

## Board of Zoning Appeals

Application #'s VA-18-17, CU-18-23, VA-18-24, VA-18-25, CU-18-26

November 15, 2018

### LEGAL NOTICE

Notice is hereby given that the Orange Township Board of Zoning Appeals will hold a public hearing on Thursday, November 15, 2018, beginning at 7:00 p.m. to consider the following application/s:

**Variance Application #VA-18-17, George's Run III LLC**, Requesting a Variance from Section 22.03(c)(1) of the Orange Township Zoning Resolution to allow the placement of two (2) wall signs that will exceed the maximum height requirement in an area zoned Planned Commercial and Office (PC) District. The subject property is located at 6321-6289 Pullman Drive, Lewis Center OH 43035, and having permanent parcel number 318-220-01-058-023.

**Conditional Use Application #CU-18-23, Lifepoint Church**, Requesting a Conditional Use from Section 7.04(c) of the Orange Township Zoning Resolution to allow the construction of a church or other place of worship provided they occupy a lot of not less than five (5) acres plus one acre for each one hundred (100) permanent seats over three hundred (300) in the main assembly area in an area zoned Farm Residential (FR-1) District. The subject property is located on Columbus Pike, and having permanent parcel number #318-230-01-008-003.

**Variance Application #VA-18-24, Buckeye Investment NWO LLC**, Requesting a Variance from Section 14.06(b (3)) of the Olentangy Crossings South Rezoning Case #18517 to allow the construction of a new building that will fail to have the front elevation facing US 23 in an area zoned Planned Commercial & Office (PCD) District. The subject property is located at 45 Coal Bend Road, Lewis Center OH 43035 and having permanent parcel number #318-220-02-017-002.

**Variance Application #VA-18-25, Buckeye Investment NWO LLC**, Requesting a Variance from Section 14.07 (n) of the Olentangy Crossings South Rezoning Case 18517, and Sections 22.03 (c (1) and (4)), 22.06 (c (3) and (4)), (d), (e) and (j) of the Orange Township Zoning Resolution to allow non-conforming signage that will fail to meet the sign standards in an area zoned Planned Commercial and Office (PC) District. The subject property is located at 45 Coal Bend Road, Lewis Center OH 43035 and having permanent parcel number #318-220-02-017-002.

**Conditional Use Application #CU-18-26, Buckeye Investment NWO LLC**, Requesting a Conditional Use from Section 22.04(a) of the Orange Township Zoning Resolution to allow the construction of a monument style free standing sign in an area zoned Planned Commercial & Office (PC) District. The subject property is located at 45 Coal Bend Road, Lewis Center OH 43035 and having permanent parcel number #318-220-02-017-002.

The hearing will be held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio, 43035.

The applications and plans are available for inspection for a period of at least 10 days prior to the hearing at the Orange Township Zoning Office, 1680 East Orange Road, Lewis Center, Ohio, 43035. Zoning Office hours are Monday through Friday, 8 a.m. to 4:30 p.m. except legal holidays.

Following this hearing the Board may have a meeting for general purposes to consider such business as may properly come before it including, but not limited to, consideration and/or approval of minutes, scheduling future hearing dates for this or other applications and like matters.

## Board of Zoning Appeals

51 The person responsible for the publication of this notice is Jeff Beard, Orange Township Zoning  
52 Department.

53  
54 *Bruce Ward, Chairman*  
55 *Jeff Beard, Orange Township Zoning Department*  
56

57 *Please publish one time on or before November 5, 2018 in The Delaware Gazette*  
58

59 Mr. Ward called the hearing to order at 7:00 p.m.  
60

61 Roll: Bruce Ward, Rick Oster, Punitha Sundar, Jerry Miller, Kelvin Trefz  
62

63 Township Officials also present: Michael McCarthy, Township Counsel  
64 Michele Boni, Planning and Zoning Director  
65 Jeff Beard, Zoning Enforcement Officer  
66

67 **Variance Application #VA-18-17, George's Run III LLC**, Requesting a Variance from Section  
68 22.03(c)(1) of the Orange Township Zoning Resolution to allow the placement of two (2) wall signs  
69 that will exceed the maximum height requirement in an area zoned Planned Commercial and Office  
70 (PC) District. The subject property is located at 6321-6289 Pullman Drive, Lewis Center OH 43035,  
71 and having permanent parcel number 318-220-01-058-023.  
72

### **MOTION TO COME BACK FROM RECESS FOR APPLICATION #VA-18-17**

73  
74

75 Mr. Ward made a motion to comeback from recess for Variance Application #VA-18-17, George's Run  
76 III LLC, from the table; seconded by Mr. Miller.  
77

