

**MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
MARCH 15, 2007
6:30 P.M.**

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. John Brandt Mr. Duane White Mr. Norman Brusk Mr. Thomas Kucera Mr. Patrick Feeney
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Others Present:	Mr. Lucas Haire, Planning Administrator
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2. APPROVAL OF MINUTES

Mr. Kucera: Are there any corrections or additions to the minutes of the meeting of February 15th? (No response.) Hearing none, we'll approve those meeting minutes.

3. APPROVAL OF AGENDA

Mr. Kucera: Are there any changes to the agenda tonight?

Mr. Haire: Yes. There'll be one item that I would like to add to the agenda. It's an item that we considered last month which is the Shoppes at East Broad. Their major site plan 8015 East Broad Street, number 01-MS. There's a small revision on that plan that I would like for us to add to the agenda as Item number 5.

Mr. Kucera: How about we make it 1B or B1 Unfinished?

Mr. Haire: That works as well.

Mr. Kucera: All right. We'll make it B1. Are there any other changes to the agenda? (No response.) So we'll go forward with that one item.

4. SWEARING IN OF SPEAKERS

Mr. Kucera: Could all of those people that are going to speak tonight, if you would stand and raise your right hand to be sworn in, please. (Mr. Kucera administered the oath.)

5. PUBLIC COMMENT

Mr. Kucera: Is there any public comment on any issues not on the agenda this evening? (No response.) Hearing none, we'll go to Unfinished Business, Item number B1.

B. UNFINISHED BUSINESS

Mr. Haire: Like I mentioned, Item B1 is a revision to the Major Site Plan for 8015 East Broad Street. The application number is 01-MS. The revision that had taken place, I passed out site plans. You should have them in front of you this evening. The only revision that's really taken place is through their approvals with the Ohio EPA, the EPA has asked for bio-retention swales to be included in the parking lot areas, so they've added two bio-retention swales. And, basically, what a bio-retention swale is, is the parking lot drainage, instead of being piped through a storm sewer, sheet flows off the parking lot into this bio-retention swale which is planted with certain landscaping that helps to cool the water and also to remove pollutants from the water as it filters. Basically it just filters the water before it hits the retention basin. The landscaping of those particular bio-retention swales is shown in the bottom left-hand corner of the site plan that you were given on the front page. They've included two areas. I guess the first swale is located basically right in the center of the first page, it says bio-retention area. The second is on the second page of your site plan to the left hand side. Adding these swales in caused a loss of 17 parking spaces total throughout the site, but they're still well within zoning regulations for number of parking spaces.

Mr. Kucera: Are there any Board questions on this item?

Mr. Brusk: Yeah. Quite a bit. How new or how old is this technology of bio-retention swales as a means of taking care of runoff and so on? Does anyone know what the efficiency of it is, the effectiveness of it?

Mr. Haire: It's something the EPA's been encouraging for a number of years as their Best Management Practices (BMPs).

Mr. Brusk: It has worked over the years?

Mr. Haire: I'm sure they've tested them. I don't know particular, how many years it's been they've used these, but it's something they do consider a Best Management Practice.

Mr. Kucera: It's a – I mean, technically every swamp out there is a bio-retention swale that filters the water. That's why we try and retain wetlands.

Mr. Brusk: So we put swamps in the parking lot.

Mr. Kucera: Yeah.

Mr. Brusk: Cool. Okay.

Mr. Kucera: Well, they're not swamps but they're—

Mr. Brusk: I know. I'm kidding on that. I was just wondering—

Mr. Haire: They'll be mulched and it's not going to be just grass that's planted there. They'll be mulched and they'll have particular landscaping in there that's meant to help filter the water.

Mr. Brusk: What does it actually look like?

Mr. Haire: It just looks like a swale you'd see in between two back yards.

Mr. Brusk: Okay. With certain plants and so on in there. You don't have standing water for the mosquitoes to breed or anything like that?

