

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
MARCH 17, 2011
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. Lucas Haire Mr. David Stoffel Mr. Norman Brusk Mr. Anthony Rettke
Members Absent:	Mr. Patrick Feeney
Others Present:	Mr. Matthew Hansen, Planning Administrator

2. APPROVAL OF MINUTES OF FEBRUARY 17, 2011

Chairman Brusk: Do we have any corrections or additions or deletions? (No response.) If not, they'll be approved as submitted.

3. APPROVAL OF AGENDA

Mr. Brusk: Are there any changes in the agenda tonight?

Mr. Hansen: There're no changes.

Mr. Brusk: Okay. Therefore, I approve the agenda as submitted.

4. SWEARING IN OF SPEAKERS

(Mr. Brusk administers the oath.)

5. PUBLIC COMMENT

Mr. Brusk: Is there any public comment out there? (No response.) No public comment.

B. UNFINISHED BUSINESS

Mr. Brusk: There not being any Unfinished Business, we move on to New Business.

C. NEW BUSINESS

1. VARIANCE APPLICATION, 2856 TAYLOR ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM REYNOLDSBURG CODE SECTION 1179.04(b) 4 THAT PARKING NOT BE LOCATED IN THE AREA BETWEEN THE FRONTAGE AND THE FRONT SETBACK. CONTACT: LANCASTER WINGS, LLC – LARRY TIPTON (80-ZV).

Mr. Hansen: Can I go ahead and read the next two?

Mr. Brusk: Yes. Sure.

Mr. Hansen: We'll also be hearing Item C2.

2. VARIANCE APPLICATION, 2856 TAYLOR ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM REYNOLDSBURG CODE SECTION 1180.11(b) REQUIRING A MINIMUM PERIMETER LANDSCAPE WIDTH OF TEN (10) FEET. CONTACT: LANCASTER WINGS, LLC – LARRY TIPTON (81-ZV).

3. MAJOR SITE PLAN REVIEW APPLICATION, 2856 TAYLOR ROAD, REYNOLDSBURG, OHIO; PRESENT USE, OPEN FIELD – VACANT; PROPOSED USE, RESTAURANT – COMMERCIAL; PRESENT OWNER, LANCASTER WINGS, LLC – LARRY TIPTON; CONTACT: JOSH KERNS – CARRA BUILDERS (24-MS).

Mr. Brusk: I assume you're going to do an overview of all three of these at one time?

Mr. Hansen: Correct. Yes.

Mr. Brusk: Thank you. Would you mind?

Mr. Hansen: Sure. So the applicant is proposing to build a one-story, 6,000 square foot restaurant at the corner of Taylor Square Drive and Taylor Road. The restaurant will have an associated 139 parking spaces on the site. It's located within the Taylor Square shopping area and it's located in the CS, which is the Commercial Services District. Here's an aerial of the site. To the west is the Panera Bread development and T.G.I. Friday's development. To the east is the Fairfield Inn. To the north is Wal-Mart and you can see the parking area there. To the south is a vacant field and then if you take the drive here, which leads back to the IHOP and Olive Garden restaurants.

Mr. Brusk: Who is representing Buffalo Wings? (No response.) All right. Do we have questions? Obviously, we should.

Mr. Hansen: So, they're requesting two variances. One is to reduce the parking setback from 40 feet to 20 feet along Taylor Road and along Taylor Square Drive since

this is a double-fronting lot, the setback is being reduced from 40 feet to 11 feet. So, it's a 20-foot variance along Taylor Road and a 29-foot variance along Taylor Square.

Mr. Brusk: I assume these variances are because the size of lot versus the size of the building versus how many places you have to put things.

Mr. Hansen: And it doesn't help that the lot is kind of wedge-shaped, which doesn't create a very efficient arrangement of parking.

The second variance is to reduce the landscaping along Taylor Square Drive and the landscape buffer. So there's a minimum 10-foot landscape buffer that needs to be provided to screen parking along Taylor Square Drive, that'll be reduced from 10 feet to 6 feet and along the east property line adjacent to the hotel, that'll also be reduced from 10 feet to, I believe – I think it's 5 feet now?

