



## MINUTES

### BOARD OF ZONING AND BUILDING APPEALS THURSDAY, MARCH 15, 2018 6:30 PM

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

#### A. CALL TO ORDER

PRESENT: Linder, Donovan, Darling, Armstead (6:34 PM)  
ABSENT: Rettke

#### 2. APPROVAL OF MINUTES

1. Board of Zoning and Building Appeals – Regular Meeting – January 18, 2018

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| <b>RESULT:</b> | <b>ACCEPTED</b> |
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#### 3. APPROVAL OF AGENDA

Agenda stands approved.

#### 4. SWEARING IN OF SPEAKERS

Speakers sworn in by Mr. Donovan.

#### B. PUBLIC COMMENT

None.

#### C. UNFINISHED BUSINESS

##### 1. Rules of the Reynoldsburg BZBA

Mr. Bowsher: It was something that happened last BZBA meeting. It wasn't completed. You have the Rules of the Reynoldsburg BZBA in front of you. Taking a look at those we just ask that you vote on those and approve those rules and we'll move forward.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Robert Linder, Board Member |
| <b>SECONDER:</b> | April Darling, Board Member |
| <b>AYES:</b>     | Linder, Donovan, Darling    |
| <b>ABSENT:</b>   | Rettke, Armstead            |

#### D. NEW BUSINESS

1. 1550 Brice Rd; Application # 2018-0002; Applicant: Jeanne M. Cabral, Architect; Variance

Mr. Bowsher: In accordance, variance request 1175.08, to allow 3-parking spaces and maneuvering pavement to the south of the building and to reduce the required height of

screening to allow for safety concerning vision clearances. She is asking for a non-residential variance.

Jeanne Cabral: I'm the owner's representative and an architect. This was a residential house on Brice Road. Along Brice everything's turned commercial, so it's a non-conforming use. It's not allowed to be used as a house. It can only be used as an office or some sort of business use. Due to the constraints of the site the northern part has a culvert and a swale going down, so it can't come in. You don't want to come in from Brice Road to the north. The only place to put some parking spaces is on the south side of the building, facing the side street, but we do have a buffer of the right-of-way, as well as more than 20-foot from the property line to the beginning of the parking spaces and it's just 3-spaces, one handicapped and 2-regular. Because of the vision clearance, people pulling out of that driveway on to the side street we wanted to reduce the height along the properties along the east, abutting a residential property.

Mr. Bowsher: Due to the public safety nature of this request staff requests that you approve of this variance.

Mr. Donovan: Do we approve all of these variance requests individually?

Ms. Darling: Or is it just all bunched into one?

Mr. Bowsher: You can do all or separate just depending on what your requests are.

Mr. Donovan: Well, they're all tied together.

Mr. Bowsher: They are tied together, yes. It affects all of the different variances that are outlined there with her request. That's why they're all in the motion.

Mr. Donovan: We have a new member joining us, D'Juan Armstead.

Jeanne Cabral: And to put it behind the building, behind the house takes it too close to the neighbor's house, so it's best to keep it down and to the south.

Ms. Darling: You mean the parking spaces?

Jeanne Cabral: Yes. This way they're way in front of the next door neighbor's house. If they were behind this properties building to the east they'd be right up against the house.

Ms. Darling: Is the regular parking still in the front?

Jeanne Cabral: Yes.

Ms. Darling: How many spots do you have in the front?

Jeanne Cabral: Well, we're going to still use the garage for parking. It's a 2-car garage. It's

not a very big home, so it's not going to take much. Soon to be office.

Pastor Linder: Just curious, what type of office will it be?

Jeanne Cabral: Don't know yet. It will be general office.

Ms. Darling: What exactly height are we reducing?

Mr. Bowsher: I think it was the height of the landscaping. Correct?

Jeanne Cabral: Correct.

Mr. Bowsher: 6 feet to 2 feet?

Jeanne Cabral: Yes. So we can see over it.

Mr. Donovan: At the corner of Brice and Retton?

Jeanne Cabral: There will be 2 foot along the driveway between Brice Road and the parking area and also 2 foot between the neighbor.

Mr. Donovan: How was your driveway going to incorporate into the roadway there because there's no curbing there?

Jeanne Cabral: We're just going to extend the paving to the existing paving. I've got to work with the engineer on that, but we'll get it to their approval.

