

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
MARCH 15, 2012
6:30 P.M.

A. CALL TO ORDER

Mr. Domini: I'll go ahead and call the meeting to order and then, do you want to kind of go through what we're doing and how I ended up here, Matt?

Mr. Hansen: No, everybody knows.

1. ROLL CALL

Members Present:	Mr. David Stoffel Mr. Norman Brusk Mr. Anthony Rettke Mr. Matthew Hansen
Members Absent:	Mr. Patrick Feeney
Others Present:	Mr. Aaron Domini, Acting Planning Admin.

2. APPROVAL OF MINUTES OF FEBRUARY 16, 2012

Chairman Rettke: Any changes or revisions, corrections? (No response.) None being said, the minutes are approved.

3. APPROVAL OF AGENDA

Mr. Rettke: Any changes, additions, subtractions? (No response.) There being none, agenda is approved as submitted.

4. SWEARING IN OF SPEAKERS

(Mr. Rettke administers the oath.)

5. PUBLIC COMMENT

Mr. Rettke: Do we have any public comment?

Mr. Brusk: I don't see anything public out there.

Mr. Rettke: I don't really see any public, so we'll go ahead and move on to Unfinished Business. Any Unfinished Business? (No response.) There being none, I guess we'll move on to Item C, New Business.

B. NEW BUSINESS

Mr. Rettke: Mr. Domini, could you read Item C1 for us, please?

1. VARIANCE APPLICATION, 1097 ROUNDELAY ROAD, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1171.06 (3)c TO ENCROACH UPON AN ACCESSORY STRUCTURE SETBACK. CONTACT: CRISTY BUENCONSEJO (92-ZV).

Mr. Domini: I'm going to go ahead and just kind of give an overview of the application and then you can answer questions for the Board. Okay? So I think this Board's pretty familiar with these types of variance requests. We've seen them before here in Reynoldsburg. As you may be familiar with, our Section Code 1171.06 requires a 15-foot setback for accessory structures and the applicant is requesting a variance from that section of the code because they have a proposed structure that is going to encroach into that 15-foot setback. They're proposing a handicapped bathroom addition which will extend 12 feet from the existing house which will encroach approximately 6.75 feet into the required 15-foot setback for the accessory structure. I've reviewed the application and based on the conditions and the request of the applicant, I think there's a unique situation here where – could warrant the variance based on the hardship that the applicant has requiring their specific needs on this particular site and I know that we have seen similar applications in Reynoldsburg before and have also discussed the hardship in those situations as well, so I will recommend approval of application 92-ZV.

Mr. Rettke: Could you please state your name and address for the record?

Ms. Cristy Buenconsejo: My name is Cristy Buenconsejo with Creative Housing. The address there is 2233 City Gate Drive, Columbus OH 43219 and I am here to answer any questions or—

Mr. Rettke: Does anybody have any comment or questions?

Mr. Brusk: Is this going to be one of the Creative Housing units, then?

Ms. Buenconsejo: Yes. We own this property. The gentlemen that live here have been living there since the 90's.

Mr. Brusk: My brother used to live on the one on Rosehill near the school.

Ms. Buenconsejo: Yes, we still have that. We have yet to sell a property, so we enjoy being able to keep everybody in as long as they like and that's part of this project.

Mr. Brusk: Yeah. It's a very good program.

Ms. Buenconsejo: Thank you.

Mr. Brusk: I don't know if the Board's aware of what they do, but it allows people to have a semblance of freedom to do things that they might not otherwise be able to do in a very interesting and good setting for them.

Ms. Buenconsejo: Thank you.

Mr. Hansen: So the deck is not going to be altered in any way?

Ms. Buenconsejo: A portion of it will be, the one end that's over towards the garage side.

Mr. Hansen: Okay. Towards the--

Mr. Rettke: Yeah. That's the only thing I didn't see in here. The design was the existing deck, so I didn't know if it'd still be there shortened.

Ms. Buenconsejo: Shortened, yes.

Mr. Hansen: And you know you'll need to send that building permit, plans for the alteration of that deck?

Ms. Buenconsejo: Yes. I have them sitting ready and waiting.

Mr. Hansen: Good deal.

Mr. Rettke: Any other comments, questions?

Mr. Brusk: Is Goodwill still running it?

Ms. Buenconsejo: That I don't know. I would assume it's the same two gentlemen that have been there for awhile.

Mr. Brusk: Okay. I have no problems.

Mr. Stoffel: I have no problem.

Mr. Hansen: No. I think we can make reasonable accommodation with this variance and I think it's necessary that we do so.

Mr. Brusk: I move that we accept Item 92-ZV, the variance application on Roundelay Road.

Mr. Stoffel: I'll second.

(Mr. Domini called the roll. Mr. Hansen voted “yes.” Mr. Rettke voted “yes.” Mr. Brusk voted “yes.” Mr. Stoffel voted “yes.”)

Ms. Buenconsejo: Thank you, gentlemen.

Mr. Brusk: Thank you.

Mr. Rettke: Okay. Moving on to Item C2. Can you please read Item C2 for us, please?

Mr. Domini: Yeah. I wanted to ask the Board how you feel comfortable approaching this application. I discussed this with Mr. Hansen prior to the meeting and we had a conversation as to if you would like me to present each of the variances all together and discuss staff’s recommendations and then, as a Board discuss them as a whole before we vote on them individually. Or would you prefer that I present each variance individually and you vote on them individually before moving on to the next request? It’d be my recommendation, based on the complexity of the application, that I present all of them together, the Board discusses the application as a whole and then you vote on them individually.

Mr. Rettke: I would prefer that.

Mr. Domini: Okay. Would you like to introduce yourself and who you’re representing?

Mr. Doug Spies: Sure. My name is Doug Spies. I’m with Core Resources out of Cincinnati, Ohio and we are representing Family Dollar for this variance application.

Mr. Domini: Okay, with that, I’m going to proceed and I’ll introduce all the variances and I’ll hold on the major site plan and we’ll discuss the variances together and then we’ll vote on them individually.

2. VARIANCE APPLICATION, 6294 E. MAIN STREET, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1195.11 (c) TO REDUCE THE MINIMUM SETBACK FOR A GROUND SIGN FROM TEN (10) FEET TO FOUR (4) FEET, SIX (6) INCHES. CONTACT: JOSH ALLEN (93-ZV).

3. VARIANCE APPLICATION, 6294 E. MAIN STREET, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1195.05 (a) TO INCREASE THE MAXIMUM PERMITTED DEVIATION OF THE TWENTY (20) FOOT BUILD-TO LINE REQUIREMENT FROM 50% OF THE BUILDING WIDTH TO 100% OF THE WIDTH. CONTACT: JOSH ALLEN (94-ZV).