Ms. Patricia Brown: 6 feet.

Mr. Hansen: 6 feet. Okay.

Ms. Brown: To meet the minimum landscape requirement.

Mr. Hansen: And then on the southern end of the parking area, the landscape buffer will be eliminated completely because this will be a future parking lot extension, so it doesn't really make sense to require the screening buffer there. But, overall, all code requirements are being met and they'll be having the perimeter buffer requirements in place, just the width will not be to the minimum that is required.

Mr. Brusk: I assume the property owners also, of the shopping center have agreed to this.

Mr. Hansen: Yes, they do require that they seek prior architectural review approval from—

Mr. Brusk: Therefore, they are—

Mr. Hansen: from Casto.

Mr. Brusk: --they're in agreement with this, too.

Mr. Hansen: I assume that they've already done that review or they're in the process of the review.

Ms. Brown: In the process.

Mr. Brusk: Okay. You realize that if they don't approve, it doesn't matter what we do.

Ms. Brown: Right.

Mr. Hansen: For the major site plan we had five recommendations and with the latest site plans that they've submitted tonight, they've met all of the site plan considerations. So the only thing that I think they will need to follow-up on is a revised lighting plan. We had recognized that there was some considerable light trespass onto adjacent properties and in the right-of-way. We just asked them to look at that. So we're recommending approval with the condition that the lighting plan is revised to eliminate light trespass onto adjacent properties and that significant foot candle measurements are reduced and that be subject to staff review and approval.

Mr. Brusk: Okay. Are there any comments? None from up here. Is there any out in the audience? Anybody who would like to make comments?

Mr. Haire: I have a quick question about the southern property line. Is that property line going to be adjusted or is there going to be a lot split done?

Ms. Brown: The property line is going to be maintained where you see it going across the parking stalls, the two head-in parking stalls. There's going to be a joint shared access agreement with the property to the south, so the property will remain 1.3 acres.

Mr. Haire: And that's something that obviously Matt will get approved prior to—

Ms. Brown: Of course. They're working on the agreement—

Mr. Haire: Because we'll want to see the maintenance and all that.

Ms. Brown: Of course.

Mr. Brusk: There are no other comments, so I will entertain a motion.

Mr. Hansen: We're going to need three separate motions, just to remind you.

Mr. Brusk: Oh, I'm sorry. Let's say that we are talking about a motion for C1 80-ZV. I guess I'll propose it. I move that we approve variance application on that 80-ZV Item C1.

Mr. Stoffel: Second.

Mr. Brusk: Have a second. Can we have a vote on that?

(Mr. Hansen called the roll. Mr. Haire voted "yes." Mr. Stoffel voted "yes." Chairman Brusk voted "yes." Mr. Rettke voted "yes.")

Mr. Brusk: Now I will entertain a motion on Item C2 variance 81-ZV.

Mr. Stoffel: I move that we accept Item 2 variance 81ZV.

Mr. Rettke: Second.

(Mr. Hansen called the roll. Chairman Brusk voted "yes." Mr. Rettke voted "yes." Mr. Haire voted "yes" and stated, "And I just wanted to note that this is not something that's out of the ordinary. We did grant similar variances for Panera and Fridays, so that's why I'm voting the way I am, but, yes." Mr. Stoffel voted "yes.")

Mr. Brusk: That item passes. Now, on Item C3, the major site plan review. I'll entertain—

Mr. Haire: I had a quick question before we—

Mr. Brusk: Certainly.

Mr. Haire: --go here. I'm trying to determine where the sidewalk goes. And there's an existing sidewalk on Taylor Road?

Ms. Brown: Correct.

Mr. Haire: And this ties into that sidewalk?

Ms. Brown: Yes. There's a proposed new sidewalk that will tie into Taylor Road and come down south along Taylor Square Drive to the southern curb cut. Basically where you see that – well, you can't see it, but there's a blue line that comes all the way down.

Mr. Brusk: We can see it.

Mr. Haire: Then there'll be – at that southern point there'll be a handicap ramp, I assume?

Ms. Brown: Yes, correct. And then when they build to the south they'll continue.

Mr. Haire: And that's a 4-foot sidewalk or a 5-foot sidewalk?

