusion, we are asking for an approval to increase the number of coin operated devices in the business to exceed 5 units. We believe this increase will further grow the business and allow for a prosperous future in the Reynoldsburg community. I thank you for your time and consideration.”

Mr. Haire: Just for the newer members here, amusement arcades are considered anything that has more than 5 coin-operated amusement devices, so pool tables, I believe-- Are the dart boards coin operated as well?

Ms. Dye: Yeah.

Mr. Haire: They're electronic dart boards?

Ms. Dye: Yeah. We have two of the steel-tipped, but there's not a big market for the steel-tip leagues. They like the electronic ones. They like buying those dart tips.

Mr. Haire: I did speak to the Chief of Police in regards to this and he had no concerns and actually pulled the police report since Mr. Sellers bought this establishment and there's just – I mean there's a handful and most of them don't involve necessarily the bar or involve thefts from the bar, but not necessarily any type of thing that we should be concerned with. So I really don't have any concerns with having the additional coin operated devices here.

Mr. Brusk: Was the pawn shop the empty store?

Ms. Dye: There was a spot between the pawn shop and the bar that was vacant. It was an area that had been opened to the bar when DiCarlo's had opened it and then it was White Horse and The Well. And then when it was The Well, the previous owners put the wall up to downsize.

Mr. Brusk: So you're expanding it to where it was originally?

Ms. Dye: Yes.

Mr. Haire: The pawn shop will still be there.

Mr. Brusk: Mr. Haire, is there any problem with granting this arcade license with them changing their mind and going with the slot machine being legal or not legal?

Mr. Haire: No, because each individual machine has to be licensed through the police department, so they pay a licensing fee for each coin-operated device. Do you guys use Shafer Services?

Ms. Dye: Yes.

Mr. Brusk: So if the police department felt that these were not going to be acceptable, they would have the control and we would not?

Mr. Haire: Right. They have an annual license they have to come in and renew every year for each coin-operated device they have. That's how they ended up with me originally, because they came to file their license and Shafer Services does most of the coin-operated games in the Columbus area, so they came to file their license and realized they had more than 5, so they needed to get the permits.

Mr. Brusk: Your pool tables are coin-operated, too?

Ms. Dye: Yes.

Mr. Haire: How many pool tables total do you have?

Ms. Dye: Six.

Mr. Brusk: So you're one over right now. Is there any discussion or questions?

Mr. Stoffel: Is there a maximum number of coin-operated machine they can have under this arcade permit? (Inaudible) Okay, so the police just review every year.

Mr. Brusk: If they were to sell the business, would that permit stay with the building, or would they have to go from scratch again?

Mr. Haire: It's just like any other Special Exception, so it would go with the operator, with the leaseholder. It doesn't stay with the property.

Mr. Brusk: I like darts. I wish I could still play them.

Ms. Dye: Yeah, when it was DiCarlo's, that's when he expanded the other side, because he had a bunch of dart leagues out of there. There's not a lot of places on the east side for the dart leagues. Most places just have one board.

Mr. Brusk: Well, with that being said, I would entertain a motion.

Mr. Stoffel: I make a motion that we approve Item 5, number 37-SE.

Mr. Rettke: Second.

(Ms. Morse called the roll. Mr. Rettke voted "yes." Mr. Brusk voted "yes." Mr. Stoffel voted "yes." Mr. Haire voted "yes.")

6. DRIVE, REYNOLDSBURG, OHIO; PRESENT ZONING, COMMUNITY SERVICES (CS); PRESENT USE, VACANT LAND; PROPOSED USE, RESTAURANT; PRESENT OWNER, DDC HOTELS INC.; CONTACT: PATRICK M. O'LEARY (21-MS).

Mr. Patrick O'Leary: Good evening.

Mr. Brusk: Would you please state your name and address.

Mr. O'Leary: Patrick O'Leary, 1024 S. 6th St., Terre Haute, Indiana. I'm here for the major site plan review.

Mr. Haire: Just give us quick overview, Mr. O'Leary, of your project.

Mr. O'Leary: A proposed IHOP restaurant, approximately 4500 square feet, enough parking, 91 parking spots; employee initially 130 to 150 employees falling back to 80 to 100 after we get open. Approximate cost for the project including land purchase will be over \$2.5 million.