4. VARIANCE APPLICATION, 6294 E. MAIN STREET, OHIO; REQUESTING A VARIANCE FROM ZONING CODE TABLE 1175.05 T REDUCE THE SIDEYARD

FROM A MINIMUM OF TWENTY (20) FEET TO TEN (10) FEET. CONTACT: JOSH ALLEN (95-ZV).

5. VARIANCE APPLICATION, 6294 E. MAIN STREET, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1180.11 (b) TO ELIMINATE THE PERIMETER LANDSCAPE REQUIREMENT FOR PORTIONS OF A PARKING AREA (96-ZV).

6. VARIANCE APPLICATION, 6294 E. MAIN STREET, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1195.07 (a) TO PERMIT A BUILDING THAT IS NOT ORIENTED PARALLEL TO A PRIMARY STREET. CONTACT: JOSH ALLEN (97-ZV).

7. VARIANCE APPLICATION, 6294 E. MAIN STREET, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM ZONING CODE SECTION 1195.10 (b) TO INCREASE THE NUMBER OF PARKING SPACES LOCATED AT THE SIDE OF A BUILDING FROM A MAXIMUM OF 50% TO 92.5%. CONTACT: JOSH ALLEN (98-ZV).

Mr. Domini: I'd like to go through briefly my evaluation of each application and my recommendations on each one and then I'm going to turn it over to the Board for your discussion and I'll answer additional questions.

The first variance request for 93-ZV is requesting a variance from 1195.11 (c) of the Community Commercial Overlay to reduce the minimum setback for a ground sign from 10 feet down to 3 feet 6 inches. And I think from your review of the staff report and looking at the site plan, you can see how the current site conditions with the easement make that orientation of the sign quite challenging. And so there is a situation there where there is a unique situation on the site and due to the conditions on this site, I believe there are sufficient grounds for supporting this variance. The variance request, I believe, is supported by the fact and conclusions lessen 1147.05 so I would recommend approval of that variance.

On 94-ZV the application is for requesting a variance from 1195.05 (a) of the Community Commercial Overlay to allow the entire building frontage to sit at 22 feet behind the right-of-way instead of the required 20 feet. If you're continuing to get familiar with that overlay, we have a build-to line and we require 50% of the building be located at that build-to line and in this situation, there is another utility easement that makes that orientation quite difficult. So the applicant is requesting relief from that section of the code and, again, staff's recommendation is approval of the variance. Again, based on the unique conditions of the site, I think there are sufficient grounds for supporting that variance. I don't believe that allowing 100% of the façade to border utility easement instead of the build-to line is compromising the intent of the overlay and so I think there's a hardship there based on the condition of the easement being where it is on the site.

On 95-ZV the applicant's requesting a variance from Section 1175.05 of the zoning code which would allow the east face of the building to sit 10 feet from the property line instead of the required 20 foot setback. In this situation-- I think through some of the other requests from the applicant, this is a situation where I think there are other ways to site the building onsite. There are other ways to meet that minimum setback and so I think that this request is a matter of convenience. And when you look at the site as a whole, there's more than enough room to site that building on the site. So strictly due to the -- what I believe is a matter of convenience, I would recommend not approving this application. And, again, I believe the application is -- that hardship is self-created and that is something our findings of fact do not look favorably on and it is grounds for us to not approve that variance application. So, again, I believe that's a self-created hardship and do not recommend approving that variance.

96-ZV is the request for a variance from 1180.11 (b) of the zoning code to eliminate the requirement for perimeter landscaping for a portion of the parking area. Again, I believe this is a self-created hardship. I don't believe there's anything unique on the site that would require the applicant to request relief from this section of the code. When you look at the site as a whole, and I talk about some of this in my review of the major site plan, it's unclear as to how and why that lot split is happening where it is. And in some way, by doing that, it is a self-created hardship to request a relief from some elements of this code so, from that standpoint, I believe this is a self-created hardship as well and I recommend not approving that variance request.

97-ZV is requesting a variance from Section 1195.07 of the Community Commercial Overlay to permit a front building façade which is not parallel to the primary street. This is a unique request. I'm not sure if the Board's seen one of this nature before, but the orientation of the right-of-way and how the applicant's requesting to site the building does not make it exactly parallel to the street. So I do not believe that the specific site conditions would justify the granting of a variance or compliance with 1195.07 (a) and would no way deprive the property reasonable use of this land and the required evidence of a hardship for granting a variance is not present. So, again, I would not recommend approval. I think this is another matter of convenience requested by the applicant.

98-ZV is the request for a variance from 1195.10 (b) of the Community Commercial Overlay to increase the maximum amount of parking allowable on the side of the building from the maximum 50% up to 92.5%. Similar recommendation I think you can see and my considerations in the staff report. Again, my evaluation is that this is another matter of convenience because the site is not being holistically considered as to how that building, the parking being sited. I guess the burden would be on the applicant to display that hardship but, in my interpretation of the code and review of the request, again, I think this is a matter of convenience and conflicts with 1147.05 (a) of the code.

I guess that's the entirety of the variance requests. We have a couple of images up here for our reference and I'd be glad to pull those up as needed during our

discussion tonight but, with that, I'd like to turn it over to the Board for your discussion, questions to me, before we turn it over to the applicants.

Mr. Rettke: Do we want to go through the list sequentially and go through each item or just talk in general?

Mr. Brusk: I think we should talk in general, is my feeling because I think that everything kind of hinges on the layout of the property.

Mr. Hansen: I agree.

Mr. Domini: Does the Board want to discuss that generally or would it be preferable to have the applicants start to explain how they came to this site layout?

Mr. Brusk: I guess my concern is why is the building perpendicular as opposed to horizontal to the street?

Mr. Josh Allen: Could you pull up our Powerpoint?

Mr. Domini: Sure.

Mr. Allen: We prepared some images ahead of time. The first and most important piece of this discussion I agree is the property layout. We've been restricted by the current property owner to only purchase the 151 feet of width. We do not have access to the entire site. It's not up to us. We are purchasing a piece of property from another property owner who we assume, at some point, wishes to have further development on the site, so that critical fact limits our width and our ability to adjust for this property line.

Mr. Brusk: Yet it shows on the layout the future development site. Is that your area there?

Mr. Allen: Not ours. We don't have control over that.

Mr. Brusk: That makes no sense. So where is your property line then?

Mr. Allen: If you could go to – go back one, yeah. The green line, if you look at your monitor—

Mr. Brusk: Yeah.

Mr. Allen: That is our available property. It's not the entire site.

Mr. Hansen: But this parcel has not been split.

Mr. Allen: It has not been split, but our purchase agreement is restricted to 151 feet of width.

Mr. Domini: Can you explain how that – have you discussed some type of shared access agreement with the current property owner as to how that parking layout works as well as the curb cuts and how that might relate to your parcel and the other parcel, the overall access management for the site?