78 Vote on Motion: Mr. Ward-yes, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes  
79

80 Mr. Ward: As I understand it, we have correspondence from the applicant.  
81

82 Ms. Boni: Yes, Jeff received an email requesting withdrawal of the application.  
83

### **MOTION TO APPROVE WITHDRAWAL OF APPLICATION #VA-18-17**

84  
85

86 Mr. Ward made a motion to approve withdrawal of Application #VA-18-17, George's Run III LLC;  
87 seconded by Mr. Oster.  
88

89 Vote on Motion: Mr. Ward-yes, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes  
90 Motion carried  
91

92 Hearing continued with Conditional Use Application #CU-18-23  
93

94 Minutes prepared by Cindy Davis, Zoning Secretary  
95

96 On January 17, 2019, Mr. Oster made a motion to approve the meeting minutes of the Orange Township  
97 Board of Zoning Appeals for Variance Application #VA-18-17, George's Run III LLC, dated November  
98 17, 2018 as written; seconded by Mr. Trefz  
99

100 Vote on motion: Ms. Jordan-abstain, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes  
101 Motion carried.

## Board of Zoning Appeals

1 Application #CU-18-23

November 15, 2018

2  
3  
4 **Conditional Use Application #CU-18-23, Lifepoint Church.** Requesting a Conditional Use from  
5 Section 7.04(c) of the Orange Township Zoning Resolution to allow the construction of a church or  
6 other place of worship provided they occupy a lot of not less than five (5) acres plus one acre for each  
7 one hundred  
8 (100) permanent seats over three hundred (300) in the main assembly area in an area zoned Farm  
9 Residential (FR-1) District. The subject property is located on Columbus Pike, and having  
10 permanent parcel number #318-230-01-008-003.

11  
12 Mr. Beard presented the Staff Report and presentation. Site is on the east side of Columbus Pike owned  
13 by Lifepoint Church. Applicant is proposing to construct a 75,000 square foot building consisting of a  
14 welcome atrium and approximately 1500 seat auditorium, administrative area as well as a wing with  
15 classrooms. To the north, south and west of the site is Planned Commercial, east is Farm Residential.  
16 We received some comments from the Fire Department that were given to the Board this evening. At  
17 least 2 of the 3 entrances have turning radii that are good for fire trucks to gain access; the third one they  
18 have to look at more closely. They believe the drive aisles meet their standards from just looking at the  
19 pdf they had but they do not have full scale plans yet, so they're not sure but there may have to be some  
20 minor adjustments made.

21  
22 Mr. Ward: Nothing to compromise the progress of the application?

23  
24 Mr. Beard: No.

25  
26 Mr. Miller: Was there a concern about the third entrance?

27  
28 Ms. Boni: They have been working with the County Engineer and the applicant can speak on that but I  
29 don't think it's a problem at this time.

30  
31 A court reporter with Runfola Reporters administered the oath to those wishing to speak on this particular  
32 application.

### 33 **APPLICANT PRESENTATION & BOARD QUESTIONS/COMMENTS**

34  
35  
36 Austin Poe with MA Architects, Project Manager for the church, also a member of Lifepoint, 8090  
37 Olentangy River Road, I think we're adhering to everything set forth in the guidelines, and I don't have  
38 anything else to touch on.

39  
40 Mr. Ward: Have you had any conversations with the County Engineer about connectivity within your  
41 area?

42  
43 Mr. Poe: Yes, but I'll defer that to our engineer.

44  
45 Kyle Weber, The Kleingers Group, engineer for the project, 350 Worthington Road, Westerville, we have  
46 had conversations with the County Engineer on all 3 entrances. We're working now on the most southern  
47 entrance from the east on Graphics Way, and we've just been going back and forth with them to meet  
48 radii and other turning requirements onto the site to meet their standards.

49  
50 Mr. Ward: 1500 seats plus an additional 300 so on could create quite a traffic pattern there.

51

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52 Mr. Weber: We're doing an access study for the County.

53

54 Mr. McCarthy: Has there been any discussion about completing Graphics Way?

55

56 Mr. Weber: Right now we're just proposing a stub because we don't even have access to the site. Future  
57 completion will be worked out with the County.

58

59 Mr. Poe: We're working with the County and the potential of being a part of getting that completed, but  
60 now the proposed is the two steps until everything else gets worked out.

61

62 Mr. McCarthy: Have you done a study or have any information relative to 1500 people coming to church  
63 at the same time and leaving, working off the two stubs?

64

65 Mr. Poe: Our current location is about 600 yards away and currently we have no issues as far as getting  
66 people in and out of the services. There are volunteers who help direct traffic and we're working on a  
67 traffic memo to analyze the traffic.

