

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
JANUARY 15, 2015
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present: Ms. Libby Wallace
Mr. Rick Donovan
Mr. Aaron Enfinger
Mr. Anthony Rettke

Members Absent: Ms. David Stoffel
Ms. Bonnie Armintrout

Others Present: Ms. Megan Moeller,
Mr. Justin Robbins, Planning Adm.

2. APPROVAL OF MINUTES OF NOVEMBER 20, 2014 MEETING

Chairman Rettke: Are there any additions or changes to the minutes of the November 20, 2014? (No response.) Hearing none, we'll approve those as submitted.

3. APPROVAL OF AGENDA

Mr. Rettke: Are there any changes to the agenda as presented?

Ms. Moeller: There's none from staff.

Mr. Rettke: Hearing none, we'll approve the agenda as submitted.

4. SWEARING IN OF SPEAKERS

(Mr. Rettke administers the oath.)

5. PUBLIC COMMENT

Mr. Rettke: Any public comment? Seeing no public, we'll have no comment, so we'll move on to Unfinished Business.

A. UNFINISHED BUSINESS – None

B. NEW BUSINESS

1. **SPECIAL EXCEPTION USE PERMIT, 6475 EAST MAIN STREET, REYNOLDSBURG, OHIO;** PRESENT ZONING, RI; PRESENT OWNER'S NAME, JASON GUNSOREK; REQUESTING A SPECIAL EXCEPTION FOR A SEMI-PUBLIC USE. CONTACT: AARON DELONG (#167688).

Ms. Moeller: Yes. This is for Application 167688 for a Special Exception Use. The property is located on the south side of East Main Street. It's approximately one-fourth of a mile east of the Brice Road intersection and the building sits behind the properties fronting East Main Street. The zoning for this is Restricted Industry. The request is for a Special Exception Use to operate a church within the Restricted Industry District.

Just some existing site and context. The properties to the north are zoned CC, Community Commercial and properties to the east are zoned R-3, which is Single Family Residential. Properties to the south and west are AR-2, Multi-Family Residential, so it's kind of a landlocked area. There are approximately 180 parking spaces onsite and the existing building consists of flex space which includes business services and professional services. Here's a close-up view of the property. There's storage in the back, I think, I believe on the outside, and then the business frontages are around the inside of the ring.

So just kind of going over the review and recommendations for it, the proposed church requires one parking space for each 4 seats in the main worship space. The proposed occupancy is 120 people, so the code would require 30 parking spaces. Staff would say that because this is – the parking is kind of already a little iffy as it is and because their business is only operating on sort of off operating hours, I think staff would find that that's an acceptable time to be using those parking spaces. It is the recommendation of staff that the Special Use Exception be permitted as requested. The applicant has met all the conditions outlined in Section 1145.09 of the zoning code to allow the special use of the existing space. It is the judgment of staff that the operation of a simple church within this district is in keeping with the desired character set forth in the zoning code and does not represent a burden on nearby property owners or the community as a whole.

Mr. Rettke: Is the applicant present to come up and speak? Go ahead and state your name and address for the record, please.

Mr. Aaron DeLong: Aaron DeLong, 6475 East Main Street.

Mr. Rettke: Any concerns, questions, comments from the Board?

Mr. Enfinger: Where are you guys operating right now?

Mr. DeLong: We are actually in the building right now. We were in Cotner's. We've been in Cotner's for probably the first year and seven months of our operation. We've used Barth Cotner's location.

Mr. Enfinger: Did he kick you out?

Mr. DeLong: No, we outgrew it. Our church has grown exponentially and we needed our own space.

Mr. Robbins: A couple questions about how the interior of this space is set up. Are you guys proposing kind of moveable chairs?

Mr. DeLong: Yes, sir. It's all single chairs.

Mr. Robbins: What do you see as your hours of operation? Obviously Sunday from 10-11:30. Do you see a whole lot of operations occurring throughout the week?

Mr. DeLong: We don't. We'll be there. There's three employees right now or staff members of the church. That's three people that will be there throughout the week off and on, but both of them have full time jobs. I'm the only one that this is my full time job, so I'm one guy that will be there throughout the day and I park in the back. I don't even use up the parking spaces in the front.

Mr. Robbins: Are there any other operations that you're planning on running out of this specific space such as – I mean just special events or—

Mr. DeLong: I think any events that we would do would be on – I think quarterly we do a special worship night and we do that on Saturday nights. It is possible that we would do it on a Friday night but, again, considering the people in the area, the businesses in the area, we don't want to be a burden on any of them so we would check with all their schedules to make sure that we aren't interfering with anything that they're doing before we scheduled anything. I mean really that's it. We meet in our homes throughout the week. We have groups that meet in our homes, not in the church building.

Mr. Donovan: I was concerned about that also. Are you planning on having any drive-by giveaways or anything like that?

Mr. DeLong: Our location wouldn't be conducive for that. It's off the road and the traffic would be insane. As you can see, this is like a little "U", so no. We would utilize operations like a-- I know we can't do it now, but in the past we've told we could use like the Valu-King parking lot was a great place to sit up and do food pantry things and things like that. But we partner with the heart food pantry. We aren't going to do any of that ourselves. We'll just allow them to do

what they're doing and be a part of what they're doing. So, no, we would not do anything like that.

Mr. Robbins: There is one thing I want to be clear on with signage, is our code does allow for signage. The lot is a little bit oddly shaped. You don't have a whole lot of frontage along Main Street. You are allowed one monument sign. I can't recall if there's actually one there or not that kind of advertises what's back there. It is constricted in terms of area, so if you're looking for signage, that could be potentially an issue that you're going to face and that's something down the line I want you to understand that it's going to have to be through the landlord and you have to use-- I think the existing sign, if it is there, is probably maxed out in terms of the area that's allowable.

Mr. DeLong: It is.

Mr. Robbins: Okay.

Mr. Rettke: Any other questions, concerns, comments? (No response.) Well, hearing none, I'll move that we approve Item B1, Special Exception Use Permit, 6475 East Main Street, #167688.

Ms. Wallace: I'll second.

(Ms. Moeller called the roll. Ms. Wallace voted "yes." Mr. Donovan voted "yes." Mr. Enfinger voted "yes." Mr. Rettke voted "yes.")

Mr. Robbins: Real quickly, because this is a Special Exception, it does have to go to Council. So the way the process works is that the Board approves it, Council does have the final say, so the next regularly held Council meeting, the minutes will be transcribed, Council will have the ability to introduce this as an ordinance. If nothing happens and it stands approved, you still do need a zoning certificate if one has not been submitted; and any signage that is proposed for the area has to go through Design Review. Additionally, I would strongly encourage you to contact the Reynoldsburg Building Department and make sure all of the permits and fees are taken care of through that department as well. There might be a Building Department official in here right now that can help out with that.

2. **SPECIAL EXCEPTION USE PERMIT, 1359 BRICE ROAD, REYNOLDSBURG, OHIO;** PRESENT ZONING, CC; PRESENT OWNER'S NAME, GRADCO LIMITED, REQUESTING A SPECIAL EXCEPTION FOR THE EXPANSION OF A CHILDCARE FACILITY. CONTACT: ROSANA MARTINEZ (#167946).

Mr. Rettke: Moving on, Item B2, Special Exception Use Permit for 1359 Brice Road. Can we please have the presentation, please?

Mr. Robbins: The property is located on the west side of Brice Road, south of East Main Street. Existing zoning is CC, Community Commercial, and it is within our Overlay District.

Applicant is requesting Special Use Permit to expand an existing childcare center within the Community Commercial District. Current use is vacant. Applicant is Rosana Martinez.

I just want to give the Board a little background before I start on some of the proposals. There are two different spaces that are in operation that are both Rumaki Daycare. The first one is in the strip center that you can see on the screen to the north. The second one is a freestanding building that's to the south. What the applicant is proposing to do is expand into another tenant space within the strip center, basically doubling the size of that area.

The current daycare has been in operation since 2012. The current hours of operation are Monday through Friday, 4:30 a.m. through 7:00 p.m. It currently serves 30 children from infant to school age. The existing play area is located at the adjacent property to the south, approximately 250' from the business entrance. The surrounding properties are zoned CC, Community Commercial. Adjacent tenants include an eating and drinking establishment, a martial arts facility and a salon.