Mr. Haire: So you're going to own the site and not lease?

Mr. O'Leary: Yes.

Mr. Brusk: Where's the closest IHOP to us now?

Mr. O'Leary: There's one in Lancaster, which isn't too far away.

Mr. Brusk: That's the closest?

Mr. O'Leary: Yes. We just opened it last year.

Mr. Brusk: Do you know many people have just been jumping up and down? I know I have.

Mr. O'Leary: That's good.

Mr. Brusk: Yeah. I guess it is.

Mr. Haire: Mr. O'Leary, where do your deliveries – how do you anticipate deliveries coming in to the site?

Mr. O'Leary: The rear door.

Mr. Haire: Which is on the – which—

Mr. O'Leary: Let's see, it'd be on the east side.

Mr. Haire: East side of the building?

Mr. O'Leary: Yes.

Mr. Haire: And what time do you typically receive those deliveries, because that looks like it would block the parking?

Mr. O'Leary: Typically 6 in the morning, so there's not an issue with parking at that point.

Mr. Haire: What time does IHOP open?

Mr. O'Leary: 24 hours.

Mr. Haire: Okay.

Mr. Brusk: Typically what's your busy morning time?

Mr. O'Leary: Not until about 8:30, which is a surprise for the restaurant business, or breakfast business, but 8:30 it takes off.

Mr. Stoffel: Feedback from Lucas' comment. I think when you plan that loading space, you have to designate where that is on the plan actually.

Mr. Haire: Mr. Stoffel, you're typically right. This is actually subject to the zoning overlay, the entire Taylor Square area, and loading spaces are not required in that overlay. That's why I'd asked. They didn't have them included originally but you're typically right. I just didn't know if they were on the south side or if they go to the rear door.

Mr. O'Leary: Yeah. It's the rear door.

Mr. Stoffel: Regarding the storm sewer, all the other utilities look – make sense to me. Is some of it – are you just utilizing the existing storm sewer system with no new storm sewer or how are you—

Mr. O'Leary: It's well funneled into the existing underground storm water detention over on the Drury site. Do you have that on one – you should have it on one of your site plans. Should be on the—

Mr. Haire: It's on the first one.

Mr. O'Leary: --development site plan.

Mr. Haire: Yeah.

Mr. Stoffel: It looks like, there in the--

Mr. O'Leary: That's underground.

Mr. Stoffel: --southwest corner is picking up there and I didn't know up by there, the northwest corner where it shows 22 parking spaces, I would assume you're utilizing that storm sewer.

Mr. O'Leary: Correct.

Mr. Haire: I did get two comments from the City Engineer in regards to that. One of his comments was storm water and that'll obviously be handled through the engineering plans and then the other concern was with the debris trap, but those will be handled when you do your engineering flow.

Mr. Brusk: It was no problem getting to Olive Garden (inaudible)

Mr. Haire: Right. Mr. O'Leary, is there a shared parking agreement between all these tenants or how's that—

Mr. O'Leary: Yes. With Drury, we have a cross access easement on the east side of the property. See those three parking spots on the east side there? That's tied in with the cross easement with Drury and they'll have some parking on the other side of Taylor Square Drive that we'll have access to.

Mr. Haire: What about with Olive Garden, is there – I know Olive Garden has some issues with parking now.

Mr. O'Leary: Yeah. They had to have Drury add on to the east side there. You know, that's a good question. I don't know about the Olive Garden cross easement. I don't think there is.

Mr. Haire: A lot of times that people park all the way down the driveway to Olive Garden on busy evenings.

Mr. O'Leary: Do they really?

Mr. Haire: Yeah.

Mr. O'Leary: Wow.

Mr. Haire: And their employees park in Wal-Mart actually and walk over.

Mr. O'Leary: Do they really?

Mr. Haire: On weekends.

Mr. Brusk: You'll probably find some of their cars (inaudible)

Mr. Haire: I mean, it's a good complement because Olive Garden's obviously busy and probably the busiest time is the evenings and you're times are busiest the mornings.

Mr. O'Leary: Morning and lunchtime.

Mr. Haire: At least that's a good complement for the two.

Mr. Brusk: That's true. Obviously there's enough parking places for the—

Mr. Haire: Yeah, more than enough. On the east side of the site, is that – the island that's in there, is that concrete? What surface is that going to be?