Ms. Brown: It's a 5-foot sidewalk.

Mr. Haire: Okay. And then the fence is going to be maintained?

Ms. Brown: Yes.

Mr. Haire: I don't have anything else.

Mr. Brusk: Okay. Again, I will entertain a motion for Item C3.

Mr. Rettke: I move that we accept Item C3, Item 24-MS.

Mr. Brusk: I think we need to add that one restriction.

Mr. Hansen: With the condition on the lighting?

Mr. Brusk: With lighting.

Mr. Rettke: Yeah, with staff's condition on the lighting plan.

Mr. Brusk: I'll second that.

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

4. VARIANCE APPLICATION, 2480 BRICE ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM REYNOLDSBURG CODE SECTION 1195.11(c) TO PERMIT A GROUND SIGN THAT IS GREATER THAN SIX FEET (6') ABOVE GRADE AND FIFTY (50) SQUARE FEET IN AREA. CONTACT: DARRIN GRAY – SIGN VISION COMPANY, INC. (82-ZV).

5. COMPREHENSIVE SIGN PLAN APPLICATION, 2480 BRICE ROAD, REYNOLDSBURG, OHIO; PRESENT ZONING, CC; OWNER'S NAME: HD DEVELOPMENT OF MARYLAND, INC.; REQUESTING APPROVAL OF A COMPREHENSIVE SIGN PACKAGE UNDER SECTION 1181.03(D); CONTACT: DARRIN GRAY – SIGN VISION CO., INC. (583-ZS).

Mr. Brusk: Do we have anyone out there for this? Matt, are you going to do the overview for this?

Mr. Hansen: Sure. So Home Depot had a sign that fronted onto the exit ramp from I-70 to Brice Road. This sign, which is—

Mr. Brusk: Where's that at?

Mr. Hansen: So here's Brice Road here. Here's I-70. Here's Home Depot. And the sign was approximately here and you can see it in this area right here. So over late summer this sign here was actually blown down in a wind storm and they're requesting to replace the sign with one that is not as tall and is not as large in graphic area as the previous sign. But because this site is subject to the Community Commercial Overlay standards, which only permits a sign that is 6 feet tall and 50 square feet in area, they are requesting a variance to have a sign which is 30 feet tall and 196 square feet in

area. This is a view of the previous sign looking north if you're at the interchange on Brice Road. So, if you had a ground sign which met the current code standards, it would not be visible for this type of development. Here's the proposed sign. It's E.F.I.S. with the Home Depot cabinet encased in it. It's attractively detailed staff thinks, and it matches in color with the building. Here's the proposed rendering of the sign and the landscape. Again, this is a smaller sign than the one that was previously here. Here's just an example of that sign, an actual photograph taken from elsewhere. And since this is a comprehensive sign plan, here's just an overview of the other signs that are on the site. It's got a couple of wall signs that front onto the parking area from the primary entrance and this is the wall sign from the rear, which fronts onto the highway and this sign is typically not that visible because of grades. Staff supports the variance given the site characteristics and the adjacent exit ramp, a ground sign that's permitted by code would not be visible and staff recommends that the comprehensive sign plan is approved. It's an attractive sign. It would be good gateway signage into the City.

Mr. Brusk: Would you please give your name and address?

Mr. Darrin Gray: Sure. Darrin with Sign Vision, 987 Claycraft Road in Gahanna.

Mr. Brusk: Great. I have absolutely no concerns about this. I think it's actually a benefit to the community. I think it looks good.

Mr. Gray: It's nicer than the previous sign.

Mr. Brusk: I appreciate that that was looked at, plus it's going to be a lot harder to blow this one down.

Mr. Gray: Right.

Mr. Haire: Did you guys remove the last sign?

Mr. Gray: We did.

Mr. Haire: Do you know what happened and why that—

Mr. Gray: We did not install that sign, by the way.

Mr. Haire: Right. It just concerns me that a wind storm took down a sign of that size. You know, safety-wise, it concerns me that—

Mr. Gray: Well, I went out to go look at it laying down and it was just an I-beam in the middle and it just sheared right over at one particular location, right down—

Mr. Haire: At least this has two poles so it's—

Mr. Gray: Double the strength.