Mr. Bowsher: That was the main safety concern just making sure the people were going to be able to pull out and be able to see traffic and not pull out on Brice and get hit.

Mr. Donovan: We need to have an approval of variance request 1175.08, 1179.04 sub-paragraph B, sub-paragraph 2, 1179.04 sub-paragraph B, sub-paragraph 4, 1179.04 sub-paragraph C, 1180.10 sub-paragraph E, and 1180.11 sub-paragraph B. To allow all 3-parking spots on the south side of the building.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Robert Linder, Board Member        |
| <b>SECONDER:</b> | April Darling, Board Member        |
| <b>AYES:</b>     | Linder, Donovan, Darling, Armstead |
| <b>ABSENT:</b>   | Rettke                             |

2. 1905-1929 Baltimore-Reynoldsborg Rd; Application # 2018-0003; Applicant: Jeanne M. Cabral, Architect; Variance

Mr. Donovan: This is your parking variance. Did they have a special exception permit at one time?

Jeanne Cabrel: 2-years ago there was a guy went in to put a little Mexican Restaurant. He's been struggling and there was another restaurant has a place on Hamilton Road and they're getting kicked out for re-development. They're part of a bigger restaurant family. So, they know more of what they're doing. So, they are taking over his space, which would have been just a special use and we got that approved, but they want to break in to the space to the right that had formerly been the dining area for the other restaurant that they gave up a couple years ago to reduce their square footage. Because of that the parking ratio has changed and that's why we're asking for a variance. Working with Eric, there was never, it's been under parked for a long time. The whole shopping center is under parked a little bit and the Zoning Administrator, Eric, former, suggested we just get have the center owner apply for a variance so that we could get something solid in place for the whole shopping center. Now what's interesting about this space even though they're breaking into the second space and doubling their square footage, I'm still keeping the occupant load at 49-people. I'm not making it 99.

Mr. Donovan: So, who's applying for this variance?

Jeanne Cabrel: The owner of the shopping center.

Mr. Donovan: Are you his representative?

Jeanne Cabrel: Yes.

Ms. Darling: So, the owner of the whole entire shopping center?

Jeanne Cabrel: Yes. This is going to encompass the whole center. Based on my calculations it only adding putting that restaurant in saying you didn't know what that space was to begin with it's only a deficit of about 7-spaces, but because of the building code and how the space is being used I'm keeping the occupant load at 49, which would be official. Right now the single space is 49. Widened it's still only going to be 49 because they have a food truck, so they can just come up, load, and leave every day in the back.

Mr. Donovan: What's the normal parking requirement for parking?

Mr. Bowsher: The previous use restaurant required 12-spaces. The new use restaurant also requires 12-spaces, but there's not going to be an increased demand that she spoke of because of the amount of space that is still being utilized. Basically, the additional, the next one is just to expand to have a larger kitchen space in there. So, it's the same clientele, the same restaurant.

Ms. Darling: So, are we wanting a reduction in spaces so we're not required to have that?

Jeanne Cabral: Just to allow for all the uses in the whole center based on that map I prepared that you'd be ok with everything being used as its being used currently.

Mr. Donovan: I remember going by there years ago when Sunset Grill was going on there. A lot of times people had to park out on that road because the whole thing was filled up.

Mr. Bowsher: The variance is good for this use. Now if they were to change into a different occupancy or a new restaurant were to come in they would then have to get another variance for the same thing. Basically, what we're requiring is they were required 12 based on the 1 to 100 ratio, but now that they're expanding and doubling in size they're going to need a total of 24 spaces, but because it's the same exact occupancy in the restaurant they're just expanding so they could have a kitchen that's in there serving the same number of people. There's not the requirement to have those 24-spaces, so they're asking for the variance to bring back down to the original 12 that they had originally. That's what the variance is for.

Mr. Armstead: Are you going to actually take that whole space and make it a kitchen?

Jeanne Cabral: No, we're making the kitchen in the old part bigger and taking half of the new space. It's the same seating, square footage, but its spread between the two spaces and the kitchen and the storage rooms got bigger.

Mr. Bowsher: So, you're getting a little bit more arm room. Is that what you're saying?