Mr. Allen: We have not discussed the overall access management. All we have secured is a peninsula of paved area that projects onto the other person's parcel that allows our truck to turn around and load and unload.

Mr. Domini: So he's talking about this—

Mr. Allen: If you go to the next screen it's a little clearer.

Mr. Domini: Okay.

Mr. Allen: So our Family Dollar delivers with a 75-foot tractor trailer. They'll come in through the only curb cut that exists. We're using the existing curb cut – come in and will take a hard left and then jockey the truck around to back up to just in front of the dumpsters there, that loading area that is hatched at the rear door.

Mr. Domini: Can you talk a little bit further about how that parking arrangement's going to work and that shared access agreement with the neighboring property considering you have one, two, three, four, five – roughly nine, ten spaces on the other property?

Mr. Allen: Yeah. It's an easement agreement--

Mr. Domini: Okay.

Mr. Allen: --for surface parking access. I mean, it's fairly common, straight forward kind of approach, you know. Our expectation would be that somehow it is going to connect. That seems to be a logical, but we don't have any guarantee by the property owner because he's inevitably going to look to sell it to somebody who will develop it themselves. So not knowing what potential might go in there, it's very speculate on, how circulation would work.

Mr. Domini: Then why do you have the other parking easement, Item 4 on there? Do you anticipate needing additional parking?

Mr. Allen: Originally when we did the site plan we didn't have the easement going across the – for the truck turnaround and honestly it was before we knew about the urban overlay, the Commercial District Overlay, so we were looking at a 42-space

parking count and that was to achieve our 42 spaces in the future. That easement was written into the purchase agreement so we have that but—

Mr. Domini: I see.

Mr. Hansen: So before the parking spaces were added for number six, you had a site plan that didn't include that and you were able to load and unload your trucks according to that site plan?

Mr. Allen: We knew we had to get an easement for access and turnaround so that's why we ended up adding that peninsula. But, at the time, we thought it was a 42. We had a peninsula that was just a driveway and it was 42 parking spaces we were trying to achieve.

Mr. Stoffel: I'm kind of curious. When -- was that westerly most property line, was that the 150-foot -- was that established prior to developing the site plan, because—

Mr. Allen: That was dictated to us by the current property owner.

Mr. Stoffel: So that was dictated before any site layout was done at all?

Mr. Allen: Yeah.

Mr. Stoffel: Because it comes -- to me it seems like this site fits real nicely with a 10-foot variance. It seems to -- it seems real coincidental to me. It seems like that property line could be adjusted. There's no way that property line could be bumped out 15, 20 feet?

Mr. Allen: I mean, that's what we've been told.

Mr. Stoffel: Because I think about 20 more feet you rotate the building, you can drive up along the back and accomplish everything you want in the back.

Mr. Allen: It's my understanding and I'm -- so now I'm talking without being the owner of that adjacent parcel, but it's my understanding that the fire department requires an access through that site to get back to the Stor-All units and he's preserving -- you know the reason it's not exactly down the middle, my understanding or my, I guess my speculation, I'm just inferring from kind of a logical review of the site, that he has to maintain a full drive aisle for fire trucks to get back to the Stor-All and if you go to our aerial view of the site plan, you'll see that right now it's a gravel -- it's one of the first ones to go to the back.

(speaking off mic) -- You can kind of see the gravel. There is another curb cut to the west and it's my understanding that that's dedicated -- not dedicated, but intended for the fire department because that's their second access back to the Stor-All facility.

And, again I'm speculating, but then we end up with 250-foot parcels in a 20-foot drive aisle, 24-foot drive aisle that allows for vehicular traffic of emergency equipment. Now, where that ends up on the site and how it's combined with the site plan—

Mr. Domini: Did you ever have a conversation with the owner about taking the other half of the site and incorporating that emergency drive aisle into your site plan so it would basically function as your truck entry point and drop-off and then continue on?

Mr. Allen: We did not.

Mr. Hansen: I guess it's hard to evaluate that access easement without knowing how it would affect your proposed property specifically without taking into account both. We don't have that information in an overall site plan.

Mr. Allen: I mean, that would be totally as speculative as – I mean, there would be no – we would have no bound ability to enforce that master plan. We don't own the property.

Mr. Hansen: Yet, again, you're requesting a variance on a parcel that includes that easement on it since it hasn't been split.

Mr. Allen: So how would – if we came back with a split parcel, how would that change your review today?

Mr. Hansen: Well, we would have to evaluate specifically to that parcel, too.

Mr. Allen: Okay. I mean, it also seems – we understand that our application was not complete because of all the engineering and all the full design aspects that the City of Reynoldsburg requires, but we're going down this path to determine if this is viable as a site in the configuration we are suggesting. The parcel has been defined for us, the available developable spot space. That acreage, that 151 feet of width has been defined for us.

Mr. Stoffel: Is the other parcel unavailable? I mean, the other side you can flip it and do what you need to do. Is that even an option for you guys?

Mr. Allen: We haven't ventured down that path.

Mr. Stoffel: Because to me it seems like a possibility. I mean, we really want the building to be parallel.

Mr. Allen: Let's go to a few later slides. We did a diagram showing the parallel configuration so they coincide with the variances. So this is our diagram. If you look at the parcel on the left, we rotated the building in alignment with what the Commercial Overlay would require and you can see that we totally take the front of the parcel. We're meeting the code but, in doing so, have no access to parking. We have problems

certainly understanding the Commercial Overlay, I, too, sit on an Urban Review Board in Kentucky. I understand the importance of a street frontage and urban environment. I absolutely understand. But without street parking and without access, front door access for our customers, we lose business. The economic development, the success of developable property in the urban environment lives and dies by available parking. I think everybody probably understands that. So when you put the parking beyond 200 feet of the front door, customers simply don't come. When they go beyond 200 feet of the front door, they're making a big purchase. They're going to Walmart, they're going to Kmart, they're going – this is a convenience store. It's quick in and out. Their average ring is anywhere from \$10 to \$15 and that's how they support their environment. It's convenient for the customer on their way home, on their way to work to make a quick in and out, "I've got to run in and out and get a few things before I get home." – get a gallon of milk, get diapers, get that kind of thing and that's how their business model works.

Mr. Domini: I don't think we're really here to debate your business model. I think the challenge that we struggle with is you're asking us to grant you relief from the code on the parcel that doesn't have hardships because it doesn't exist. You're not coming to buy a piece of ground and this is the site that you've selected and there are a bunch of conditions on the site to make it impossible for you to site your building because the parcel that does exist, you have a lot of relief and flexibility to meet the intent of the code. So whether it's being creative with your parking so that you have convenience for your customers or that kind of thing, I think the Board's struggling with giving you the request that you're looking for when the parcel that you're siting the building on has a lot of room and flexibility within it and you're asking them to make judgment calls on the assumption that it will get split and these are the conditions that are going to be presented with when that doesn't really exist. And then, I guess the follow-up question that I know has been talked about, is why hasn't the property owner and your team working with the property owner split the lot so you have control over that lot, then come forward with an application on that piece of ground. Is there something holding up the lot split or anything of that nature?