Mr. Rettke: Is there any concern that the smaller sign is going to be less visible with the ditch rubble that's-

Mr. Gray: They were actually going to – they wanted to request the 40-foot sign and after speaking to Matt, we felt that we'd have a better chance of getting the smaller sign approved. It is – I don't know, Matt, if you have the drawing or the photos?

(several people speaking)

Mr. Rettke: That was my concern, you couldn't see them.

Mr. Gray: It is and that is to scale, but with the brush and things it's not going to be as visible as the previous sign.

Mr. Brusk: If the highway department clears that you're in good shape.

Mr. Gray: Right, then we'll be fine. But, yeah, but once you get around that – and that sign, trying to superimpose it and it was kind of difficult with photo we had, but I will be perpendicular, more perpendicular to the ramp there. But if you would approve a taller sign, I'm sure they would be okay with that.

Mr. Haire: I think this is pretty consistent with what we've approved in the past. I know we granted variances to Target and to Taylor Square when they went in, so with the highway signage-- I know this is within our Community Commercial Overlay but, obviously being on the highway, it's a completely different feel, so I don't have any issue with going with a 30 feet in this location.

Mr. Brusk: Well, are there any other comments? (No response.) Anybody out in the audience have a comment? (No response.) That being said, I'll entertain a motion.

Mr. Stoffel: I'll move that we accept Item 2 variance application 82-ZV.

Mr. Haire: I'll second.

(Mr. Hansen called the roll. Mr. Rettke voted "yes." Mr. Haire voted "yes." Mr. Stoffel voted "yes." Chairman Brusk voted "yes.")

Mr. Brusk: Thank you very much.

Mr. Hansen: We'll need another motion for C5.

Mr. Haire: Well, I appreciate that the sign matches up with the building so well. I think it's a much better looking sign, so I appreciate Home Depot's part in willing to work

with us on that. So I'll make the motion that we approve Item C5 which is the comprehensive sign plan 583-ZS.

Mr. Brusk: I'll second. Now, if we can get a vote on this one.

(Mr. Rettke voted "yes." Chairman Brusk voted "yes." Mr. Stoffel voted "yes." Mr. Haire voted "yes.")

Mr. Brusk: I see there's no one here for Item C6. Oh, there is? I'm sorry, I didn't see you. Could you please give a reading on Item C6 then.

6. VARIANCE APPLICATION, 8579 SUMMIT ROAD, REYNOLDSBURG, OHIO;
REQUESTING A VARIANCE FROM REYNOLDSBURG CODE SECTION 1181.05(e) 3
TO PERMIT A GROUND SIGN FACE WITH INTERMITTENT ILLUMINATION.
CONTACT: PAUL PRYOR (83-ZV).

Mr. Hansen: The applicant is proposing to construct a monument sign which contains a LED face. Actually there'll be two LED faces -- there will be wing walls which have the LED faces on them. The sign will be used as a joint campus identification sign for the Summit Road Campus of the Reynoldsburg School District and they're wishing to post important community messages involved with the school and the City and then have the ability to post emergency messages on that sign also. Because the sign is comprised of LED lights which would change, our code does not permit any lighting of a sign to change or flash or -- it has to remain constant essentially. So a variance to this section is needed for the sign. If you look at this plan, the high school is up north, the elementary school is down south and this sign will be placed right to the south of the driveway that will intersect with the new Mueller Avenue -- Mueller Street?

Mr. Pryor: Mueller Drive.

Mr. Hansen: Mueller Drive. That'll intersect with Summit Road here in the future. Here's an elevation of the sign itself and, like I said, previously it will have two wing walls and this center portion will be parallel to Summit Road and that center portion will have directional arrows to the high school and elementary school. Here's a view of Summit Road looking north towards the high school. It's kind of difficult to see what the the road corridor looks like with the fencing there. Here's what I think is the approximate location of where the sign would be placed. And then the sign would primarily front onto Summit Road towards the parcel across the street. This is that parcel. So taking a look at this, staff does not really believe that there'll be a significant impact as long as the message on the LED board remains relatively constant. And we contemplated a number at 30 seconds for that duration. We'd also like to request that they not use any graphics or borders that would draw even more attention to the sign. So we recommend approval with those two conditions.