68

69 Mr. Miller: You have a 1500 seat auditorium; do you anticipate that 2 or 3 services?

70

71 Mr. Poe: We currently have 2 services.

72

73 Mr. Miller: So there'd be 1500 in the first service and then out as the other ones come in?

74

75 Mr. Poe: Correct.

76

77 Mr. Miller: How much time is there between the services?

78

79 Mr. Poe: Currently 30 minutes.

80

81 Mr. Miller: Is that going to be sufficient time for them to exit while the new ones are coming in?

82

83 Mr. Poe: I'll defer that to Jeff Huff with the church.

84

85 Jeffrey Huff, Administrative Pastor, Lifepoint Church, 5200 Garmel Court, Columbus 43221, we have 2  
86 services and 30 minutes between services currently. Average attendance at our campus on Graphics Way  
87 is 3,000 per Sunday, 1500 per service, that's men, women and children. We're parking overflow in  
88 SuperKicks and Lazer Craze and have 200 spaces around the building we lease. With the help of Sheriff's  
89 Deputies at intersections, we're able to get vehicles in and out adequately between both services.

90

91 Mr. Poe: Speaking as a member, it's a well oiled machine with all the volunteers,; they assist with getting  
92 you in and out of the parking lot.

93

94 Mr. Ward: How much activity is going to be at the church during the week?

95

96 Pastor Huff: Every Sunday is very busy but minimal activity Monday thru Saturday, just office staffing.  
97 There was some misinformation in Columbus Monthly that pretty much stated we are a mega-church and  
98 were building a 75,000 square foot event center, and that's not the case. We're a church, we want to be  
99 able to assemble and worship, but we're already getting phone calls from the community asking to rent  
100 our event center; that is not the intent of the facility. The 1500 seat auditorium is to make sure we can  
101 handle expansion in the future. We'll probably have 1200 seats as we move in, once we get the  
102 opportunity to do so.

## Board of Zoning Appeals

103 Mr. McCarthy: Was this the facility that had the parking issue for a while and they were parking on the  
104 public roadway?  
105

106 Ms. Boni: I believe so, and I believe the Sheriff's Office was called to facilitate that.  
107

108 Pastor Huff: Signage along Graphics Way was set and we have no more of that going on. We've actually  
109 got a deal across the street with SuperKicks and when we overflow SuperKicks, we go to Lazer Craze.  
110

111 Mr. McCarthy: Right now we've got 1464 seats, 360 seats in a balcony and 675 parking spaces. How  
112 does that math work if you have a full house?  
113

114 Mr. Weber: There are multiple passenger cars and the church has checked its parking capacity that  
115 they're trying to meet, which is above required.  
116

117 Mr. Miller: You're going to have 1500 with 675 parking exiting as you're having 600+ coming in.  
118 How's that going to be alleviated? That has to be a logistical nightmare.  
119

120 Mr. Poe: There could always be an adjustment in service times but right now we're planning on 1.5 cars  
121 per seat which is kind of a good planning strategy as far as churches go.  
122

123 Mr. Oster: How much time is it in between so you don't have the overlap? ½ hour?  
124

125 Mr. Poe: Yes.  
126

127 Mr. Miller: You have 675 spaces, 1500 in attendance plus staff. I don't know how many staff people and  
128 volunteers will be there, but that's 2+ people per vehicle. It seems like a logistical nightmare for parking.  
129

130 Mr. Poe: We plan to grow down the road, and working thru the parking arrangement with adjacent  
131 properties as well, you're looking at potential other opportunities in the future if we do get to that 1500.  
132

133 Mr. Miller: Did the Pastor not say that you're averaging 1500 now per service?  
134

135 Mr. Poe: Correct.  
136

137 Pastor Huff: We're averaging 1500 per service currently. We have 200 spaces around the facility we use  
138 right now and all those parking spaces are taken up, and we park approximately 50 other vehicles on  
139 Lazer Craze and SuperKicks, so right now we have about 250, maybe 300 cars that are coming in for the  
140 first service and also second service, so those are the parents and families that are in those vehicles.  
141

142 Ms. Boni: For the Board's sake, our parking standards for churches is 1 space for every 3 seats, so that  
143 would be 3 people per car.  
144

145 Mr. Poe: And like we said, we're working with the County and AEP for site retainage to get more  
146 parking beyond what we're exceeding already.  
147

148 Mr. Miller: What are your growth plans for the church in 2-5 years?  
149

150 Pastor Huff: I can't say.  
151

152 Mr. Miller: Just a guesstimate?  
153

## Board of Zoning Appeals

154 Pastor Huff: With the way the Lewis Center area is growing, my guess would be we would see another  
155 1,000 adults and children in the next 5 years.  
156