There's a couple issues that staff had with the application as proposed. The primary one is going to be the path that children are led on from the daycare itself into the play area. So from the image we can tell that there's a play area that may or may not exist to the rear of the property. Additionally they're proposing to move the children south along the front of the strip center, past a bar, along an access road next to the parking lot, across another access road and into the play area. As far as what the Board has been consistent on in the past with daycares, this has been something that's continuously been an issue in terms of fitting a use such as a daycare into a retail space, because these areas were not designed as daycares and they do present a lot of issues with both the location of the play area and how kids access the play area. So number one thing from staff is that's a big issue. I don't know if the applicant is here, but I think I would like to hear a little more from her as to exactly how that is proposed to occur.

Ms. Rosana Martinez: Good evening. My name is Rosana Martinez. I'm from 1357 Brice Road.

Mr. Rettke: We'll go ahead and swear you in. Who else walked in late that wasn't sworn in? (Mr. Rettke administers oath.)

Ms. Martinez: What do you need me to explain first?

Mr. Robbins: In particular, how you are proposing to move children from the daycare expansion into a play area, whether or not that area is in your freestanding building to the south, or what you're planning on doing otherwise.

Ms. Martinez: It is on the freestanding. We have been moving the children from 1357 to 1371 and we do it through the back, the rear of the building, which is a walking distance and there's no problems with traffic. The state licensing is okay with it, because we do – it's not a lot of traffic going on in there. In the front we don't do it. We go through the rear. Most of our kids right now are school agers, so they only come in the afternoon. In the summer, then it's different; but throughout the year they will be coming in at 3:00 and they normally go at 5:00 to play, weather permitting. During this time of the year, then they don't go out there. The other kids that we have is the babies, which they don't go to the playground.

Mr. Robbins: Is there a play area that's currently located adjacent to the strip center? Is there one in the rear loading area right now?

Ms. Martinez: We have a very small area in there. That would not be fit for all the other big kids. It's just for the – cause we used to have only infants and toddlers, so we had the toddlers in there, but we took still to 1371 for our bigger play area. We are able to add a big space for play which Mr. Kennedy would allow us to do it in the back of the building, but it would be away from the building where they have grass. But going this way is just about the same and we already have the space where they can go play, especially for the school agers. They have a lot more space to move around.

Mr. Rettke: So at 1357 you're housing infants?

Ms. Martinez: And school agers right now.

Mr. Rettke: And then at 1371 you have—

Ms. Martinez: Toddlers and preschoolers. With this addition we plan to have maybe an extra 14 pre-K and to start we just want to have 49 kids. Once we build up to 49 kids, then we would have a fire alarm so we can go up to 64 children but, right now, we don't need to do that. The majority would still be between the infants and the school agers and the 14 probably pre-K. It hasn't been a problem during the last three years.

Ms. Wallace: So you wouldn't be going out the front at all to take the kids from the new space to the play area? You would go out the back also?

Ms. Martinez: We would go through the rear because they get real busy in the afternoons in the front, so we'd rather go through the back.

Mr. Donovan: And you're doing that now?

Ms. Martinez: Right now they're not even going out because it's too late.

Mr. Donovan: Well, if they were capable of doing that, is that what you'd be doing now/

Ms. Martinez: Yes. During the day, if it's a nice day when the weather is nice, they go through the back and to the back of the other building, you know, 1371. Maybe it's a few more steps to 1371 to go across the parking lot to the other area if you wanted me to build a play area right now.

Mr. Rettke: I can't remember what we discussed when you moved in 1357 with the play area. I thought it originally called for it being back there.

Ms. Martinez: There wasn't an issue back there. Like I said, I only had toddlers and infants and then we switched them. But, like I said, the school agers don't spend the whole day in there and in the summer actually we go out to the park and we go places more than they go to the playground. It hasn't been an issue and we make sure that we take care of those kids.

Ms. Wallace: Would it be a possibility to have the younger kids that need more attention in the facility that's closer to the play area and then the farther away area have the older kids that maybe the school age that don't need as much attention or as many times across through the parking lot?

Ms. Martinez: Well, that's what we have right now. We have the school agers at 1357 and the additional space is because we're growing with the school agers. The other ones are the pre-K getting ready to go to kindergarten, so they're going to be school agers, but we're only going to take a small group. Instead of having 20, we just want 14 so we can concentrate on them. But we're going to have around 30 school agers and they're not around. And then the other ones will be like the infants who don't go outside. And we have that small area where we can put them in the bouncy chairs or something like that. They don't have to go up to the other area. We do have the preschools and pre-K in the other facility where they don't have to go across to go to the playground. The playground is right there. But we were trying to see if we could grow in numbers on the pre-K and the preschool to separate them because of their age differences and see if we can concentrate more on getting them ready for school.

Mr. Robbins: I'm curious about the nature of this trip to and from the play area. So right now they come out the back door, pass by a dumpster, they go past a storage shed, past what looks like a grease recycling – another dumpster, they pass by an outdoor patio for a bar and you're open until 7:00, correct?

Ms. Martinez: Yes, but they don't go at that time. We go – when the weather is fine, the kids go at 5:00. They get there at 3:00 in the afternoon. They get their snack and they are not allowed to go out until they finish their homework and we don't do that until 5:00. Now that it's dark, we don't even go outside cause it's too dark for them to be out.

Mr. Robbins: So they pass around the rear of the bar, the dumpster, then walk along the parking lot and they cross the access road and then they get into the play area that's located to the south.

Ms. Martinez: It's not really that you have a tremendous amount of traffic in there, a car here and there; later in the afternoon, possibly, but not at the time we do it. In the summer, we really go out. They're out all the time.

Ms. Robbins: I guess my primary concern is that somebody that's worked in bars for a very long time, sometimes the back of a bar can be just as bad as – or often worse than the inside area.

Ms. Martinez: Not at 5:00. You know, I had my reservations when I first moved into 1357, but, to be honest with you, we've never had any issues with them, especially that early in the afternoon. If we were to take them out at 6 or 7, yes, maybe they would have people-- In the summer, actually they have barbecues in the back and everything late in the evening. But in this three years that we've been there, we have had no incidents whatsoever from those people. They seem to behave.

Ms. Wallace: So just to clarify, the expansion is going to be for older kids and you're already doing that now next door and it's just adding more of that age of children, the older kids?

Ms. Martinez: Uh-huh. The additional number of kids that we probably would end up with is, like I said, the pre-K, which will be like the 4-5, the 14 kids that we want to add, but the majority will be school agers. Then the babies that we already have in there, which is only 12.

Ms. Wallace: And they don't go out. So essentially it's just adding a dozen more and doing the same thing that you're doing now.

Ms. Martinez: Yes. And we are going outside from the daycare, we want to offer the families in the evenings some classes for them to help them out, but that is completely different. I don't think that would cause a problem for you guys, but it's like a family center for the Hispanic families because they're having problems with some kids not speaking English enough, so we're trying to give them some of that assistance on Saturdays. We're also going to start doing those AARP approved the site for us, so we can offer tax services for them. But when it comes to the preschool and daycare, we just want more space for the

kids because we're kind of getting too crowded where we are and the school agers need more space and we want to have more space for them. That's why we're initially going to 49. We can have 30 where we are right now, so you can imagine, it's only 19 more kids that we're going to add for now.

Mr. Robbins: Is the property to the south currently at max capacity?

Ms. Martinez: No. We can continue to keep our pre-K in there. That's not an issue. I'm telling you we are – if that's an issue, we've been doing it for three years. We know how to take them out and move them from Point A to Point B and there's no issues there. There's two staff members going with those kids.

Mr. Enfinger: One of the things that – obviously we've been talking about the concern for the children as they walk across the back. When you're adding more children, you're adding more opportunity, more numbers and the potential for risk gets greater. But an additional concern and kind of a different aspect is one that the Board has recently been taking a little bit stricter of an interpretation of the rules and whether or not the daycares belong in a Community Commercial District since they don't fit within that environment. They don't fit within the character of the district. By that I mean it's represented by the inability of the building to suit the needs of the children, to suit the needs of the ingress and the egress. So as far as I'm concerned, when I vote this evening you'll know that it's because I don't see that this fits within the character of the district. Additionally, I feel that it has a negative impact on the area around it in the other businesses, because they're not the right – the businesses that are in that area are supposed to be retail and that's the area that it's designed for and in that situation. The businesses need an opportunity to be where they're supposed to be.