Jeanne Cabral: In width, but not depth. In fact, when you walk into the old space it's going to look like a pick-up area. It's not going to look like dining.

Mr. Armstead: Is it possible to provide a floor-plan?

Jeanne Cabral: Yes, there's one in the packet. The kitchen has now doubled in size and the storage on the right side and we're adding a bathroom. They wanted to use one for employees.

Pastor Linder: Would you happen to know the hours of their operation?

Jeanne Cabral: Their hours right now over on Hamilton Road are 11 to 8:30, 9:00. They're not open too late.

Pastor Linder: 7-days a week?

Jeanne Cabral: Yes. I don't know about Sunday. A lot of their clientele is carry-out. They plan on still doing a lot of carry-out here too.

Pastor Linder: Did you happen to talk to Scali's about it?

Jeanne Cabral: They're not real happy about it, but they gave up that space and so it's kind of a wash. But Scali's has the bulk of the parking lot to them and there's even some space in that triangle to stripe about 3-spaces.

Mr. Armstead: And what we're saying is variance isn't permanent. So, if this tenant moves out and a new tenant comes in they have to get a new variance. Correct?

Mr. Bowsher: Yes.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Robert Linder, Board Member        |
| <b>SECONDER:</b> | D'Juan Armstead, Board Member      |
| <b>AYES:</b>     | Linder, Donovan, Darling, Armstead |
| <b>ABSENT:</b>   | Rettke                             |

3. 1907-1909 Baltimore-Reynoldsburg Rd; Application # 2018-0002; Applicant: Jeanne M. Cabral, Architect; Special Exception Use Permit

Mr. Bowsher: This is a special exception use permit for the expansion of the restaurant El Fogoncito for eating and drinking. This is in relation to the last one.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Robert Linder, Board Member        |
| <b>SECONDER:</b> | D'Juan Armstead, Board Member      |
| <b>AYES:</b>     | Linder, Donovan, Darling, Armstead |
| <b>ABSENT:</b>   | Rettke                             |

4. 2364 Taylor Park Dr; Application # 2018-0003; Applicant: Jennifer Santelli; Special Exception Use Permit

Mr. Bowsher: This special exception use permit is for the Chick-fil-A restaurant on 256 on the west side. The special use permit is for the drive-thru portion. It will be located north of the Logan's Steakhouse and that will be demolished.

Ms. Darling: The Logan's will be demolished?

Mr. Bowsher: Yes. That is not part of this.

Ms. Darling: So, Logan's is going to be demolished and then that's going to go right in there? Ok.

Mr. Bowsher: So, Chick-fil-A is going to go to the north side of Logan's and they did a traffic impact study and we are happy with the use. They're buying the property and the zoning does not need to be changed, but they do need a special use permit for the drive-thru, which is found in the packet with the signage.

Mr. Donovan: Did anyone talk to the Violet Township folks about there access to that area back there?

Mr. Bowsher: The egress it's the same as it was on the back side of Taylor Park Drive. 256 will not be affected.

Allan Wiley: GBC Design, Civil Engineer for the project, 565 White Pond Drive, Akron, Ohio 44320. We're basically keeping the two access points on Taylor Park Drive. We're going to rearrange them a little bit, but we'll still have the two access points that are currently

there.

Mr. Donovan: My concern is they have a squad back there.

Ms. Darling: To get in and out.

Mr. Donovan: Right behind there. There's a squad there.

Ms. Darling: Correct.

Mr. Donovan: Violet Township.

Allan Wiley: The site the way we have it lays out we have a substantial drive-thru stacking. So, I don't foresee on this one any cars backing up onto the road. They also have a rather large parking lot if it ever comes to that point they can start routing the drive-thru traffic through the parking lot and keep everything off the road.

Mr. Donovan: They'll do that because that squads in and out of there all the time?

Allan Wiley: Ok.

Ms. Darling: Yes, because they help respond to Pickerington and Reynoldsburg right there. That's why they're stationed there right up from the Target so they can get in and out quickly.

Allan Wiley: As big as the drive-thru stack is I don't foresee that being an issue and keeping cars out of the road.

Mr. Armstead: Because I know the one on Broad stacks quickly.

Ms. Darling: And they get backed out into that little service road. They go around the building and they get back out to that service road pretty quick back there.

Allan Wiley: This one has a dual order station. So, they're going to actually push cars through considerably faster than a single station.