Mr. Allen: Well, in the developer world the determination of the success of the project determines how far the developer will go down the path of investing. I suspect, again, that any retailer that comes to this property, you're going to have the same exact discussion because the parcel's too big for the current property owner to sell it to one entity unless it is a much bigger retailer.

Mr. Domini: If the property owner split it and gave you 160 feet, we wouldn't be having a lot of the conversation we're having and which, they can do that because that's according to their parcel it's 176 feet wide. If you got that parcel condition, many of the discussion points we're having here now wouldn't exist because you'd have a lot of flexibility.

Mr. Allen: So for 10 extra feet, we would have more flexibility?

Mr. Domini: Well, one of your requests is for a relief of 10 feet from the side yard setback which is one of the variances that you're asking for but, yeah, 10 extra feet would help you a lot from that standpoint, right?

Mr. Allen: I don't agree but—

Mr. Domini: Well, it'd be one less variance—

Mr. Allen: One less variance.

Mr. Domini: --we'd be talking about.

Mr. Allen: Okay.

Mr. Schulte: Sure.

Mr. Rettke: If we could just get your name and address.

Mr. Gary Schulte: Sure. Hi, I'm Gary Schulte with Family Dollar Stores and I'm the one that negotiated the original agreement with the landowner, so I can give you a little background on that. If you net out the drive – the fire department drive easement along the west property line, you've got about 300 feet of frontage. So the landowner felt when he developed the mini warehouses, he had an understanding with the City that he could divide that for two users, so he wanted to split it 150 and 150. And actually our drive was little narrow and we had to work on him a little bit to get it up to 151 feet, so that's how that all came about. So we've got 151 feet and there's about 149 feet left over. As you can see, we're sharing that curb cut that lines up with our driveway and then there'll be one more curb cut that'll be for the fire department driveway on the other parcel. So that's kind of the background of how the deal came to be and the landowner did want this parcel developed first on the east side. I'm not sure why but both sides would. Like I say, this site's 151 feet, the buildable area on the other site would be 149 feet, so just to give you a little background here.

Mr. Domini: Gary, how wide did you say that easement was for the fire department, the drive access?

Mr. Schulte: Well, the drive will be about (speaking off mic)

Mr. Domini: But do you know the dedicated width of that easement?

Mr. Schulte: (speaking off mic)

Mr. Domini: Okay.

Mr. Brusk: Is the building going to be rectangular or is it going to be curved around the corners?

Mr. Schulte: No, it is rectangular. We just have an angle entry—

Mr. Brusk: Entry entrance?

Mr. Schulte: --angled corner entry.

Mr. Brusk: How hard and fast is your 150 feet? You can't negotiate another -- any other acreage, footage?

Mr. Allen: You know, we had to fight a little bit for that 1 foot and I think every foot that we would gain in width would make the adjacent property owner's property narrower and he feels that 150 feet is kind of a magic number to accommodate a lot of different retail users that might want to locate on Main Street. If we went back and said we needed 1 foot or 2 foot or 3 foot maybe we could get it, but another 10 feet, I believe -- I know he feels that will make his remaining property too narrow for most users that would come along.

Mr. Brusk: I guess I don't agree on that but the smaller stores, too, you know. Yours is a relatively -- although it's small compared to K-mart—

Mr. Schulte: Sure.

Mr. Brusk: --it's large compared to most retail outlets along Main Street, to be truthful.

Mr. Hansen: Right. And if this parcel were to be split beforehand, I guess that would be the Board's expectation that that building would fit on the site constraints for that particular parcel whether it be size or not; and if that retailer can't fit on that size of a parcel, then it doesn't work for that particular user and it gets saved for another user.

Mr. Brusk: We just spent quite a bit of money with revitalizing the whole Main Street—

Mr. Domini: Right.

Mr. Brusk: --and it's very difficult to grant changes when it sets precedence that we don't want set. We're just trying to reverse a lot of the problems we had from not having good code restrictions or enforcing the ones we did have poorly. We don't want to do -- you don't want to continue doing that. That's one of our problems.

Mr. Schulte: Sure. We agreed to build the wall like you've got along the rest of the street. We agreed to all the current landscaping codes. We were told that some people with the City didn't particularly like the look of the first Family Dollar east of the City and so—

Mr. Brusk: Have you seen it?

Mr. Schulte: I have—

Mr. Brusk: Do you know why they—

Mr. Schulte: That's a metal building. This is a masonry building. That one's got a metal roof. This one has a standard rubber roof. That one has some synthetic stucco panels. This one's all natural materials. We did the best job we could with the design of the building and the landscaping and wall. There were just a few things, building angles and setbacks and things that we couldn't quite meet.

Mr. Domin: I have a question. Now that you don't need that other parking easement, can you install – will you install the landscape perimeter buffers required by code?

Mr. Schulte: Don't need which parking?

Mr. Domini: The parking that's out front, the largest area of the 40 spaces.

Mr. Hansen: It's hatched.

Mr. Schulte: Cross-hatched. Could we put a – if these were two totally separate parcels and each parcel had a 10 foot parking setback from the property line, then there'd be 20 feet of setback between the two parking banks and it was the intent here we're sharing a curb cut, we're sharing a driveway. The intent was to allow each other to share each other's parking just in case one user had a peak day one time and the other one had a peak day the other time. So if you told us -- so having those parking banks 20 feet apart was, we felt, a little too much given that the two sites were kind of to some degree together and if you said we want 10 feet of landscaping between those two parking banks and we can put that 10 feet on the other guy's property, I think we can sell that.

Mr. Domini: I don't think that with the interpretation of the code, and the Board can correct me if I'm wrong, is to expect the future applicant to put 10 feet in the 20 feet for the buffer.

Mr. Schulte: You would sign a commitment to that effect, I think.

Mr. Domini: Well, if they – I guess what I'm saying is if they chose to front their parking against the buffer that you installed they would have the 10 foot landscape buffer.

Mr. Hansen: Right, or conversely you could remove the buffer and install the parking directly adjacent and install a 10 foot buffer on the other side of the parking. So it doesn't necessarily need to be on the same property.

Mr. Domini: I thought I heard you say you were going to share the access.

Mr. Schulte: Yes.

Mr. Domini: Are we talking about this access from Main Street or are we talking about the access across the back?

Mr. Schulte: Access from Main Street.

Mr. Domini: Okay.