Ms. Martinez: Okay, with your respect, Mr. Enfinger, I started opening my daycare at 1314 Brice Road, retail. I moved to 1288 Brice Road, retail. And I moved to other site because the owner of that place was not fixing the leaks in that place, and I had no problems and that was a retail place. It wasn't fit for retail, but you still got other childcare centers in there. I moved to this location. I'm not doing anything extra. If anything, I already know all the rules that I need to follow to make it safe for our children and all I'm adding to that special addition is a door to connect two locations and they're going to have a way, two doors to egress, push bars, and there's no big issues. I'm not going to add more walls or anything like that. Like I said, it's just open space for the kids to have more space to work and to do what they need to do. I understand what your point of view is, but I think I've been doing that business for a while and everywhere I've been somebody else took over and they still have a daycare. All I'm asking is to add space.

Mr. Enfinger: I understand. And, again, as the Zoning Board, we have to take a bigger picture and we have to look at trying to maintain the integrity of that

area to ensure that all businesses that are in that area in that space can be used for those types of businesses and that the long-term economic viability is sustained.

Mr. Robbins: Just real quickly, and this is something that's come up I think over the past year and a half or year or two with this Board especially, there's a certain set of problems that you get when you use a building that was originally intended for a specific use such as retail. Retail's a really intensive land use, a lot of cars coming and going, and the buildings are designed in a very certain way. You know, people come in the front, you have good and services or goods and waste coming out the back. The Board has ruled pretty consistently over the past year that when you have a use such as a daycare in one of these areas, there's a lot of incompatibilities between those types of land uses and the building itself. Now if you take your property to the south, in my mind that's an exceptional place for a daycare. It's appropriate. It's a freestanding building. There's adequate access to a lot of green space. There's plenty of room to build on. I mean in my mind that's something I think that if came across the Board again to go in there, they'd be all for it. But I think the issues when you have a retail building and you start to put uses that are sensitive in terms of safety into places that weren't originally designed for that. I know the Board has said this before, it's a different Board back in 2012 when it was approved and this is a problem, I think, that's been coming up a lot more that we've seen over the past year or so. I just wanted to give you some background as to a lot of the comments you might hear.

Ms. Martinez: So, in essence, what you guys are saying is that you're not going to approve it because you think that it should stay retail and not be a daycare that has been there for three years and you don't feel that just adding an extra space is good for you.

Mr. Rettke: That could be the thought of some and that's something that we want you to carry on with you in the future. I've seen you a couple times when you moved. Like I said, this Board that's now here is putting more weight on that, not exceptionally just on the children's safety, but the economic survival of that strip mall. It's not – at least once every meeting we get a childcare wanting to go into another strip mall, to another strip mall. They keep saying, "Well, you've got one here. You've got one here." And not all strip malls are conducive to your situation. So keep that in mind if we go to grow again or change location. This Board is taking a different mindset that when you look at the qualifications – we were just potentially looking at, "Yeah, okay, it'll fit in that space" maybe in 2012. Now we sort of broadened that horizon and said, "Does it affect the other retail?" And that's part of the code we have to interpret. Everybody – Alatoby, he wants foot traffic. Does he want foot traffic during the day or does he want it toward the evening? Does Shooters want foot traffic during the day or towards the evening? Those type of businesses, they want something to draw – another business wants to feed off that other business, so

that's sort of the mindset that Mr. Enfinger was trying to convey. It's a little bit broader than what we originally did back in maybe 2010 or 2012. So, moving forward, I don't know what the other consensus of the Board members are, but I just want to leave you with that. In the future we might want to look for another option other than strip malls, cause a lot of them haven't happened. A lot of them we haven't been allowing.

Ms. Martinez: It's just kind of funny – it feels funny to me because I opened all the other ones and they're still existing. I had to pay to get this done. I had to pay to get the other one done and the first time I don't have to fix anything inside a building, I'm being told not to. The other two spaces where I used to be, they've still got daycares and your concerned about the retail, but you didn't concern yourself about that retail business and that place that I'm asking for has been empty for a year or more. When I moved into that building, that had been empty for I don't know how long, for a long time. It took them a long time to get the people like that.

Mr. Rettke: And that's the battle we have to live with. There's other storefronts, there's other areas within the city that could be more conducive to this.

Mr. Enfinger: What it boils down to is what is a permitted use by the zoning regulations and what is a Special Exception Use. And when it comes to those two things, we have to say, "Okay, these are permitted uses. This is the type of business that fits well within this district, and then there are Special Use Exceptions." So we have to take a very broad perspective when we look at those and say, "When this moves in, what impact is this going to have on the surrounding area?" because it's not a permitted use. It's not what's permitted by the code that just a regular business as it falls underneath the permitted uses, it doesn't have to come to see us, but the special use does. And one thing we have to be cautious of is if we allow all Special Use Permits, then it becomes the rule, it's not Special Exception anymore, and then the whole complexion of the entire district has changed and it's no longer going to be viable as it was originally designed and that's maybe a better explanation of what I was trying to say earlier.

Ms. Wallace: My thought on this is if you were coming to me originally to go in there, if you didn't already have an established business in that location, I would be against it. You have an up and running business, you have a system down that's working. There's not been any issues. For me, I would not be for putting a daycare center in there and would be against it if this was for the initial location. But for adding on to it and you have a system down, there's been no safety issues, and I think expanding is different than putting something new in there in my opinion. I'm not crazy about daycares in strip malls due to the traffic and things like that and getting to the play area, but you have an established business that's flourishing. You're servicing the Hispanic community which is a

great need right now and I think expanding is different than going in new, in my opinion.

Mr. Rettke: To follow up on that, just to let you know, Big Lots, two of those units, have been asked to be daycares. We've said no. Two of them we said no to, much for the same reasons here. Right across the street from you, they wanted to take two units, I think, and do the same thing. The biggest drawback on that one was the play area was going to be right beside where Kmart unloads their semis. So all these issues we have to address and look at, but we're not trying to set a precedent. As soon as the first one went in, like you pointed out, there's one here, there's one here and here—

Ms. Martinez: Well, I opened them, you know, and I moved.

Mr. Rettke: But just because you opened them, this is a Special Exception. It stays with you. This is the other dangerous thing. When you leave that, somebody says, "Oh, there's a daycare there."

Ms. Martinez: Well, no, because you guys can decide differently.

Mr. Rettke: We can decide differently, but we get the opposite, "Hey, this was just a daycare." And the same thing happened on a Livingston Avenue site. Wasn't that one of yours?

Ms. Martinez: No.

Mr. Rettke: The Livingston Avenue site sat as a daycare for 5-6 years and they came in and said, "Well, it was a daycare. Why can't it be a daycare now?" So these are the struggles we have with the strip mall philosophy.

Ms. Martinez: I understand but-- You have to excuse me, but I believe I've been in Reynoldsburg since 2003. I don't have any incidents with my children, no matter how they've been. We've been in different situations at the strip mall where there was a lot more traffic there than where I am right now, by Kmart. No incidents. If you were to say, "You know, you guys are careless and this and that," I take care of my kids.

Mr. Enfinger: We understand that and that absolutely is not what we're even saying. Your record has been spotless. As a Zoning Board, our concern is how the interplay between all the businesses are. That's our concern.

Ms. Martinez: And my secondary motive of adding the space was to add a center for the families so I can help them out. You see, it's not just a daycare center. I do it during the day, but I want to add a space for the kids to come and I can assist them with their homework, which the schools are needing around here, because a lot of the kids are ESL. The parents don't speak English, so

we're trying to offer that service to them. There's many things that we want to help the community, and not just the Spanish community. We have different kids and we help all our families. So we're trying to expand our services to assist the families that we service or anyone else in the community. That's why we need the extra space, cause where we are we're kind of limited.