Mr. Haire: No. There won't be—I mean, the base of it's constructed so that it drains. It's not just topsoil that's put in there. It's a very specific mix that they put in there to help it drain.

Mr. Brusk: That's something new for me.

Mr. White: Does this affect the parking lot spaces that are being taken up by this?

Mr. Haire: It will reduce the parking by 17, but they were well over their minimum requirement so there's a unique situation here where they've – when the zoning was approved on this there was a reduction factor for shared parking, so they've – it's reduced based on that, and based that it's served by public transit and all those types of things. So they're still well above the requirements.

Mr. Kucera: Not to belabor it, but it's called a Lead Accredited Professional, Lead being green building, in the green building standards and this is something that they are encouraging and ostensibly, as more and more buildings become lead certified, over time you're going to see more and more of this type of bio-filtering as a means of trapping the contaminants off of parking lots and so on.

Mr. Brusk: Okay.

Mr. Brandt: I think it's good, to lessen the sea of blacktop.

Mr. Kucera: Yes. I'm definitely opposed to seas of blacktop.

Mr. Brandt: I'm happy with it. We're happy, the EPA's happy, we're all happy.

Mr. Brusk: I guess so. I was just concerned whether or not it was, you know, were we buying into something else—

Mr. Haire: Nothing brand new.

Mr. Kucera: Is there any other Board comment? (No response.) Hearing none, I will make a motion to approve Agenda Item B1.

Mr. Brandt: Second.

(Mr. Haire called the roll. Mr. White voted “yes.” Mr. Kucera voted “yes.” Mr. Brusk voted “yes.” Mr. Feeney voted “yes.” Mr. Brandt voted “yes.” Motion carries.)

C. NEW BUSINESS

1. MAJOR SITE PLAN REVIEW APPLICATION; 8097 EAST BROAD STREET, REYNOLDSBURG, OHIO; PRESENT USE, VACANT; NAME OF PROPOSED BUSINESS, LOWE’S; PROPOSED USE OF LAND STRUCTURE, RETAIL/COMMERCIAL; PRESENT ZONING, CS – COMMUNITY SERVICE. CONTACT PERSON: ANNE F. MCBRIDE, FAICP (02-MS).

2. VARIANCE APPLICATION; 8097 EAST BROAD STREET, REYNOLDSBURG, OHIO; REQUESTING A VARIANCE FROM SECTION 1175.05 OF THE REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW A BUILDING HEIGHT OF FORTY-EIGHT FEET-SIX INCHES (48’ 6”) IN THE CS – COMMUNITY SERVICE DISTRICT. CONTACT PERSON: ANNE F. MCBRIDE, FAICP (02-ZV).

3. SPECIAL EXCEPTION APPLICATION; 8097 EAST BROAD STREET, REYNOLDSBURG, OHIO; PRESENT OWNERS NAME, ONE REYNOLDSBURG COMPANY, LLC; PRESENT ZONING, CS – COMMUNITY SERVICE DISTRICT; EXISTING USE, VACANT; PROPOSED USE, LOWE’S STORE WITH OUTDOOR STORAGE IN FRONT OF STORE, SEASONAL SALES, AND SHEDS TO BE SOLD. CONTACT PERSON: ANNE F. MCBRIDE, FAICP (01-SE).

4. COMPREHENSIVE SIGN PLAN APPLICATION; 8097 EAST BROAD STREET, REYNOLDSBURG, OHIO; BUSINESS NAME, LOWE’S; TOTAL NUMBER OF SIGNS, SIX (6); TOTAL SQUARE FOOTAGE OF SIGNS, 502.11’. CONTACT PERSON: ANNE F. MCBRIDE, FAICP (07-Z5).

Mr. Kucera: All right. We’ll move on to New Business and basically all of these items have to do with the same piece of property and the same development so what I’d like to do is maybe if you could—

Mr. Haire: The one thing that we’ll need to do is we’ll need to vote on the Major Site Plan last after the variances and the other things have been granted.