Mr. Schulte: If you look at the site plan that one curb cut would be utilized both by us and whoever develops the adjacent parcel.

Mr. Domini: And you are going to share the parking that is perpendicular street that would then be the east side of the future building, which is now in the hatched area. So if you had a hatched -- you had a new building and its parking -- a new building in where the hatched area is now?

Mr. : (speaking off mic)

Mr. Domini: So you would share this access. You could have a future building oriented here and you would share this parking with that applicant or that—

Mr. Schulte: Well, actually the original idea was we would share the crosshatched bank of parking.

Mr. Domini: I see.

Mr. Schulte: If there was parking there we could share that -- he can share our bank. If you put a building right up on the property line, I don't know. It would depend on how big it was, where the other parking. I don't know if we would—

Mr. Domini: And I'm not saying that works, I'm just trying to get clarification as to what the thinking was there.

Mr. Brusk: It seems to me that you have said that it's not a matter of being a hardship, but it seems if this is the property line that they are locked into size-wise, that that would be a hardship moving at, someone changing some of the things—

Mr. Domini: Yeah, but the way you—

Mr. Brusk: --and, go ahead.

Mr. Domini: --I'm sorry, go ahead.

Mr. Brusk: I don't see how you can move if – let's assume for a minute that the 150 is in stone, there are no changes, that's done. I don't know how they could do much different than what they're showing. You can correct me if I'm wrong, but I don't see movement within the area that you've been allowed. The question I guess I have is, "Are you really – is that 150 artificial or real?" And that's what I can't – that's what's killing me. If it's real, I'm in favor. If it's not real, I'm saying, Come on, guys."

Mr. Schulte: If the guy had 200 foot of frontage leftover there and we were buying 150 then you could say, "Well, you can get more." But you can see where the guy's coming from, net of the fire drive, he's got 300 feet and he wants to split it 150/150.

Mr. Brusk: And 150 isn't really huge, is it?

Mr. Schulte: And you get down – if we take more and he gets less, he's got 140 let's say, you're getting pretty narrow.

Mr. Stoffel: Well, what concerns me a little, too, is if we grant this we're going to have the same discussion--

Mr. Brusk: On the other side.

Mr. Stoffel: On the other side. I mean, it's just going to be – and then what we'll have in this district that we've tried to create, is now two buildings that aren't parallel with a huge parking space in between, exactly what we're trying to avoid. That's what concerns me.

Mr. Hansen: And, to me, even if this line was hard and it was the legitimate case, I think there are possibilities there which we are not being shown the options for, that they could reconfigure their building shape, maybe make it a little bit more rectangular fronting Main Street so that the parking gets pushed further back towards the rear and provide that access that they need.

Mr. Brusk: In other words, where four is on this drawing you would think they could put parking there?

Mr. Hansen: Possibly, but I don't have that information in front of me.

Mr. Brusk: Yeah. I guess we are sitting with too many unknowns.

Mr. Schulte: The only thing I'll add is it would be very unusual for a developer to split off a piece of property out of a larger tract like this and then come in and ask you for variances, because if you said no, then what would happen? You would have to recombine them and do another lot split and it – developers always get a property in

contract, then see if they can get permits and if they can then they buy the property or do the lot split. So that's kind of an issue, too.

Mr. Domini: Has the – I mean, this is a little bit off topic and not relevant to the Board's decision, but has the property owner considered just a master plan for the entire site with one user?

Mr. Schulte: We discussed that. He has no idea what he's going to do with that adjacent piece. He's not going to develop it. He's going to sell it to somebody that's going to come along. And how long has this property been vacant? I mean, I know 20 years since he built the warehouses, so obviously there wasn't a lot of demand before 2007 and certainly there's less today. So he doesn't know what he's going to do with it. It's going to depend on who comes along. So for him to try and guess what's going to go there, I don't think that accomplishes anything.

Mr. Brusk: I'd like to see it developed but—

Mr. Rettke: Yeah. I'd like to see it developed, too, but—

Mr. Domini: Norm, your point earlier you asked – you seemed to think there was a hardship and this is your interpretation – the Board's interpretation of the code that you have to work with.

Mr. Brusk: Yeah. I understand.

Mr. Domini: The challenge is the way the code is written it says, "The hardship complained of does not sell, create and nor is established on the basis by one who purchased with or without knowledge of the restrictions." And in this case you have to make a judgment call on your interpretation of 1147. But the difference between a true hardship is you've already – you're on the parcel, you have a building and the hardship's created for you. In this instance, there is no situation that is being put on or created on top of the applicant or that is burdening the applicant because the applicant's request doesn't exist. They're not asking for relief from something that exists on the site from a code restriction or a code development that evolved while they were there.

Mr. Brusk: Well, I understand where you're coming from, but my understanding of hardship is where you have a parcel of land that just doesn't allow you to do what could be done for making a feasible building, a feasible setup. And as I see it, the way it is right now, it's not feasible to do much changes on here. I think, unless you're seeing something that I'm not seeing, that there's a way to move this building and do some – are there other alternatives to this? I don't know.

Mr. Domini: I think the way that—

Mr. Brusk: If there are alternatives, I would love to see that.

Mr. Hansen: I think what we've got to be concerned about is whether we're depriving all practical value of development on this land by not granting them the variances. To me, I think if an applicant comes in with a site that's at the 150 foot width, we could permit some sort of development there that could meet our code.

Mr. Brusk: Right.

Mr. Hansen: It may not be this particular building in this shape or orientation.

Mr. Brusk: Which says that we say that this is not fitting in this particular setting period, therefore, we need something else there which means that it won't be developed until that something else comes up.

Mr. Domini: Correct.

Mr. Brusk: Am I correct?

Mr. Hansen: Yeah.

Mr. Brusk: And sometimes you look at it the other way saying, "It would be nice to have a development there." And maybe we can't do a perfect development, but what can we do that would meet the intent even though it doesn't meet the requirements. And certainly something that doesn't distract from all the work that we did along Main Street. I don't see this particular building being a real detriment. The parking – I'm not thrilled about having parking in the center, but I think with the proper landscaping in the front of the building – in front of the parking lot, that's not as bad a situation. My feeling, I guess, is I still don't know whether it's artificial, the 150. I think it's not. I think you're locked pretty much from what you've said, but I don't know that and I'd sure like to know that, but that's where I'm coming from. I understand what you're coming from, to live by the rules completely so that we don't have a degradation of our Overlay. I understand that, too. But is this enough of a degradation to say that we should reject it or should we say that the benefits outweigh that? But certainly that the degradation is not so serious that it interferes with the look and the character that we want, not the character we have, but the character that we want in Reynoldsburg along Main Street. So that's just my view.

Mr. Domini: I agree.

Mr. Brusk: You can see me going back and forth.