Mr. Enfinger: And the thing is we absolutely need the type of services that you're providing in the city and you are a benefit to the city. I'm not trying to say at all that you're not. Again, it simply is a broader perspective and, you know, your business could flourish if it were in a stand alone building, if it were somewhere else. That's the only thing we have to be concerned with.

Ms. Martinez: I wish I would have found one, but I didn't. That's why I had to split in two, you know? And 1371 is not big enough. If I want to, I have to purchase that location, which we don't make a lot of money in daycare, regardless of what people may think, and we would have to build behind that building. That's something that we want to do in the future if God permits. But this was our only way of not only, like I said, the kids would have more space to move around and stuff and for us to work with the kids. We're going to have more space and we can have an area for the kids to study and stuff like that. It's not going to increase on the number that much of whatever we're doing. That's why I don't see why we can't do it.

Mr. Rettke: Well, I think we gave you some food for thought, too. So take that to heart.

Ms. Martinez: I just wish I could put them all together. Do you think I want them in two different places?

Mr. Rettke: No, but be extremely care when you start looking. Let's say this site doesn't pan out or the landlord falls through, it need improvement, and then you move to another strip mall. That's some of the scrutiny we're going to giving it. Any other questions, concerns, comments? (No response.) I'll move that we approve Item B2, Special Exception Use Permit for 1359 Brice Road, #167946.

Mr. Donovan: I'll second it.

(Ms. Moeller called the roll. Ms. Wallace voted "Considering it's an expansion of an already active and successful business, I'll vote yes." Mr. Donovan voted "No, by 1145.09(a)." Mr. Enfinger voted "No. The applicant does not meet the requirements stipulated in Section 1145.09 of Standards and Requirements for all Special Exceptions, specifically items (a), "The proposed use shall be in harmony with existing or intended character of the district and nearby affected districts and shall not change the essential character of the district; and (b) The

proposed use shall not adversely affect the use of adjacent properties.” Mr. Rettke voted “I’m only saying this because it’s an existing, but yes.”)

Mr. Rettke: But, like I said, I think we’ve given you a lot of food for thought on the strip mall and the concerns we have.

Ms. Martinez: Oh, I understand. Believe me, it’s not exactly what I would love to have, but that’s what I could find.

Mr. Robbins: Three votes are necessary through the Board of Zoning and Building Appeals to pass a motion and we’re at two right now, two yes votes and two no votes. So the motion did not pass. I do want to mention that any decision by the Zoning Board and Building Appeals can be appealed to Council and a written request has to be given to the Council Clerk, whose name is April Beggerow, within the next 30 days from the date of tonight’s meeting. So there is an appeal process that you are welcome to start if you’d like.

Ms. Martinez: Do I get paperwork?

Mr. Robbins: All you have to do is basically submit in writing to April, the Council Clerk, that you wish to appeal the Board’s decision from tonight’s meeting. We can give you a Record of Action after tonight’s meeting that will record what the voting was, some of the issues that the Board had, and the Application number.

Ms. Martinez: Is it going to be the same Board members deciding on that appeal?

Mr. Robbins: It’ll be City Council.

3. **MAJOR SITE PLAN REVIEW, 2290 AYERS DRIVE, REYNOLDSBURG, OHIO;** PRESENT ZONING, CC; PRESENTATION OWNER’S NAME, ETHAN ROBERTSON; REQUESTING A MAJOR SITE PLAN REVIEW FOR AN AUTOMOTIVE SALES FACILITY. CONTACT: ROBERT MILLER, JR. (#167957).

Ms. Moeller: This is for Application #167957 for a major site plan. This is for Robertson Truck Sales. The property is located on the south side of Ayers Drive north of I-70. Existing zoning on the property is CC, which is Community Commercial. The current use is automotive sales. It was just recently approved for a Special Exception for the automotive sales. The proposal is the applicant is just requesting an overall major site plan review for the automobile sales business.

Looking at the existing site and context, the properties to the west are zoned CC, Community Commercial and the properties to the east are zoned AR-

2, which is Multiple Family District. The lot is approximately – this might be a little off – but approximately 190,000 square feet roughly.

Mr. Miller: I think it's roughly 4-1/2 acres.

Ms. Moeller: Okay. The total lot consists of two parcels. So going to the staff review, just kind of going over the proposal, looking at just the primary building, the primary structure is proposed to measure approximately 108' in terms of width, 73' in terms of length, and 37' in terms of height and is proposed to be constructed in the same location as the previous building, and it roughly 64' from the southern property line. In terms of parking, the site plan proposes to include 12 parking spaces for employees, 22 spaces for customers and 3 handicap spaces up front, as well as 35 spaces for truck displays, 15 of those spaces being along the east and west property line, for a grand total of 35 parking spaces.

Looking at the landscaping and buffering, the application proposes to preserve 41 existing trees and plant 5 new trees. In addition, the proposal includes a fence along the south property line and a security fence along the west, north and east property line with gates at both of the entrances, which there are two. The applicant proposes to remove the curb cut behind the primary structure and extend the asphalt out to the southern property line. It looks like they're removing roughly 15,000 square feet of green space.

So there was a couple concerns we had with the landscaping and the buffering, especially with the expansion to the south. Section 1181.10 states that "All nonresidential districts along a freeway shall provide a landscape buffer zone of 15'." The proposed removal of green space to the southern property line would exceed that, obviously, by 15'. So that was one portion that we had a little bit of issues with.

Then kind of looking at the lighting. The proposed lighting includes 14 lights along the perimeter of the property and 24 dispersed throughout the parking lot. So looking at the recommendations, staff would recommend the application be tabled so the applicant could address the following concerns: modifying the proposed parking lot at the east side to maintain-- I'm not quite sure, this could be something that you could address. I couldn't really tell what the measurement was from the property line to the trucks to the east. It looked closer than 25', but you might be able to verify or not verify that. If it was it would be exceeding the setback buffer requirement of 25', so that was something I wanted to address for the applicant. That would be one of the reasons for tabling, to modify the proposed parking at the east side to maintain a 25' buffer. Then modify the proposed expansion of the paved area to the south to maintain a 15' landscape setback and buffer.

Mr. Rettke: Go ahead and state your name and address for the record, please.

Mr. Ethan Robertson: Ethan Robertson, 18 Old Farm Road, Granville, Ohio.

Mr. Robert Miller: Robert Miller, (inaudible address)

Mr. Rettke: So, really, staff just had two main problems. Paving pretty much to the rear of the property and the side setback there on the east side. Any idea-- The east side's the easiest. Are you going along the existing-- That's all existing, right?

Mr. Robertson: Yeah, eastside curb cut's already there from the previous—

Mr. Rettke: The drawing doesn't show, but it looks dangerously close to 25.

Mr. Robbins: Yeah, it does indicate a 15', I can't tell if that's an easement or not, I'm not really sure, but the dashed line on the east side of the property is measuring 15 and it looks like you might be within it, a shade away, let's say, from 25 from the property line. I think what this project has a lot going for it is there's a fair amount existing landscaping and plant material that separates this parking lot from the existing residential areas. I think, furthermore, since the lot is existing, that's something the Board should take into consideration.

Mr. Robertson: We're trying to maximize the existing RA landscape buffer that's there. There's an earthen mound structure. I'm not quite sure of the elevation. I would say it's approximately 4' or so from ground level up. The mound is already humped there with soil and the plants are actually planted on top of that in sporadic motion, I guess. As far as for screening, we do have several new trees to go on the east side and there's quite a few shrubs that are set in there. Lindsey Wright did the drawing on this, a landscape company out of Johnstown. I don't have the actual number of the trees, but I believe they have quite a few burning bushes and some leatherleaf viburnum. During the summer they stay very full and in the winter they're a nice hardy shrub, very twiggy. They'll be somewhat in between the trees that area already there on the east and the north. It's going to be almost like a hedge line that's going to be meandering through there. Those hedges grow anywhere. I know the viburnum's can get anywhere from 4-6' or so, depending on pruning they'll get larger than that. It'll offer roughly, I'd say, an 8' or so screen off just the viburnum plus the adjacent trees. There's quite a few pines. There's several river birches already in there, but quite a few pines will be the screening along the east side. We're trying to use that common curb that's already there, pre-existing.