Mr. Kucera: All right. We'll take that one last then. We have to vote on them individually anyway. What I would like to do is I'd like to ask the people that are here to speak on this to just kind of speak on the whole thing generally and then we'll take Board questions, if it pleases the Board, kind of on a general basis on all of the items. And then I'd like to do voting on them. Is that okay with the rest of the Board members?

Mr. Brusk: Yeah. It sounds good to me.

Mr. White: That 's fine.

Mr. Kucera: So, whoever would like to speak to this, if you could come forward and introduce yourself.

Ms. Anne McBride: Good evening. My name is Anne McBride. I'm a Zoning Consultant with McBride-Dale-Clarion in Cincinnati. With me this evening is Tom Ebels who's come in from Chicago. He is actually with Lowe's. And there are several representatives of Atwell-Hicks which is Lowe's civil site engineers, so they're going to be available to answer comments that the Board, or questions rather, that the Board may have. I took about a four-hour presentation and I've really compacted it, given other events that maybe going on this evening. So I'm going to try to be concise here and kind of run through things, so if you guys have questions either stop me as I go or whatever works for you guys.

Lowe's is excited to be a part of the Shoppes at East Broad. They're going to be taking almost 15 acres of that 51 acre development. It's in the southeast portion of that overall development. They have some frontage on East Broad, but they don't actually -- the building isn't actually going to be up on East Broad Street. If I could, I just briefly-- let me go forward. I think I talk loud enough I don't think I need the microphone. This is East Broad in this location. We're coming in here at the traffic signal. These are some of the out lots associated with the balance of the development. This is one of the retention basins here at the east end of the site. The proposed Lowe's building itself contains 138,684 sq. ft. In addition to that, there is a 31,700 sq. ft. garden center in this location. Servicing the Lowe's development on our property are 491 parking spaces. Sharing in common with the development, obviously, are such things as access. We are sharing pre-standing signage as this Board knows, you all approved that last month. Storm water management, the whole continuity of the development in general as well as things such as lighting. I know one of the requirements was the lighting had to be 28' in height, so Lowe's has lowered their lighting to comply with those types of regulations.

In terms of the building design itself, if I could just briefly go through that. Lowe's started off with their upgraded building here in Reynoldsburg. We know that this is an upscale community and you're not going to see the typical gray and blue box that you might see other places. We then also met with your staff and they made some further suggestions in terms of adding some screen walls and we'll talk about those in a minute. Adding some pilasters that kind of break up the massing of the building and

then extending building materials to kind of give it more of a pedestrian feel as you go in front of it. So the staff has been great to work with and they've given us, I think, some good ideas to incorporate into the design. That, kind of in a nutshell, is the site plan in the Lowe's development.

There are, in addition to the master site plan that's before the Board this evening, as you know, there are a number of other issues that we need to ask for to allow the development to go forward. One of those is a variance on building height. This property is in your CCS district, I'm sorry, Commercial Services District, and in that, I think it's Section 1175.03, allows buildings to have a maximum height of 45'. The Lowe's peak at the very top here is 48' 6". When we design the building we do it to kind of try to break up the façade here and also to clearly mark the different entryways into the building, so the peak is in excess of 2' 6" over and above the height that's permitted in your zoning code, so we are asking for a variance from that. We believe that it does meet the standards that are set up for a variance in your zoning code and we submitted information that I think backs that up.

The second item to discuss with the Board this evening is that of a Special Exception on an outdoor sales storage and display in this district is a Special Exception Use as permitted by this Board and by Council. We are asking for three specific areas to be allowed to use for outdoor display and storage. The first is over here on the east side of the building that's significantly obviously back from the street and it's well screened. We've added some additional screening in this area at your staff's suggestion. This area is going to have displays of some of the storage sheds that Lowe's sells and some of the utility trailers that they sell. People obviously like to go in and walk into the storage sheds and say, "This is big enough. This isn't big enough. This trailer will hold this or it won't," but those items simply don't fit in the store. So we'd like permission from the Board and Council to be able to keep some of these as samples on this side of the building so that folks can go in and see those.