Mr. Schulte: Well, absolutely. And, you know—

Mr. Brusk: I'm having a problem—

Mr. Schulte: If we could get another 10 feet of width, all that would do would be put 10 foot of green space between those two parking banks. It wouldn't change the

site plan that we've drawn on 151 feet. It wouldn't change that at all. It would just add 10 foot of landscaping at the edge of our parking bank, so—

Mr. Brusk: Yeah.

Mr. Rettke: Well, I think it would also burden the residual parcel, too.

Mr. Brusk: And that's—

Mr. Rettke: And then we'll be faced with even more issues.

Mr. Brusk: Well, then we're looking at something, the new developer who would come in would have – would not be able to do something this large.

Mr. Rettke: I don't know.

Mr. Brusk: 150 feet is not as big as I thought it was at first, you know, so if you cut it down to 140 – I mean, my house is wider than that almost – it's just getting close to that. Not the house itself, but the lot is close to that. It's at 110. So could you or would you do something to ensure that the frontage along Main Street would not be – would be beautified in such a way that the parking would be negated, the look of the parking?

Mr. Allen: I thought we addressed that pretty well.

Mr. Brusk: How much screening do you have? I don't see much on here.

Mr. Schulte: Yeah, I guess I'll ask you to look at the monitor there. They are currently – obviously, you've gone through a beautification program already. We're lining the curb cut, the access, with a hedgerow on both sides and then that screens the side, the edge of the parking and then certainly to the rear of the parking we would have the required landscaping.

Mr. Brusk: Yeah, the rear is fine, it's the Main Street view.

Mr. Schulte: So all of our frontage is – in front of parking is currently – we're showing it's landscaped with a hedgerow of bushes.

Mr. Brusk: Are those the bushes along there--

Mr. Schulte: Yeah.

Mr. Brusk: --looks like just a couple of trees?

Mr. Schulte: Now, there are three trees at the actual street edge, but those are within the right-of-way. You currently – already – those are existing.

Mr. Brusk: Right. But you have the hedgerow as running perpendicular to Main.

Mr. Schulte: If you look at your last page there's a little 3D rendering and I'm saying with the handout I just gave you. Certainly these are non-specific bushes but, you know, they're there to get the idea across.

Mr. Brusk: You guys would maintain those bushes? Oh, but that's again -- that's along the side, that's not where the parking is. What blocks the view of the parking lot?

Mr. Schulte: Well, there's the curb cut. We certainly can't plant in front of the curb cut.

Mr. Brusk: No, I understand that.

Mr. Schulte: So there are bushes over here, two or three that turn the corner in front of that parking.

Mr. Brusk: Okay.

Mr. Schulte: There's 18 feet of planting on either side and that's the depth of the parking, each stall is 18 feet so—

Mr. Brusk: Okay.

Mr. : --from the information that they _____.

Mr. Brusk: Yeah. I see where you're coming from.

Mr. Schulte: Right. And we do – we will continue the wall structure screening that parking as well, so it'll be a masonry backdrop behind the shrubbery.

Mr. Brusk: You're going to do the wall the same as the wall, same bricks and so on?

Mr. Schulte: Yeah, to match, yeah.

Mr. Brusk: And your sign will be – I don't see it. It'll be the same sign that we have on the Main Street generally?

Mr. Schulte: Yeah.

Mr. Stoffel: Is there any thought at all to purchasing the whole parcel and putting on a, maybe a little larger Family Dollar? Has that discussion taken place at all, because it goes back to the property line again. This is so counter to what we're trying

to create here that there is a possibility, and if it doesn't work financially I understand that, but has there been any discussion or thought at all of buying the whole parcel, turning it and doing something with it and developing it? It just seems to me like it just – when I first saw the layout and I saw how stacked it was and I saw that you're asking for a 10 foot variance right off the bat and just how it just fits so tight, it just seems coincidental to me. I know if I'm looking at this once it's built, it's just going to look like it was just crammed in there, especially when the other side is going to be an identical side and if someone wants to go and put another 70 by 123 building in there, we're going to be right down this same – right down the same road again and we're going to have the same discussion and I'm personally just afraid we're going to have what it would be to looking at the side of two buildings with a big parking bay in the middle and I think it just, me personally, it opens the door to a lot of variance requests that are, again, are counter to what we've tried to create along Main Street.

Mr. Brusk: Does that wall cover the full width of the parking?

Mr. Schulte: Yeah, the full depth of parking.

Mr. Brusk: So the cars are all inside that?

Mr. Schulte: Yeah.

Mr. Brusk: Okay. You've got somebody who will repair the wall? We have had that problem. With that being said, to me that does what I think we need to have done and that is the shielding of the parking because you have driveways going in every building and you see the same thing. I mean, you can't put trees along the driveway because cars can't go. So, personally, I think they did a darn good job of making it look right. I like the frontage or the entry I should say. It could've been and I would've been considerably less happy with it had they put all the entry along the side of the building. That—

Mr. Hansen: They're required to have it by the street.

Mr. Brusk: Yeah. And I'm glad that we have that because you look at the – is that a Family Dollar over on Livingston and—

Mr. Hansen: Yes.

Mr. Brusk: Yeah. Now, there's one that you need to – that is the ugliest building we have in the City.

(someone speaking off mic)

Mr. Brusk: That is horrible.

Mr. Domini: Are you guys providing a walkway from the street to the building?

Mr. Schulte: Yeah.

Mr. Hansen: Yeah. I see one.

Mr. Allen: 8 foot.

Mr. Brusk: I kind of strongly, well, I'm in favor of it. I'm not – I don't know if there's anything to put restrictions on myself, to me. That's my view. That'll be an interesting upgrade from the one on Livingston versus the one that you have on the east side versus this. It's just upward in class, I guess.

Mr. Domini: Would the applicant consider screening the parking temporarily, not knowing any – as you indicated those parcels sat vacant a long time. If the Board would entertain any type of motion to grant any relief from the code, would you entertain screening all that parking, not knowing that we wait for another 30 years?

Mr. Schulte: On the side you're talking about?

Mr. Domini: Yeah. Basically your "T" turnaround.

Mr. Schulte: Yeah. I mean—

Mr. Domini: And then the side.

Mr. Schulte: If you could flip back to I guess it's slide number four. There you go. So point to what you're talking about.

Mr. Domini: Right in here.

Mr. Schulte: To screen that?

Mr. Domini: And all the parking to per code.

Mr. Schulte: So to put the 10 foot border around it if we can get that?

Mr. Rettke: Maybe not permanent but temporarily until—

Mr. Schulte: Until the other—

Mr. Rettke: --the other side's developed.