Mr. Miller: That curb is about 25'. The closest point to the south, there it is about 25. There's a 15' setback there, so it measures about 26, 25 maybe at the southern corner.

Mr. Robbins: Yeah, there's an additional buffer area that's required against residential districts. That buffer district's actually 50', but it can be reduced by half as long as proper screening is provided. My guess is when this was originally developed that was accounted for, which is why we have the earthen mound and a lot of the plant material that's already there.

Mr. Rettke: Is that going to need a variance then?

Mr. Robbins: No, it doesn't. It's something that the Design Review Board can approve. It's basically – the Board of Zoning and Building Appeals takes that into consideration. You can reduce the required buffering by half and then it has to be approved by the Design Review Board. So, again, this is a pretty mature row of plant material and my guess is it's pretty much already doing the job that it's meant to do.

Mr. Rettke: That's what you had going for you. You're trying to save costs, you're using existing pavement, existing curb, existing landscaping as much as you can and then filling in from what I saw. So I wasn't too burned on the east side.

Mr. Robbins: The one thing I can request is if you guys are selling large box trucks, if you can park those anywhere besides that one parking strip against the east, just so the folks coming out of their garage don't see the large, broad side of a white truck.

Mr. Robertson: Yes, to the right those are apartments, Cherry Valley Way, and then the one to the north, I'm not quite sure of the name of that complex. Those are all garages facing the actual lot. It's not the front entrance of those.

Mr. Donovan: What kind of lighting are you going to have along that line there and what are the hours of its illumination?

Mr. Robertson: There's a lighting matrix on here that we had a company draw up for us. Robert's been in contact with them. David Kegelmeier was the engineer. The proposed lighting, I know we're adding mostly interior lights. There's already lights all along the perimeter of the property from the existing business that was there. They're down lights. They're not a flood style light that floods out. They're a down style light. I think Robert may have some of the drawings there.

Mr. Donovan: Are you changing any of that?

Mr. Robertson: We're changing the actual – it's a cone shade itself. On the last page, there's an actual description of it as well as the lighting footprint, so to speak.

Mr. Miller: The cone is more of a decorative, about 10-12' high and those were existing all around the perimeter and actually on the center. We're only proposing to change larger down lighting for the truck display in the center because the way the trucks are parked it's just not conducive with box trucks to get light from a security purpose. But that's more centrally located north of the building, away from property line.

Mr. Robertson: Yeah, the perimeter, those lights are – I don't want to say they're only decorative, but the actual light cast out of them is more of a down light style globe. They're not the big floodlights that you would see on a lot of the automotive dealerships.

Mr. Donovan: They don't bleed out into the surrounding areas?

Mr. Robertson: I believe there is an actual-- I'm not quite sure of the exact terminology of it.

Mr. Robbins: Photometric plan?

Mr. Robertson: Yes, that's right. The plan that he has drawn out, and I know that he took a lot of care as far as knowing where the actual lights were flooding on that. The center ones, I don't know if it's on the drawing or not, but we proposed those on an interesting plan where they're on a motion sensor where at night they go to more of a dim light, cause we close at 5-5:30 at night. There's no need to stay open late. We don't want the lights blasting. They actually will dim themselves down to a certain percentage of the overall light output. If somebody were to drive onto the lot for instance, or if somebody moved, they would raise themselves back up to a level that you predetermine on it and that's only for the lights in here, but I know they won't flood out into the residential areas.

Mr. Miller: Yeah, we're less than 1' candle on the perimeters based on their engineers.

Mr. Donovan: I just didn't want the people that had to live there get their suntans all night long.

Mr. Robertson: Right, I understand that. The perimeter's just, like I say, it's more of a downlight, more of a decorative style light. It will offer some light and security. The center ones, which are going to be more of the flood, that's for

safety when you're on the lot to display the trucks and stuff at night, people driving 60 mph—

Mr. Donovan: What about the freeway side? What are you going to do about that side?

Mr. Robertson: The freeway side, I think he does have a couple lights drawn.

Mr. Donovan: Is there signage out there for traffic to see?

Mr. Robertson: There is a proposed sign movement. The existing high rise structure is right next to where the power lines come together. Kessler Sign Company came out and reviewed this. They felt that for the sign we would like to put up it's too dangerous to get their crane trucks in there due to the overhead power lines. That sign was put in, we believe, before some of those major power lines were added to that structure where the pole is. It was quite a bit smaller sign that Cantina del Rio had up there. You can see it right south of your mouse. It's kind of tucked back in there and there's guide wires running all around that. We're roughly, I think, about 15' or so away from power lines and they didn't think that would be safe to get up there. We'd actually like to propose to move it to the east of the property about as far southeast as we could go. We know there's a setback off of that, but we'd like to get it farther away from those power lines to get it farther east for traffic visibility coming from both directions, because of the overpass you won't be able to see it. I think they do have a drawing on here. The name and the artwork isn't 100%, but it's a general – it gives you the actual description of the sign itself. The name is National Trucks & Equipment, National Work Trucks & Equipment, somewhere along that line. The eagle's going to change, but the basic drawing is there. There is also a couple more signage spots that we have. There's one sign that's on the entryway right there. I don't think they have it drawn. It's a lot smaller sign. It's just an existing sign base that's already there. We're just putting a new face on it, redoing the sign that's there.

Mr. Enfinger: As far as signs, we're not considering the signs with this site plan, right?

Mr. Robbins: There's a portion of our code that requires the Board of Zoning and Building Appeals to review a comprehensive sign plan for all properties abutting an interstate and this would be one of them. In my mind, why the code does that, I'm not quite sure, because that's more the purview of the Design Review Board. In my mind it depends a lot of how big of a sign you're looking to put up and it's a matter of if it is something that does kind of catch that portion of the code, you either come back to the Design Review Board or to this Board and my guess is they would likely approve it, but that's not something that can really hold up the rest of the project.

Mr. Robertson: Yeah, if we had it in the overall drawings, you'd get a general feel for everything; but, like I say, the artwork isn't 100% set in stone.

Mr. Rettke: Home Depot came to us, theirs blew down and they wanted a larger one. I know there's some funny issues. I don't know if you've been made aware of those with Reynoldsburg, but before you move forward with that, you probably need to scour that section of the code. It was really hard for Home Depot to get the sign they wanted in there and I think we ended up giving them a variance on it.

Mr. Robertson: I'll be in touch with Kessler Sign Company. I think they work with the City of Reynoldsburg on some signs.

Mr. Rettke: Like anything, there's a height and square footage, so definitely consult with whoever it would be.

Mr. Robbins: Yeah, the signage it's-- City staff does understand the need for signage along a freeway. I mean that's one key draws of having a piece of property like this on the freeway.

Mr. Robertson: That's one of the main reasons why we looked at this property, because it did have freeway visibility. Accessibility is not as great, but the visibility is what we were after since we're more of a destination, not like a car lot where you have a lot of people in every day.

In regards to the proposed asphalt going to the south of there, what our intent was was to the vehicles that we are selling a little bit closer to the freeway. Right now the landscaping in the front, the shrubs and quite a few trees, we'd like to kind of show off the trucks that we are selling; not to mention driving out of the doors, those overheads, trucks take a little bit of space to turn. So a lot of that would be actual just drive-thru turning area. Just along the front would be a small portion where we'd actually try to have some trucks parked. To the west of that where you can see where the parking lot isn't drawn in, that's the landscaping green space that we're keeping there, as far as not having it all asphalt, you know, making it all very stark; but also for the fact that there's quite a few wires and electrical poles that are running through that area, it's going to be too costly to try to have them move that, if they even would move them. So we're just proposing to add a little bit more square footage to the property just to get a few more trucks parked along the front of the road for sales purposes.

Mr. Robbins: There's one portion of code that staff is getting a little bit hung up on, it does require a 10' setback from all rights-of-way for parking lots. So that's in addition to any landscaping requirements or in between the two. In my mind it's more important to follow that part of it, just because, like I say I understand the need, this being close to a freeway, to take that into consideration. So if the 10' can be met, I think, in my mind, that's what's important. That's

what you see, really, on the west side of the property where the existing parking bay approaches the freeway.

Mr. Rettke: Is that 10' or 15' landscape?

Mr. Robbins: Well, two different.