Mr. O'Leary: Where the three parking spots are?

Mr. Haire: Yes.

Mr. O'Leary: Yes. That's concrete with striping on the asphalt.

Mr. Brusk: There's no plans for an outside patio or anything like that?

Mr. O'Leary: None.

Mr. Brusk: (Inaudible)

Mr. Haire: What's the width of that concrete? Is it 2 feet?

Mr. : Yeah.

Mr. Haire: _____. I would prefer to see that something other than concrete.

Mr. O'Leary: Now, which – are you talking about the concrete curb we just discussed?

Mr. Haire: Yes.

Mr. O'Leary: So what would you like to see?

Mr. Haire: I just think it'd be more attractive and we typically get people that run over those things all the time and don't realize they're there if there's any snow, anything like that. I'd like to see it landscaped. Just based on that corner, people coming around that corner right there, if there's a row of hedges or something at least people are more likely to notice it. I don't know if you can get a couple extra feet in there. I don't know what your standards are for your aisle width.

Mr. O'Leary: We're pretty tight there.

Mr. Haire: Yeah, it looks like you went down to 23 on one aisle already.

Mr. O'Leary: Yeah, and that's about the minimum.

Mr. Stoffel: From what I was looking at, again you're pretty heavy on parking and I was thinking are those three spaces really necessary because of the reason Lucas stated, that gets awful tight there. If that was one large landscaped area, that could really set your property off.

Mr. O'Leary: Yeah, it could, and we had that originally, but we need over 90 parking spots, 90+ so that gave us 91.

Mr. Haire: I mean I'd be okay if we'd just get another foot in there from somewhere and then put a little hedgerow 3' wide, you know, hedgerow back along the back there. My biggest concern is just people coming around that corner and at least realizing that that's there and it's not just open parking. If it's just concrete, it's harder to see. I know you've got an entry feature there, a landscape plan shows a little bit of entrance feature, but I'd just like to see that continued along with some type of hedgerow just so it's more visible.

Mr. O'Leary: Okay. You've got the curb there now.

Mr. Haire: I mean you could get it in two feet, it's just tight if you put any kind of shrubs in 2'. If you had 3' it would be better.

Mr. Stoffel: Well, that gets interesting whether it's 2' or 3', that parallel parking up against that with traffic coming alongside. Yeah, with the doors open. Two feet, that's very tight to me. I mean you could – based on the numbers you need, you could always pick up space there in the southeast corner of your parking. You could probably get another one in there.

Mr. Feeney: And he could get one there it looks like.

Mr. Stoffel: I would hazard a guess by looking at what those existing contours are and what you're having to grade there on the northwest corner of that drive, you could probably – well, you've got an existing tree there, don't you, that you want to save?

Mr. Haire: That drops off pretty quick there, too. I'm okay with the parallel spaces being there. I just want to see if we can add another foot in there somehow. I don't know if you can take one of the other aisle widths down to 23. I mean I know that starts to get a little tight, but our code requires 22. I know you've got your standards as well.

Mr. O’Leary: We’ve got one at 23, so I can do another one at 23.

Mr. Haire: In terms of your lighting plan, are the lights specified by the—

Mr. O’Leary: Taylor Square design.

Mr. Haire: Okay, so you’re using the standard lights with everything else down there.

Mr. Brusk: (Inaudible)

Mr. Haire: Mr. O’Leary and I discussed that previously. He’s likely to come back at some point in the future for a sign variance request. I don’t have any other concerns with the plan. I’m happy to see it. That part’s been vacant for a long time and it’s a great restaurant site, so we’re happy to have you.

Mr. Brusk: (Inaudible)

Mr. Haire: Long term Drury does own the land and had plans for a future hotel there.

Mr. Brusk: Are there any other comments? (No response.) If not, I will entertain a motion.

Mr. Stoffel: I’d like to make a motion to approve 21-MS, Item C6.

Mr. Rettke: I’ll second the motion.

(Ms. Morse called the roll. Mr. Brusk voted “yes.” Mr. Haire voted “yes.” Mr. Stoffel voted “yes.” Mr. Rettke voted “yes.”)

D. OTHER BUSINESS – None

E. ADJOURNMENT

The meeting was adjourned at 7:24 p.m.

Norman Brusk, Chair

Nadine Morse

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