Mr. Domini: Yeah. I would caution allowing something that – and we'd be very clear on how you would define anything that's temporary. You know, this is – you could potentially have this development parcel there that isn't based on the conditions that are placed on the Design Review Board and it could just sit there awhile and so you just

want to make sure that if you are creating a situation where you are granting relief from the variance that you make sure that you're not doing that with the anticipation that that other parcel's going to be developed in a certain way because you don't know.

Mr. Rettke: Yeah.

Mr. Domini: And that's the challenge with the whole application, is you're making judgment calls and assumptions based on that parcel.

(speaking off mic)

Mr. Schulte: And they just want the parking screened.

Mr. Allen: From the street or from the parcel?

Mr. Schulte: From the street. Correct. From the street or from the parcel adjacent?

Mr. Domini: That's up to the Board. I think you have more concern of the visibility from the street than the other parcel. I mean, we're not screening from a user there because there is no user, so the concern would be more for the visibility and, again, the situation is that the intent of the Overlay, as I read it, is to remove parking from being a predominant feature as visible from the street and the pedestrian to create a different scale in the corridor, knowing that it's developed in the past differently. But this is a relatively new overlay, so to try to better meet the intent of that, I think, would be helpful.

Mr. Schulte: So that would just be around our area number six is what you're suggesting? I'm just trying to clarify—

Mr. Domini: And I would suggest four as well because you don't know if and when that user's going to come, in what configuration, how they're going to use that site.

(speaking off mic)

Mr. Schulte: We could work together to negotiate an easement to accommodate that planting area.

Mr. Rettke: So I'm under the presumption that the sign's not an issue, the setback's not an issue. We're getting to the side yard setback, the landscape buffer seems to be agreed upon, a non-parallel element with Main Street, and the parking.

Mr. Hansen: So are they basically agreeing that they would install a landscape buffer then?

Mr. Shulte: Yes, on the adjacent property we would pay for that and—

Mr. Hansen: So how does that affect that request?

Mr. Schulte: --request an easement.

Mr. Hansen: Would it negate that variance, the need for that variance?

Mr. Domini: I'll talk to the Board how you would want to proceed on that. Will you want to table and have the applicant come back and see all those types of changes and any other changes you may want to see, and that was my suggestion. I don't know if that resolves any of the Board's concerns at all.

Mr. Brusk: Would that be problematic?

Mr. Schulte: No.

Mr. Brusk: Okay.

Mr. Schulte: We can come back with the documentation showing what's agreed to at this meeting. And I don't know, is there a way for staff to review it and we don't have to come back as long we've met—

Mr. Hansen: No, you'd have to come back for it. We would table the application and you would present additional information and then you would return.

Mr. Stoffel: Yeah, because for me personally, I would have to see that before I would consider the non-parallel building. That's just big to me. I would want to see how you're going to treat that and what that would like. If it is 30 years to this, if it's 30 years to that, I don't want eastbound traffic looking into that.

Mr. Hansen: It's a highly visible site.

Mr. Stoffel: Okay. And I would also – well, I can't tell you how to buy property or anything but that's off the table, buying the whole parcel, correct. That just isn't going to happen.

(speaking off mic)

Mr. Stoffel: Well, sure, I know but you could put a little bigger building, too, but you know.

Mr. Schulte: Suddenly the land costs more than the building.

Mr. Stoffel: I understand that but—

Mr. Rettke: What's the average building size you typically would have put in? Is this consistent with it or—

Mr. Schulte: Yeah, I mean, the—

Mr. Rettke: The scaled down version.

Mr. Schulte: -- 70 by 120, 80 by 100. I mean, there's multiple different but the parking to the building to the building -- they can't go less than 70 feet wide due to their retailing and shelving systems, so that's kind of the narrowest building.

Mr. Stoffel: Yeah. I'd have to see more landscaping because the same way out on the one out on Main Street out east where you have parking butting right up to the sidewalk, butting right up to the side of a building, it just looks -- it just looks really industrial and I don't know, is this typically Family Dollar? Do they ever have any kind of landscaping or any kind of buffering between the parking and the side of the building or is this, this is how they do it?

Mr. Schulte: You mean—

Mr. Stoffel: There on the west side of the building where you've got the head-in parking and then you've got this 8 foot, looks like an 8 foot, concrete area. Is there ever any kind of landscaping along there in between those two areas or is this -- and I know with the width, I understand the width, that that kind of makes it impossible with this site, but I'm just curious if typically--

Mr. Schulte: If you wouldn't be a 10 foot wide landscaping buffer normally there's a 2 to 3 foot planter.

Mr. Hansen: You need at least 3 feet for a shrub, 3½ but, yeah, I would agree that seeing landscaping along that side of the building if we're going to have the building—

Mr. Stoffel: I mean, if you had a—

Mr. Hansen: --oriented in this direction there is going to need to be some sort of relief to that west elevation.

Mr. Stoffel: Yeah. I mean, even if you had like a 4 or 5 foot sidewalk there with landscaping between the walk and the building and I don't know if it's possible to do anything to the west elevation to make that look different because, to me, without any landscaping at all along the parking and building it's just -- it just looks like a wall.

Mr. Schulte: Well, of course the concrete area is a sidewalk and the idea would be that people would walk from the cars to the sidewalk. I could check and see if we can take the sidewalk out and put in a row of plantings.

Mr. Hansen: I think we need the sidewalk there.

Mr. Stoffel: You can have 4 foot walk and have a 4 foot planting, possibly something like that.

Mr. Schulte: Yeah, one issue, and with an 18 foot parking stall traditionally use the curb of the sidewalk as your parking stop, so you could handle 10 feet of overhang of the car.

Mr. Hansen: Well, we also have our drive aisle was to sit at 22 which is a little bit more generous.

Mr. Schulte: At 22?

Mr. Hansen: 22, yes.

Mr. Stoffel: You've got 27. There's a little play there as well.

Mr. Hansen: Yeah.

Mr. Schulte: We've run an 18-wheeler through here and inevitably what you'll see is the 18-wheeler will, as it backs into the space, will track over those parking spaces.

Mr. Stoffel: Well, that has as much, if not more to do with the radius that you're cutting than the actual – I know the drive width is important, but a lot of where they're turning and how they're turning has as much, if not more to do with that.

Mr. Schulte: Yeah, you know. Okay.

Mr. Stoffel: I mean, you could run your model and see if you can get away with the 24 or something less and do something different than – I would consider it more.

Mr. Schulte: So if we could provide a landscape screen the next time we come back, of that actual façade at the base – okay.

Mr. Stoffel: Yeah. I would—

Mr. Schulte: I will certainly look into that and see how it lays out.

Mr. Stoffel: Yeah. I would certainly consider it a lot more if I saw that, yeah.

Mr. Rettke: We're to the point where we entertain a motion.

Mr. Brusk: I move that we table this item until they bring back this based on the discussions we had, that.

Mr. Hansen: Should we read—

Mr. Rettke: C2 through C7?