Mr. Robertson: It's not actually a parking lot, per se, for pedestrian vehicles for a business. It's actually more of a display parking spot. I understand where you're coming from.

Mr. Rettke: So what do you want to tell him, 10 or 15?

Mr. Robbins: I'll leave that up to the Board.

Mr. Robertson: Five feet might not sound like a lot, but it is when it comes to the overall drive-thru-ability of the building with having some stuff parked out 5'. I don't know, if it's all the same to you guys, I'd just as soon have 10' as opposed to 15.

Mr. Donovan: It's like a showcase area rather a driving area.

Mr. Robertson: Yeah, the driving area would be just around where you have to pull out of the bays to get through, and this is not going to be a high traffic truck shop. Like I said earlier in our original meeting, it's not high volume. It's all internal use and those bays are there – to get a new dealer license, I have to have bays to pull vehicles in. We aren't a new dealer for vehicles, but we are for some Tagalong trailers, stuff like that. In order to get that through the State of Ohio, I have to have a place where I can to warranty work on them.

Mr. Donovan: Are you going to provide service there?

Mr. Robertson: There's no outside service. Say you broke down on the side of the road, I don't provide that type of service. The only service we do is for our own trucks, say batteries need to be changed or a tire needs to be done. The primary lot that we're going to be doing all the service work on is actually Mount Vernon. This is a satellite sales lot. With those bays though, like on a day like today when it's very cold, pull trucks in for customers to look at, more of a showroom, or have a tire guy come in and change tires for a customer on a sold truck, not an outside customer's truck. It's all internal use is what the building would be used for. There's a wash bay proposed on there and that's just basically for washing trucks that are on the lot. They'll be pre-washed before they come down, but being along the road you'll get dust and grime on them. There will be proper grease traps and everything in there for a wash bay. This isn't going to be a major degreasing bay, but I know it all has to be there for code, so we're going to make sure that's there.

Mr. Rettke: How's the overgrowth there along the limited access fence? Have you talked to ODOT? Are you going to get that – try to get that removed?

Mr. Robertson: I'm going to try to get a portion of it removed, yes. Actually the majority of the growth is actually on the property itself when you look at it. There is some overgrowth on it, but mostly it's on the west side. There's quite a buffer of trees there along – if you just go south of there towards the freeway. That's quite a bit of – looks like some scrub brush trees that have grown up, but the majority is on the actual property itself.

Mr. Rettke: Home Depot wasn't too successful in getting ODOT to help.

Mr. Robertson: I saw there were quite a few flags marking something along there, whatever was running, the last time I was down there. But, yeah, I know the overgrowth does hurt visibility. Luckily most of it is on that property though.

Mr. Donovan: It seems like it's grown up to those power lines, too. I wouldn't want that.

Mr. Robertson: Yeah, especially on the inside of the property, quite a few of them are grown right around those power lines. We have a company, Law Excavating, that's going to come in and clear out a lot of the overgrowth and trees to clean up the lot.

Mr. Donovan: It'll help your visibility a lot.

Mr. Robertson: Yes, correct, and that's what we're after. We're after the visibility off of 70. That's one of the main goal to come to this property.

Mr. Rettke: The fence around the facility causes no heartburn?

Mr. Robbins: Well, that's something I think we need to discuss a little bit as well. I'm not especially keen on having a chain link fence, especially along Ayers Drive. I don't think it hurts too much in between the property and the property to the west. To the east I feel like there's probably going to be enough landscaping material that the impact of that fence is going to be pretty minimal to those folks that live back there and they probably wouldn't mind a fence back there anyway; but I think along the front is where most of my heartburn occurs.

Mr. Robertson: That's a question I thought you might ask and it's one that we thought of as well. I understand what it's like when you have a facility and you see chain link fence. That's one of those-- It's not very pretty to look at. Luckily with that earthen mound structure that is already there, that is several feet above. The fence proposed is 6' and with the landscape screening that you can

see on the landscaping page, that is an actual hedge they have running all the way across along the top of that. I think those are viburnum and some-- Let's see what bushes are there. They have a Leatherleaf Viburnum that's running all along that top perimeter. That is going to act as some of a screen. As far as the overall height planted and where we plant it, it's probably going to be around 30" taller, but they will grow up to that 4-6'. That'll be a hedge all along there.

The reason for the fence is – several reasons, but, one, it's to, obviously, keep people off the property. It's for more of a liability standpoint since there are trucks out there. People can climb on them and get hurt. Trucks are – people want to climb on them. Little kids like to get on them and grab ahold of the handles and move around on them. We're trying to limit access onto that property using it for cut thrus or anything else but, two, for the safety, but also to protect the property that's there. If somebody wants in, they're obviously going to get in. You know, if somebody wants to get on that property, they're going to. This is just trying to keep the children that are walking by, or the casual person that wants to walk through the lot just to try to keep them off. We are trying to screen it, though, as best as we can. The spots where there won't be screening will be the two access points. Those will be an actual gate that will close at night and during the day they will be open, just trying to keep people that shouldn't be on the property off of it.

Mr. Robbins: From a code standpoint, we do have a 40' setback from the front and that applies to fences as well. So the way it's drawn right now, it's not something that I don't think the Board can really permit without a variance. But there's kind of a spot already where you have the landscaping islands that I don't think is necessarily the worst spot for a fence and would meet the 40' setback requirement. It would place the fence a fair amount back from the roadway so it's not something that would be directly up on a residential or a street such as Ayers, and maybe that's something to consider. You could still limit access in and out. You could put the fence – it basically separates from the drive aisle along Ayers and pulls it back a little bit. So you do have that ability to—

Mr. Rettke: So where are you talking, Justin? Through the front of all the islands?

Mr. Robertson: It does take up quite a few spaces, I guess, as far as on driving. I understand what you're saying. I was trying to keep it on the 6' fence to keep it lower with-- The mound's probably about that high, so we're only talking 3'. I think honestly, and we have in drawn in, I think it will be a screened fence. You won't see it from the front. If you'd be more interested in having like a slatted style fence where you don't see through it like the green slats through it for an actual break itself, I would be interested in doing that; but I honestly think that the hedge that we're going to be putting through there-- He has it more of a straight line, but it's going to be more of a meandering, nice line. I think when it's planted, I don't think you'll even see the fence.

Mr. Rettke: I wouldn't be interested in the green slats.

Mr. Robertson: I honestly don't think you'll see them. They actually proposed that on the east side, but I think – I don't think it'll be an issue. We're trying to keep the fence behind all the landscaping. People don't need to look at a fence, I understand that. We're just trying to keep it for the security of the lot, but we do want to landscape along the front to try to hide it. We want to try to make the lot look nice, obviously, for everyone in the neighborhood, not to mention customers coming in. You don't want to see a big ratty chain fence. This will be a new fence obviously.

Mr. Robbins: I think for the purpose of tonight's meeting and what the Board has the ability to grant right now, the fence that's closer than the 40' setback is not something that they can approve without a variance. So if it's the applicant's wish, you could remove the front fence from this particular application and either find a way to set it back the same distance as those parking blocks that you see, or apply for a variance and come back through the Board to get that.

Mr. Robertson: I guess as far as that's concerned, we'll remove it then for today's meeting and try to move forward, and then we'll come back for a rediscussion of it.

Mr. Robbins: I think that everything you said in terms of the mounding and the landscaping that you're going to have in between the fence and the street, I mean that's all going to be taken into consideration by the Board.

Mr. Miller: Would it help if we make a detailed – go out and take some field measurements if we would decide to go for the variance?

Mr. Robbins: The more details you have the better.

Mr. Rettke: I'm not super opposed to it being that close. I don't know, moving it back to those islands like he's talking about, you lose a lot. You're looking – basically you'd lose your parking cause you've got the 40' line drawn in.

Mr. Robbins: You can put your unexciting trucks up front for the kids to play on.

Mr. Robertson: Also one of the concerns is that people in the neighborhood are accustomed to parking on the lot, especially where the barriers are they can't get any farther on, but there's a semi that parks there, I believe – maybe not every night, but quite a few nights a week; not to mention there's several cars that I've seen parked there in the past. I think that it might permit, if we do have to have a fence farther back, people actually driving through parking and they're using it not so much as a turnaround, but as a parking spot for, you

know, “We’re going to our friend’s house and we’re going to park on that lot because we can’t park on the street” type of deal.