Mr. Brusk: Would you please give your name and--

Mr. Paul Pryor: Yes. My name is Paul Pryor. I'm with Moody Nolan Architects and I'm representing the Reynoldsburg City Schools.

Mr. Brusk: Now my biggest question is, is this the same sign that they have in front of the current high school or is it different?

Mr. Pryor: It's different.

Mr. Brusk: And how is it different?

Mr. Pryor: I think it's similar. It's different. This is, like you said, kind of wing walls. I think that one is a flat sign with LED on each side of it.

Mr. Brusk: But is it the same face roughly?

Mr. Pryor: It's similar to that, yes.

Mr. Brusk: Is it the same type of lighting and so forth?

Mr. Pryor: Yes.

Mr. Brusk: I go by the one on Main Street, or on Livingston, virtually everyday. I find two things bothersome about it. One is that the angle on it is very difficult to read from the road and people go by like that and two, it's not – well, easily read and it becomes, I think, more of a hazard. I do not think that that was really the best type of face for that, in my own personal opinion.

Mr. Pryor: Our sign— That's the reason it's angled the way it is, so it's more easily readable as you go down the road. You don't have to turn and look at it as you're going down the road. You can kind of see it as you pass by.

Mr. Brusk: Will it be brighter or as bright?

Mr. Pryor: It states in here that it can be brighter during the day and dimmer at night so that we can adjust the lightness of it. You know, during the day it needs to be brighter just because of sunlight and everything else. At night it can be brought down low so that it's not real bright and overpowering.

Mr. Brusk: Now the one in front of the high school, current high school, does that have that same capability to do that?

Mr. Pryor: I don't know that. I don't know if it is or not.

Mr. Brusk: That's the only thing. Has anybody looked at how it's going to look in the daytime, how it's going to look at night? Do we have a comparison? I'm a little concerned because, like I say, when it's a little cloudy or a little--

Mr. Pryor: Well, is that—

Mr. Brusk: When you go by you can't-- Pardon me?

Mr. Stoffel: Is that last drawing that we had, the exhibit that shows what would be, I guess, an illuminated sign, is that supposed to be like the same kind of text, the same kind of coloring of the lighting? Is that what—

Mr. Pryor: It's not going to be the coloring, no, not necessarily.

Mr. Stoffel: I was just curious why this one was provided.

Mr. Pryor: That was something I found on the Internet just to show you, of a name of a high school above with changeable letters below. That's all that was, was just a basic representation. Ours is not nearly that big and I don't foresee red lighting on it.

Mr. Brusk: Does the high school one now, the current high school one have any borders on it?

Mr. Hansen: Not that I know of.

Mr. Haire: I don't believe so.

Mr. Brusk: I don't recall ever seeing it but, on the other hand—

Mr. Haire: This is a lot newer sign, Norm, so I think it'll probably be updated and these things have improved significantly over the last few years.

Mr. Brusk: And then, okay, that may be.

Mr. Pryor: And the representatives from the school system have agreed that they would maintain a message for 30 seconds and also not have borders and graphics, so they've agreed to that.

Mr. Haire: That's my biggest concern.

Mr. Brusk: I want to know if you think 30 seconds may be too much. It bothers me. I thought it was a good timeframe when we first did it for the changeable signs that we approved variances on in the past, but 30 seconds is an awful long time and I'm going to tell you why I think it's a long time. I'm going to start my clock, but I hope you don't mind staying an extra 30 seconds.

Mr. Rettke: Yeah, you think that the message on there, you're going to look at it, it's going to be two or three lines, you're going to be able to read it and if you're sitting at a light for 15 seconds, it may want to be a little bit shorter than that.

Mr. Haire: I think 30 seconds is a good amount of time because I worry about this being a slippery slope. Working in this building, Matt and I get requests for these types of signs probably once a week or once every other week. Businesses want to put these types of signs in. And I also receive complaints about the signs that were approved in the past at Walgreen's and that's what everyone wants to justify their sign with.