Mr. Domini: Norm, are you making a motion to table all the variances? Are you going to make the--

Mr. Brusk: I think we might as well treat them all at one time, my feeling.

Mr. Hansen: Yeah. I would agree.

Mr. Brusk: So my motion is to table business items, C2 through C8 and then discuss – finish the discussion. But I think we’ve discussed everything together. There’s no reason to split it.

Mr. Domini: Can the Board reiterate as a whole kind of what they’re asking the applicant to do and present back to us? I know we’ve talked about some of it but—

Mr. Brusk: That’s what the Chairman does.

Mr. Domini: And I think you ought to try to –

Mr. Rettke: Do we want to throw C8 in there or do we have to hear that separately?

Mr. Stoffel: Was there anything with the major site plan revision that we – because we haven’t considered that yet.

Mr. Domini: There were some things that were required per the major site plan that were missing from the plan. I think the applicant is aware of some of those.

Mr. Schulte: Yeah. We certainly are aware of those. The financial investment to get this site fully engineered, we’re looking at a \$30,000 to \$40,000 investment to get all the site engineering done.

Mr. Brusk: So that’ll give you a little extra time to get that to us.

Mr. Hansen: I think a major concern that we need to look at is the storm water requirements on this site considering that they are utilizing a detention basin which is already being used by the storage facility, so I don’t know if the detention needs to—

Mr. Domini: Some preliminary storm water calculations based on the area that you’re going to be needing to serve this site. We’re not asking you to fully engineer it.

Mr. Schulte: No. We have done that. We certainly tested the site to make sure it's going to work. We've done – and I can pass this around for your review. They've suggested a single pipe system and you see the elevation that is calculated based on the required cubic footage of detention of water.

Mr. Brusk: Does that take into account the water that's already coming in from the other facility, from the storage?

Mr. Schulte: It was explained to us that that is not a true detention pond, that it was created as a borrow area for dirt. That wasn't really, in fact, a designed detention pond. I think we would have to—

Mr. Brusk: But would it cause us a problem, Matt? I mean, despite the fact whether it's—

Mr. Schulte: Whether it's feasible or not?

Mr. Brusk: No, no, whether – yeah. But basically we don't want floods.

Mr. Hansen: So you're not going to use the detention in the back?

Mr. Schulte: We'll use a new detention in the back. The existing detention we were told was not actually detention, that it was a borrow pit that was for fill, so the perception that it was actually detaining, I don't – that's what we were told.

Mr. Domini: But conceptually you're showing proposed underground detention on-site, is that correct?

Mr. Schulte: No. It's above ground detention. Let me make sure I gave you the right site plan.

Mr. Hansen: I think you gave us the wrong drawing. That's why I'm confused.

Mr. Schulte: Okay.

Mr. Domini: Yeah. This shows 24.5 by 88 foot underground detention.

Mr. Schulte: Again, the financial impact of underground _____. I apologize.

Mr. Hansen: Have you been in contact with the Service Director or the City Engineer regarding some water on the site?

Mr. Schulte: Not to have in-depth conversations. Have you? You may have.

(speaking off mic)

Mr. Schulte: You did? Okay.

Mr. Domini: I guess our point of confusion was there was that basin there and then that the basin that you were showing in the plan wasn't showing changes to the basin, so we didn't know if you were creating a new basin using that basin or what the situation was, but you are going to create a new basin for your storage on-site there.

Mr. Schulte: Where the old basin is located. The City Engineer said that when the warehouses were built there were no storm water requirements. They didn't need to do anything and that's, if I misunderstood I apologize, but that's what I thought he said and that swale was just where they had taken some dirt off and I could be wrong.

Mr. Domini: Okay.

Mr. Hansen: We'll have to look if there's a plot grade plan for that site. So we'll have to evaluate that.

Mr. Domini: But we weren't clear as to how you were handling that. We saw the other basin and we thought that was the basin, but no changes were proposed for the basin.

Mr. Rettke: So we had a motion to table.

Mr. Hansen: I second the motion.

Mr. Rettke: And now I have a second. And basically we want to see screening on the west side proposal, screening on the south side of area six, landscaping along the west side, and is the determination of the drainage sufficient or would you like more information on that?

Mr. Domini: We just want to make sure that all the items that are listed per the major site plan are complete.

Mr. Rettke: Per the major site plan are addressed prior to coming back?

Mr. Domini: Yes and there might be some additional coordination we need to do with the City in April to make sure those are all met, but that was something that we're missing to determine the application—

Mr. Schulte: May I have that list?

Mr. Hansen: Yes.

Mr. Domini: Yeah.

Mr. Rettke: Because I don't want to name everything. I think it was a substantial list, wasn't it?

Mr. Domini: And I would encourage the applicant to push the creativity on the east elevation because that side of the building, there's going to be no new development on that side of the building. In my opinion, there needs to be great care to match the character of the Streetscape, so a line of blue spruce around that side of that building would be unacceptable, in my opinion. And there's great relief being granted from the code, so I would encourage you to work with your landscape architects, do something very creative, compliments the Streetscape, and it's not just a row of evergreen or arborvitae.

Mr. Brusk: Does Design Review have a say in that?

Mr. Domini: That would go before the Design Review Board.

Mr. Brusk: I'm sorry.

Mr. Domini: That ultimately would go before the Design Review Board and then—

Mr. Brusk: And they're pretty critical on that, too.

Mr. Domini: I've just seen these requests made by the Board before and the applicant come back with something that is – wasn't acceptable to the Board and so, just encourage the applicant to be creative. I think that's it.

Mr. Brusk: Well, we haven't voted on anything.

Mr. Rettke: Anything else, then? You have a full understanding of what we're asking of you? I mean, we kind of piecemealed it, so—

Mr. Schulte: I believe that we do.

Mr. Rettke: I just want to make sure.

Mr. Schulte: Yes. I believe do.

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

Mr. Schulte: Thank you for your time. Appreciate it.

Mr. Hansen: Thanks.

D: OTHER BUSINESS

Mr. Rettke: Okay, moving on. Item #D or letter D, Other Business. Any Other Business?

Mr. Hansen: I have no other business.

Mr. Rettke: Mr. Stoffel was appointed to another term.

Mr. Hansen: Oh, he was on Monday, yeah.

Mr. Brusk: Congratulations.

Mr. Hansen: And you've got another four years.

Mr. Rettke: Another four. Thank you, Dave, for your service.

Mr. Stoffel: I accept my sentence.

E. ADJOURNMENT

Mr. Rettke: Moving on, I call this meeting adjourned at – well it's been a long one, 7:53 pm.

Anthony Rettke, Chair

Aaron Domini, Planning Administrator

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7668 Slate Ridge Blvd.
Reynoldsburg OH 43068