Mr. Robbins: I think it makes a fair amount of sense. It’s just a matter of going through the variance process.

Mr. Robertson: I understand.

Mr. Rettke: I mean if you decide to keep it at 40 that would probably be ideal for everybody. I’m not getting that big of a heartburn over it, honestly.

Mr. Donovan: My concern is just the fact that people driving through the neighborhood or whatever see the big chain link fence and say, “What’s that over there?”

Mr. Robertson: Right. And it’s only a 6’ proposed. Six foot’s right here, so it’s not a very tall fence. We have it set back to the lowest point of that on the drawing. I know it’s hard to see on here, but it is actually set back quite a bit and it’s just – it’s for the insurance purposes, but it’s also just to keep people off the property. I understand the visual impact of it.

Mr. Rettke: I love the screening.

Mr. Enfinger: I’ve got no problem with the screening.

Ms. Wallace: With the screening I don’t think it’s going to be an issue.

Mr. Rettke: Yeah, with the screening I don’t think you’ll notice it too much.

Mr. Enfinger: Can you do the street view on it?

Mr. Rettke: Yeah, there is a little rise, isn’t there?

Mr. Robertson: And that fence would be on the back side. Picture roughly where the curve is on this side, it would be on the other side there. So you’re already gaining roughly – I don’t have an elevation, but I’d say it’s probably 3’ or so of non-visibility, because it’s already below it. And then you’ll have the hedge all the way across the front, which should be hiding it completely. I don’t even know if it would be a visible sight to see it until somebody were to walk on it or actually walk past it.

Mr. Donovan: What are you guys going to do with all those lovely weeds?

Mr. Robertson: We're going to be spraying them with 24D or some sort of chemical to kill the broadleaf weeds and probably go in with an overseeder and reseed.

Mr. Donovan: How does that truck get in there with that barrier in the way?

Mr. Robertson: On the other side. He actually backs in. It's just a – it's a tandem axle sleeper truck. He's just bobtailing in. He doesn't have a trailer on it. He parks down on the other end, which we can't see right now, but he just backs in.

Mr. Rettke: So I think the lighting's really sufficient. I don't see a lot of overspray on – mainly the residential is all I'm concerned with. The other side looks just as great. The fencing we've addressed, so you know what to do to move forward with that. As far as the back, we're stuck between the 15 and the 10. I've read it over and over again and I don't know which way to go on that. One code says 15' of buffer, landscape zone buffer; but then the other one states that no part of any parking lot shall be closer than 5' to a public right-of-way.

Ms. Wallace: I wouldn't consider that a public driveway. It's behind the building.

Mr. Rettke: Well, the public right-of-way would be I-70 in this case.

Mr. Robbins: There's other things to consider. We have, in between this lot and I-70, a fair amount of space. I think keep that in mind.

Mr. Rettke: Would that require a variance though or is that just approval on the site plan?

Mr. Robbins: So at 15' we'd be-- At 10' we would be basically matching what's already there on the west side in terms of how close the parking is to the right-of-way. There's not a solid dimension on that, but I want to say it might look like a strong 10. That might be 15.

Ms. Moeller: You were talking about how you needed the extra space for turning – the trucks turning and turning into the building. How much space do you actually need? Do you need that entire space or could you bring it in and comfortably be able to move those trucks in?

Mr. Robertson: Well, if we have trucks parked along here, I know they're not going to be able to be parked vertically in there along 70. You need roughly, for a box truck the longest legal length you're allowed to run on the road is 40' long, overall length bumper-to-bumper. So you need to be able to get outside of the building at least that far in order to turn, because you have to swing radius on

it, so 40' out roughly. Do you know what the overall dimension is from the building to what we have proposed?

Mr. Rettke: I want to say somebody said 64.

(Conversation off microphone.)

Mr. Robertson: Not all trucks are that long, but a lot of box trucks, if there's a 28' box on them and the cab's roughly 10-11', so you do get that 38-40' for the box trucks we do sell.

Mr. Enfinger: Are there any concerns about placing merchandise too close to-- What's the setback for placing merchandise on a lot?

Ms. Moeller: Outdoor display, it sort of was addressed at the last meeting when they came through for Special Exception. We're kind of under the assumption that they're going to have outdoor display because it is sort of an auto display and distribute type of business, so that's something that we did think about, but it's not really something that we have to worry about anymore. That kind of was approved.

Mr. Rettke: Okay, so back to the 15 or the 10. He's probably at—

Mr. Miller: Approximately 24' right now right at the corner of the building, so it's about 40 from there to there.

Mr. Robertson: So Robert's saying it's roughly 40' from the edge of the building to where that 90 – well, it's not 90, but where that degree angle is cut that runs down, so the extra space we're asking for is about 40'.

(Conversations off microphone.)

Mr. Rettke: So you'd be 4 off the property line roughly. So you'd have to shave it to 6 or 11'.

Mr. Robertson: If we had that 10 it would give us -- instead of the 15, it would give us that 5' we need on a sideways – parking a truck sideways, cause you're roughly 102" wide would be the widest you're allowed to run, so you're roughly 8-1/2' or so.

Mr. Rettke: Yeah, don't park on the grass.

Mr. Robertson: Yeah, I understand that. The State of Ohio does not like that.

Mr. Robbins: I think, reading over this four times just now, it seems pretty clear that that 15' is something that's explicitly outlined in the code and I think that would be the one that the Board should go with.

Mr. Rettke: So that would be shaving 11 off that back. So that almost takes your parking away.

Mr. Robertson: According to the rule, yes. If it's something to go for a variance possibly later on, that would be great. What I'm trying to do is we tried to have very complete plans for this Board to try to get through to the next step. It's a big process. But if it's something that can be talked about later, if it's something that won't be up for discussion, then I understand that. We'll move forward.

Mr. Rettke: No, I understand your need and I like the way you're trying to utilize the existing site. I hate to be a hard nose on that, but that is the code. Staff had no concern of the structure?

Mr. Robbins: The building does still need and the site still needs to go through Design Review, so there is the review process for another Board that will be involved. As far as the building lays on the site, I mean it basically duplicates the existing footprint. It seems to work pretty well with what you're intending to do, so there's no issue with how the building is laid on the site or how it functions.

Mr. Rettke: Do you think you'll be using those back doors as much as the front doors?

Mr. Robertson: Well, on the drive-thru part of it, when you pull a truck in, sometimes you can get two in or the backing – it's a lot easier to drive forward than it is to back. It's a lot safer that way. We do utilize drive-thrus quite a bit at our current facility, although there are occasions on certain spots where you cannot drive through all the way. It is nice to be able to drive through them though for safety and for ease of maneuvering trucks sometimes through the shop itself.

Mr. Robbins: And how wide are the trucks approximately?

Mr. Robertson: Eight and a half feet is your maximum legal width.

Mr. Robbins: Okay, so you're at 45 minus 8-1/2, so you're at 37.

Mr. Robertson: Right. I mean is it doable? Yes. If it's a 5' rule. I'd like 10, but if it's 15, that's the rule, I understand it. We can stick with that. I understand it.

Mr. Robbins: Maybe it's just a matter of how these come in and go out. I mean if you're pulling in through the front, you can easily pull them out the back and that would seem to—

Mr. Robertson: Right. Yeah, if it's 15' I understand. I understand that it's the rule.

Mr. Robbins: I think it would just make this meeting a little bit easier for the Board to vote on.

Mr. Robertson: I'm good with that. We'll do that. We drew it to the maximum, but I understand.

Mr. Rettke: So, tallying it up, the east side wasn't a problem; we need to remove the fence off the front; and if he wants to enclose the property, he'll have to come back for a variance. Even if he encloses that 40', he'd still have to come back, right?

Mr. Robbins: They would have to go through Design Review, which you can do in one meeting. So if you do choose to move that fence to respect the front setback, you wouldn't have to go through the Board of Zoning and Building Appeals again for the variance.

Mr. Rettke: Technically you're not losing a whole lot, but you would have to remove some curb and pavement. If you notice where your 40' line runs through, I don't know that you're losing an extreme amount and you could still keep moving forward. That would be your call. So remove the front fence to meet the 40' setback requirement.