The second area that I wanted to discuss with you had to do with seasonal outdoor sales and display. It would be located approximately in this area of the parking lot. It would be used approximately April through July. That area has flowers, limited amount of mulch, those types of planting materials that customers want easy access to, that we need to be able to keep in significant quantities during the peak planting season, so that would be in this area here. And then the third area is actually along the front of the building and encompasses kind of three different stops. The first would be in front of the garden center and I'm sure you've been to a Lowe's and you've seen in the spring it'll have petunias or pansies or whatever and then in -- ultimately in December it'll have some Christmas trees and those kinds of things out front. And that's just simply in front of the entrances here into the garden center. The second area is in front of the front of the building here but close to the main entrance. That has things this time of the year like lawnmowers and later in the summer it will have grills. In the winter they have things like snowblowers and that's where my husband talked me into buying a snowblower, but that type of merchandise is actually in front of the store.

The last area is over here toward the indoor lumber area. There is an area designated here on the left side of the building where the cage would be that would hold the propane tanks. Those can't be stored in the store. At your staff's suggestion we have added a screen wall in front of that so that won't be visible from the front of the building. Underneath the lumberyard canopy in this area we have things like sheets of drywall and 2 x 4's and plywood stacked up. This is where our contractors come in early in the morning. Those are big, bulky items. To get them out of the store, we end up having to shut down aisles and get the forklift out and so forth. So what they do is they store a number of those products here and when the contractors come in in the morning, then that material is simply loaded into their trucks to make it easier and quicker for them to get them out without having to close aisles and stuff down in the store.

So those are the areas that we're asking for approval for the Special Exception. The area in terms of pedestrian access in front of the store, there is a sidewalk that's kept accessible at all times in front of the store. In terms of the parking spaces that we would be losing in this area for a portion of the year and in this area, we still meet the parking requirements, 455 spaces that are required by your code, so there's no shortage of parking. And, again, we believe that we meet all the requirements that are outlined in your Section 1145.10(c) for Special Exceptions. I know you have a very strict set of uses and, again, we tried to address those.

The final item for discussion this evening is the comprehensive sign plan for the Lowe's. We have three signs on the building and, again, these mark the entryways into the store. The garden center sign is 81.56 sq. ft. The Lowe's itself is 348.44 sq. ft. and, not to be left out, the indoor lumber yard sign is 60.11 sq. ft. Together those are about 490 sq. ft. That's a little over, I believe, half of the square footage that we would be allowed for the total building, so we're significantly under the sign area that we proposed and it's necessary to try to guide people into the right place of the store where they are going to go. We have also asked, and I submitted to you, you all have copies of three directional signs that we would like to put up throughout the development. The design that is before you this evening is a little bit conceptual in nature in that The Limited is still reviewing that design and those specific locations, so we may be working with your staff to tweak the design of that or shift the location of those a little bit. Those signs though are 4 sq. ft. They're only 3' tall and they're on a masonry base. The purpose of those, again, if you look at where Lowe's and some of the other uses are within the development, is to try to guide folks within the development to their proper destination.

In a nutshell, those are all the different requests that we're asking for this evening. So if you have any questions, we'd be happy to answer those. I did bring a material board down here if you'd like to see that. It does include samples of the upgraded materials that we're doing. We're not using, for example, chain link around the garden center. That's going to be that tubular steel material, those types of things, so if you have questions I'll be happy to answer them. Mr. Brandt?

Mr. Brandt: About how many employees will you have? I know it's not relative to this, but I just wondered.

Ms. McBride: That is an excellent question, Mr. Ebels. You had to get me first time out and I can't answer it and now he's going to say, "Man, this woman did not earn her money tonight."