Mr. Darling: Like McDonalds.

Mr. Bowsher: Except, unlike the McDonalds this one is going to have more substantial, more space. I think it can fit up to 7-additional cars in each lane as its backing up. As you can see on the printouts...

Ms. Darling: So, where the Logan's is going to be demolished the Chick-fil-A is going to go here and then all of this is going to be parking for the Chick-fil-A and then the drive-thru is going to wrap around how? Towards the back?

Mr. Bowsher: Yes, it's going to wrap around the back, which is actually congruent with what

you're concerns are because the Chick-fil-A is located on the north side and not placed in the middle like Logan's is now. It gives more opportunity and more space for the cars to wrap around the parcel.

Ms. Darling: My concern is to just make sure the squad can get in and out. Same hours as any other Chick-fil-A?

Allan Wiley: 6:30 to 10:00 Monday through Saturday.

Mr. Armstead: Is it possible to have a contingency plan as far as if you run into this issue as far as with the ambulance in the future?

Allan Wiley: As far as how we're going to stack through the parking lot? Yes, we can do that.

Mr. Donovan: He said he's going to make them circle around the parking lot?

Ms. Darling: Circle around in here?

Mr. Armstead: Well, even if that if we see they get...

Ms. Darling: Completely backed because when the newness it's going to... because you won't have to go all the way to East Broad now, so that newness is going to happen and it's going to happen very quickly.

Mr. Armstead: I'm pretty sure guaranteed they're going to be backed up and just have a contingency plan to alleviate that problem.

Allan Wiley: Yes, we can do that.

Mr. Donovan: That's our biggest concern because we wanted to have no problem getting in and out of there at all.

Ms. Darling: It's going to be new for a little while. Obviously, there's not another one until you go to East Broad Street, but word will get around that Pickerington, Lancaster, everybody will be coming and it's right off the highway. We've got Walmart.

Mr. Armstead: High traffic. It's a great location for you guys.

Jennifer Santelli: w/Chick-fil-A, the applicant, 5200 Buffington Road, Atlanta, Georgia 30349. I just want to explain some of the things that we're doing on the site to help improve the circulation. For one, we do have the duel order canopy and that's not only, you don't just order at the order stations. We actually have teams members go out there with I-pads and start working down the stream, so that we can get them through to the order window faster. We also have a pull-out at the order window so that we can essentially serve two cars at one time or if there's somebody behind them that already has their order they can get their order

and by-pass the window. So, it's really meant to speed that up. Then with the significant parking we'll have the ability. We already have about 28-cars stack. I am estimating, just based on how we can curve the cars around in there that we could probably fit about 50-cars stack if it came to that, which is just not...

Mr. Donovan: But, you do understand our concern about having the roadway blocked?

Jennifer Santelli: Absolutely. Our intent and our goal, which we intend to meet is really a 90-seconds from the point that they order their food to the time they pick it up at the window or the by-pass lane. So, really getting the cars through there as quickly as possible.

Mr. Bowsher: Additionally, to note, where you're talking about the Violet Township, there is an access way to get to the Staples parking lot, which then could by-pass the Chick-fil-A. So, it's not like they would be locked in for the rarest of occasions that the cars could be potentially backed up into the roadway. They would still have an access to get to 256 and it might only increase their route by 5-seconds or additionally there at the parking lot as well. They could cut through the parking lot to get to Taylor Park.

Pastor Linder: What's the time-frame?

Jennifer Santelli: It's a guess right now because obviously Logan's is operating. So, we're working with them on vacating the site and then we'll proceed with that. We're shooting for potentially 2020 just given our pipeline and our ability to construct the building.

Mr. Donovan: How many employees do you plan on having?

Jennifer Santelli: I think it's usually about 45 to 50.

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|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>        |
| <b>MOVER:</b>    | Robert Linder, Board Member        |
| <b>SECONDER:</b> | D'Juan Armstead, Board Member      |
| <b>AYES:</b>     | Linder, Donovan, Darling, Armstead |
| <b>ABSENT:</b>   | Rettke                             |

#### E. OTHER BUSINESS

None.

#### F. ADJOURNMENT

Mr. Donovan adjourned at 7:03 pm.

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Chairman

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Planning and Zoning Administrator