Mr. Robertson: I have a question. On the fence, I understand to move forward that this will remove that and then we'll go for a variance later on that. As far as on construction, if – when we do get that approved and we do, I'd like to put a fence in obviously for construction site to keep people off of that. There's no problem putting a fence up as a temporary fence in the meantime?

Mr. Robbins: Yeah, we have a temporary special land use permit which is kind of a catchall that we use for that type of thing.

Mr. Rettke: That's administrative?

Mr. Robbins: That's correct.

Mr. Robertson: Yeah, I just wanted to make sure we could do the permanent one here while we're going for the variance, if we could still have one for—

Mr. Robbins: As long as it doesn't become permanent, that's fine.

Mr. Rettke: And the rear setback to be redesigned to 15'. Signage was not included, so that's not part of it. However the sign is within the – the proposed sign location is probably inside that 25' setback, so do we need to address that at this time? It's just inside the fence, but between the curb – we figured the curb is right at 25, so it would be encroaching at that.

Mr. Robertson: Yeah, he had it down all the way in the corner. I know there's probably a setback on that.

Mr. Rettke: Yeah, that's the other issue.

Mr. Robertson: I don't have a major issue with the movement along there. Obviously farther to the southeast is beneficial just to get that extra spot. If I can do it within that 15', that would be great, but I know you guys have certain rules.

Mr. Rettke: I don't remember what we struggled with on that. I know the height was a major concern. But I think they went radical and didn't know what the code was and I think we kind of had to keep chiseling it to get it down.

Mr. Robertson: Okay. I'll have Kessler's – they're the ones who drew this up. I'll have them look into the zoning issues.

Mr. Rettke: From what we were told it seemed kind of different for us. That's the only reason why I mentioned it.

Mr. Robertson: Okay, I appreciate. We'll look into that because I'm not 100% sure either.

Mr. Rettke: We had a lot of scratching heads on that one. It seemed really weird the way it was written.

Mr. Robbins: The comprehensive sign plan? Yeah, typically municipalities comprehensive sign plan is so – businesses abutting freeways and those that have larger square footage than allowable signage, they can do so in a comprehensive manner and the Board's basically allowed to make exceptions. I shouldn't say exceptions, but considerations based on that. I think that's probably the best way to go about it is the comprehensive sign plan and the Board will be able to make recommendations of the location, the size and the height of the signage during that process.

Mr. Robertson: Which board is that?

Mr. Robbins: The same board.

Mr. Rettke: So remove the main sign location?

Mr. Robbins: I think that would be appropriate. We'll remove the sign from the application and then you'll come back through for the comprehensive sign plan.

Mr. Robertson: Yeah, I don't have any problem with that.

Mr. Rettke: Any other items to consider discussion?

Mr. Robertson: Do we have to make an addendum to this or it's already noted from the meeting tonight?

Mr. Rettke: When we make the motion, we'll include those three items if you consent to them, that way we can move along and we don't have to table it and see a revised site plan. Is everybody comfortable with that then? Any other questions? (No response.) Okay, I'll move that we approve item B3, Major Site Plan Review for 2290 Ayers Drive, Item #167957, with the following conditions: We're going to remove the front fencing to meet the 40' setback requirement. The rear is to be redesigned to meet the 15' setback requirement and we're going to remove the main sign location from the plan and that will be followed up with later.

Mr. Enfinger: I second.

(Ms. Moeller called the roll. Ms. Wallace voted "yes." Mr. Donovan voted "yes." Mr. Enfinger voted "yes." Mr. Rettke voted "yes.")

Mr. Robbins: Just so you're aware, anything that gets built has to have a building permit and I would strongly advise you to contact the Reynoldsburg Building Department sooner rather than later and they'll help you through all the permits that are necessary. Additionally, I would encourage you to contact the Reynoldsburg Engineering Department just to verify that everything you guys are going to do is requiring or not requiring permits through them as well. I can tell you right off the bat that this will require a building permit.

Mr. Donovan: How many folks are you planning on employing over there?

Mr. Robertson: Roughly initially we're looking at 2-3 sales staff and then probably 2-3 office. Then in the shop I would guess 1-2 and that would be probably on more of a part-time basis since most of the trucks will be being prepped in our Mt. Vernon location and be coming down here just for sales, but who knows. It could be more than that, but I have several salesmen that are already interested. They're asking when it's going to be up and running.

C. OTHER BUSINESS

Mr. Rettke: Is there any Other Business to come before the Board?

Mr. Robbins: There is actually. There's a couple things I wanted to say. The City has hired a permanent Planning and Zoning Administrator and he's the gentleman sitting in the back behind Dan Havener. His name is Eric Snowden. Do you want to come up and say hi to the Board, Eric?

Mr. Rettke: Come on up, Eric.

Mr. Snowden: No, I did not work for OHM Advisors. I was an intern here four years ago with Mr. Hansen when he was Planning Administrator. So my first day was Monday and I've met some of you and will meet others and I'm looking forward to working with you.

Mr. Robbins: So over the next coming months our role is going to start being phased out and Mr. Snowden will take over the duties and responsibilities of staff, especially as it pertains to representation at the Boards. I hope I'm here next month but, if not, it's been a pleasure.

Mr. Snowden: Let me interject. Mr. Robbins will be here next month, but I know you've been in good hands because Mr. Robbins and I both attended graduate school together at Ohio State, so I know he's an experienced planner. But, yes, he will be here no doubt, but thank you to OHM and all that they've done. One other thing I wanted to say is I found out something this week that's relevant to all of our planning and zoning boards and that is that Marlene Wirth on the Planning Commission passed away last week. So just thinking of her and her family at a difficult time. But thank you all for your service and she put in many years.

Mr. Donovan: Yeah, she was on the Franklin County Board of Elections.

Mr. Snowden: Correct.

Male: I just heard today, too, that Mr. McGrath passed away. I didn't realize that.

Mr. Robbins: I would strong recommend that the new Planning & Zoning Administrator starts to consider replenishing-- First of all, I'm very sorry to hear about Mr. McGrath. I know he served on the Board for a very long time, so did Miss Wirth. I think that depletes the Board down to less than a quorum, because the last serving member is Mr. Skinner who was elected to Council. I'm not sure there's any conflict of interest there, but my guess is he probably doesn't serve on the Planning Commission anymore.

Mr. Rettke: Who's your other guest? Come on up.

Female: No, I'm not coming up. I work in the Building Department and I'm just here to observe how it all works.

Mr. Rettke: How long have you been with Reynoldsburg?

Female: Since 2001.

Mr. Rettke: So when he can't make it, you're going to be up here then?

Female: (Inaudible response.)

Mr. Robbins: I'm very impressed that you refrained from booing or any other such-- It's a compliment, slightly backhanded, but—

Mr. Rettke: One other issue. Do we have to vote for chairs? When's that? I thought it was usually this meeting.

Mr. Robbins: I think you're right.

Mr. Enfinger: I nominate Tony as Chair.

Ms. Wallace: I'll second that.

Mr. Robbins: Do you accept your nominate, Mr. Rettke?

Mr. Rettke: I guess. Mr. Stoffel's not here, so we have to have a Vice Chair. I do know myself all season there's probably two times I'll miss. I know in July I'll miss because I'm in Florida.

Ms. Wallace: I'll nominate Aaron Enfinger.

Mr. Rettke: Second.

Mr. Robbins: I think just for the sake of formality, we'll go ahead and vote on this.

(Ms. Moeller called the roll to elect Mr. Anthony Rettke for Chair of the Board. Ms. Wallace voted "yes." Mr. Donovan voted "yes." Mr. Rettke abstained. Mr. Enfinger voted "yes.")

(Ms. Moeller called the roll to elect Mr. Aaron Enfinger as Vice Chair of the Board. Ms. Wallace voted "yes." Mr. Donovan voted "yes." Mr. Rettke voted "yes." Mr. Enfinger abstained.)

D. ADJOURNMENT

Mr. Rettke: Having no other New Business, Other Business or Unfinished Business, we'll adjourn this meeting at 8:10 p.m.

Anthony Rettke, Chair

Megan Moeller, Planning

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