Mr. Tom Ebels: The answer is 150 roughly and that varies with the season. It's about a 60/40 split in terms of full and part-time employees at Lowe's. And, again, that varies with the season. Our busiest time of the year is the springtime. As Anne mentioned, the flowers out in front, and that's typically our busiest time from right around April 1st to, say, July 4th is about our busiest time of the year.

Mr. Brandt: Yeah. My wife drags me to one at Easton.

Mr. Ebels: Me, too.

Mr. Kucera: If you could, for the meeting minutes, if you could just identify yourself.

Mr. Ebels: Yeah, I'm sorry. For the record, my name is Tom Ebels. I am Site Development Manager with Lowe's.

Mr. Kucera: Okay. Thank you.

Mr. Brandt: The only other comment I have and I'll shut up is, and the Design Review Board, will they discuss this with these folks?

Mr. Haire: Yes.

Mr. Brandt: I'd like – I think the brick you show down there would look a lot nicer on those directional signs as a base instead of split-face block. And I'm sure we can convince the previous landowner of the value of that idea, too.

Mr. Ebels: Thank you.

Mr. Kucera: I had a question on the site plan and that was, if I can find it here-- There's indication of a white vinyl fence across the back and I just wanted to clarify what the extent of that was.

Ms. McBride: That fence, I believe, and Luke, you can correct me if I'm wrong, I believe that's required and instead _____ running from out property line here on the west all the way to _____.

Mr. Kucera: Okay.

Mr. Haire: Yeah. As part of the zoning approval on this, they required a 6' privacy fence be placed on the property to shield the agricultural property to the rear.

Mr. Brusk: Yeah. You don't want that agricultural property, to--

Ms. McBride: You don't want those cows looking at the Lowe's.

Mr. Haire: I had a question about the fencing proposed around the detention area. It says 4' chain link. What type of fencing – I mean, obviously chain link or what type of chain link are you talking about?

Ms. McBride: The vinyl coated one.

Mr. Haire: And is that a site requirement of Lowe's?

Ms. McBride: Everybody gets to talk tonight.

Mr. Michael Motte: Good evening. I'm Mike Motte. I'm with Atwell-Hicks. We're a development consultant for Lowe's. The chain link, it'll be a vinyl coated chain link fence and that's a liability because of the requirement for standing water in the detention pond. As a liability requirement for Lowe's, anything with standing water requires a protective fence around it.

Mr. Haire: What color will the fence be?

Mr. Motte: What color would you like?

Mr. Haire: That'll be determined at the next meeting.

Mr. Motte: We're very flexible on that.

Mr. Brandt: One question did come up though, as far as maintaining the area inside the fence. We had one property in town that there was some discussions that have gone on as to cutting the grass and things of that nature. Will that be maintained by—

Mr. Motte: It will be maintained by Lowe's operations. We'll have a couple of eight foot openings in there so you can get mowers in and maintain that area.

Mr. Brandt: Okay, good. Thank you.

Mr. Feeney: Does this site have a bio-retention or because of the pond it's not needed or-

Ms. McBride: No there's not one bio-retention, not one of those on the Lowe's property.

Mr. Feeney: It's not needed or it hasn't been reviewed by the EPA yet or—

Mr. Mott: This site has been looked at as part of the overall development by the EPA. Lowe's part of what they're going to do to help establish approval from the EPA is we're going to put a planting shelf in the detention area. Due to the requirements of maintaining the light fixtures in an island area and just overall maintenance, we've kind of shied back from that. We're going to provide some other water quality issues or items such as a _____ unit or something prior to the water or a outlet system that will help retain the water long enough to filter out the sediment prior to discharging.

Mr. Brandt: Excuse me as a little background there was an EPA hearing held here, what three months ago. A lot of these issues were gone through as far as what the EPA's final recommendations were to the development.

Mr. Haire: Right, they mitigated some wetlands on this site, so that was a major issue. Some of the wetlands will still remain. If you look at the southeast corner of that site, there's still some wetlands that are going to remain on the site.

Mr. Brandt: Yes, I saw that creek that goes through there.