Mr. Brusk: Right. The one on Main Street—

Mr. Haire: The justification—

Mr. Brusk: --didn't have that restriction where the one --

Mr. Haire: No, and they change--

Mr. Brusk: --and the other one did have—

Mr. Haire: --and they change more often. It's just an enforcement nightmare—

Mr. Brusk: Yeah.

Mr. Haire: --for us to go to try and enforce it so. And their justification at the time -- I read back through the minutes -- was that, "We're going to use these for emergency messages because they're at each end of town" and all that, which I've never seen an emergency message. I've only been here six years, but I've never seen one in the six years I've been around.

Mr. Brusk: I think there were a couple of them, I do recall. Wasn't there a weather one or something?

Mr. Haire: I do worry about us approving these types of signs. So I just want to make it clear that this is a government entity and it's for a public purpose and if we do approve this type of sign, it's because it's a public entity and it's getting out public messages and not necessarily a business message.

Mr. Rettke: I think the setting is completely different, too. You're talking about a changeable copy sign on a commercial corridor was – this is most likely in the future, going to be more residential in nature and to have that type of transient, constant turnaround with messages could be more impactful to future residences that would be across the street.

Mr. Haire: Right. Across the street's probably going to be residential, will plan for residential at some point in the future.

Mr. Brusk: That being said, I just thought that that might be a little long, but I will go with staff's recommendation on it.

Mr. Stoffel: I just had one other quick question. As far as – how is the angle of the wing wall chosen? Because I'm trying to think, if I'm going up and down Summit, how quickly I'll pick it up if it's only a 30°. What will the speed limit be through there? Will that be 35?

Mr. Pryor: I think the issue was that we were trying to also pick up across the street from a new street coming in that, as they're sitting over there at the light, that them being able to look at it and see it and read it and then also there's going to be a traffic light here so people are going to be stopping and you'll be able to see it. When you're sitting back you'll be able to see it right over there. So I think if you wanted to read it more as you're speeding down, going down the road, I think it would be a little more of an angle, but we're trying to get it from a number of different angles, so we thought that was the best thing.

Mr. Haire: What's the setback on the sign?

Mr. Pryor: Was it 50 feet, or 40 feet and then we put it back 50 feet. Let's see, 40 foot frontage setback. That's not it.

Mr. Haire: Maybe 20 feet or so?

Mr. Hansen: 20 feet, yeah.

Mr. Brusk: It won't interfere with the traffic, with going left turns, right turns and things like that, will it?

Mr. Hansen: No.

Mr. Pryor: No, it's set back far enough.

Mr. Hansen: Yeah, it's out of any sight triangle.

Mr. Pryor: Yeah. And I think, too, because that is set back so far that that 30° angle is pretty – I think that's good.

Mr. Brusk: And that's where the big problem is at the high school, that when you're at the light you cannot read it at all, totally unreadable which is frustrating because you're sitting at the light and _____. If there's any other comments – if not, I'll entertain a motion.

Mr. Stoffel: I move that we approve Item 6 variance application 83-ZV.

Mr. Brusk: Any seconds?

Mr. Haire: Is that with the condition that it changes once every 30 seconds?

Mr. Brusk: Yeah, I think—

Mr. Haire: Can I propose that?

Mr. Brusk: Yes, you can.

Mr. Hansen: And no borders or graphics.

Mr. Stoffel: Yeah. That's in here, right?

Mr. Haire: Is that in your motion?

Mr. Stoffel: Yes, it's part of my motion.

Mr. Haire: Then I'll second.

(Mr. Hansen called the roll. Chairman Brusk voted "yes." Mr. Rettke voted abstained. Mr. Stoffel voted "yes." Mr. Haire stated, "I want to make it clear that it's because this is a public entity and that's the only reason I'm voting for the sign. I vote yes." Mr. Brusk states, "I second that thought, you know. I agree with you.")

D. OTHER BUSINESS

Mr. Brusk: Is there any Other Business? With that, adjourn the meeting.

E. ADJOURNMENT

The meeting was adjourned at 7:03 o'clock p.m.

Norman Brusk, Chair

Matthew Hansen, Planning Administrator

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