Mr. Haire: Right.

Mr. White: I have a question regarding the garden center out there at the front northeast part of the property, where you're going to take up some of the parking spaces. I think you mentioned that you would have vegetation, or plants and mulch, but you also have concrete footers there, or was it concrete steps or something to that effect there, too?

Ms. McBride: You mean like the paver steps, the little blocks?

Mr. White: Yes.

Mrs. McBride: I don't believe those will be in that area. I think those are kept within the garden center themselves. The items that are typically kept out in the parking lot are items that are easily accessible, easy to load, and those kinds of things. So those are the ones that are typically kept out there.

Mr. Haire: So it would be more like bags of mulch and top soil-

Ms. McBride: Some bags of mulch, some top soil, but more you know the flats of petunias and pansies and that kind of stuff.

Mr. White: Okay. My only concern was if that were the case, that's directly on the entrance to the apparently the parking drive into that parking lot is right onto Broad

Street and would be conspicuous there and probably be, I think not very attractive to have those out there that way at that point.

Mr. Kucera: How -- on that seasonal that Mr. White's talking about, is it primarily just the spring season?

Ms. McBride: It's the spring season. And I think we committed in writing to you all that it would be from early April to mid-July at the lengthiest.

Mr. Kucera: All right. And there won't be any additional lighting after that?

Ms. McBride: No, No. And again, it doesn't take up any parking spaces that are required by the City.

Mr. Kucera: Okay. Are there any other Board questions or—

Mr. Brandt: No, I'm happy to see Lowe's

Mr. Kucera: --comments at this point? Is there any public comment on any of these items? (No response.) All right. I will move to accept—

Mr. Brandt: Excuse me, as a matter of disclosure, I don't know if I met with Ms. McBride or not, but there have been some people involved in this project in my role I have actually met with just general discussions and things of this nature.

Mr. Kucera: All right. Thank you. So I will move to accept Agenda Item C2, the variance for height and it is item (02-ZV).

Mr. Brusk: I'll second.

Mr. Kucera: If you'll call the roll please.

(Mr. Haire called the roll. Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Brandt voted "yes." Mr. White voted "yes." Mr. Kucera voted "yes." Motion carries.)

Mr. Kucera: I'll also move to accept the Comprehensive Sign Plan, Agenda Item C4, which is item (07-Z5).

Mr. White: I'll second.

Mr. Kucera: If you would call the roll please.

(Mr. Haire called the roll. Mr. Feeney voted "yes." Mr. Brandt voted "yes." Mr. White voted "yes." Mr. Kucera voted "yes." Mr. Brusk voted "yes." Motion carries.)

Mr. Kucera: I will move to accept item C3 Special Exception Application, item (01-SE).

Mr. Feeney: I'll second.

(Mr. Haire called the roll. Mr. Brandt voted "yes." Mr. White voted "yes." Mr. Kucera voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Motion carried.)

Mr. Kucera: And, finally, I'll move to accept C1, the Major Site Plan Review, item (02-MS).

Mr. Brusk: I'll second.

(Mr. Haire called the roll. Mr. Kucera voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Brandt voted "yes." Mr. White voted "yes." Motion carries.)

Mr. Kucera: All right. Thank you for your presentation.

Mr. Brusk: I do want to comment that this was one of the best presentations we've had. It answered all the questions we had and brought up answers to questions we didn't have.

Ms. McBride: Thank you very much. Appreciate it.

D. OTHER BUSINESS

Mr. Kucera: Under an item under Other Business, I'll note for the record that there is a special meeting next week at 6 p.m. rather than 6:30, to cover an item.

Mr. Haire: And you should be receiving a packet in the mail with that item, probably tomorrow.

Mr. Kucera: All right. Is there any other business to be discussed? (No response.)

E. ADJOURNMENT

Mr. Kucera: In that case I declare this meeting adjourned.

Thomas Kucera, Chair

Lucas Haire, Planning Administrator

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