157 Mr. Oster: So you'd add another service to do that?  
158

159 Pastor Huff: It's a possibility to have 3 services, but we're thinking that would be years down the road.  
160

161 Ms. Boni: And that would have to come back here for any changes.  
162

163 Mr. Miller: On the renderings you use the words faux wood panel; what is your definition of faux wood?  
164

165 Mr. Poe: Like a composite.  
166

167 Mr. Miller: A Hardy board type?  
168

169 Mr. Poe: Composite panels are more like a fiber cement, a Hardy board, but the wood panel is more like  
170 a composite deck, I don't know if it's PVC, but it's a composite that's not going to deteriorate or discolor.  
171

172 Mr. McCarthy: You've got a number of metal panels proposed for the exterior. That metal has not been  
173 well received in Orange Township. Would it be possible for swapping that over for something like EIFS?  
174

175 Mr. Poe: I feel EIFS is a few steps backwards from metal. It's being used sparingly as accent pieces.  
176 The primary material is the composite panels and faux wood, and the metal is accent pieces to give some  
177 visual interest to the building.  
178

179 Mr. McCarthy: One thing that has also happened up and down 23 at Menards, Mt. Carmel, etc. is there  
180 has been buffering requested up and down that stretch. Would it be possible to put some buffering along  
181 23 across your frontage?  
182

183 Mr. Poe: I don't know exactly how far off 23 we currently are, but I'd say it's a good distance, and with  
184 some retainage in that area with a fountain, make it more of a nice feature rather than hiding the visibility  
185 from 23, so we're looking to make that more of a beautiful entrance rather than having to disguise  
186 something that we're planning on investing money into to make it look nice.  
187

188 Ms. Boni: The parking lot that extends closer to 23, would you consider at least a landscaping buffer  
189 around there since that's the closest....  
190

191 Mr. Poe: Yes.  
192

193 Mr. McCarthy: That would be the headlight buffer on that area and Graphics where the parking's  
194 pointing out.  
195

196 Mr. Poe: If we do get parking in that area which there's not too much vehicular traffic...  
197

198 Mr. McCarthy: If it's a public roadway, it's been our standard.  
199

200 Mr. Poe: We could definitely provide some landscaping there if parking is along 23.  
201

202 Ms. Boni: And Graphics Way. Where any parking that the headlights would....  
203

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204 Mr. McCarthy: There are 2 issues and that's what Michele is talking about. One is landscaping along 23  
205 just to maintain that buffer, that character of the corridor. The second is on the parking areas where head-  
206 lights point out onto a public roadway. We require a 3' continuous hedge so the public road's not getting  
207 hit with headlights of a car parked 6' away.

208

209 Mr. Poe: Does that still apply for a church that has meetings Sunday mornings?

210

211 Mr. McCarthy: I guess the answer would be who zoned the use and the building. It could change to  
212 another use in the future and the request has been thru there; anywhere you see a parking lot along the  
213 road, you see a buffer. But if you could consider adding that as a condition of any consideration here as  
214 to both the 23 buffer and the headlights only where it's pointing out and only public roadways.

215

216 Mr. Poe: That's a consideration we can take a look at.

217

218 Ms. Boni: I think that would be added as a condition of the application.

219

220 Mr. Oster: So we don't know if Graphics Way is going to be connected?

221

222 Ms. Boni: I think eventually yes, but that's further north.

223

224 Mr. McCarthy: I think that answer lies with the County Engineer and ultimately also with the Zoning  
225 Department.

226

227 Mr. Oster: That has to happen for this to happen, correct?

228

229 Mr. McCarthy: Apparently not.

230

231 Mr. Oster: How are they going to get in and out?

232

233 Mr. McCarthy: They're going to use the 2 stubs; that's the proposal and is pretty clearly explained.

234

235 Mr. Oster: "That's" not even there. "This" one you could access from....

236

237 Mr. McCarthy: Actually Graphics Way did get extended, it comes to the edge of this parcel right now, to  
238 AEP.

239

240 Ms. Boni: It's not done to their property just yet, but they will extend this....

241

242 Mr. Oster: To their corner?

243

244 Ms. Boni: Yes.

245

246 Mr. Oster: So they have access at both corners?

247

248 Ms. Boni: You're not going to be able to access coming southbound on Graphics Way and I don't know  
249 what the County Engineer's plan is but I assume it's not going to be stubbed forever.

250

251 Mr. Weber: We've been told we can provide a stub on the north end, south side to their two entrances.

252

253 Mr. Oster: So you're going to have a stub onto Graphics Way, both on the north and the south?

254

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255 Mr. Weber: Correct.

256

257 Mr. McCarthy: And those are connecting to existing roadways?

258

259 Mr. Poe: They're going to be new stubs to extend to get into our property.

260

261 Mr. McCarthy: Is there something for them to have gone to now or are they just going to nowhere?

262

263 Mr. Poe: There's existing stubs that we're going to build up.

264

265 Mr. Oster: The other one is further up the road as soon as you turn off 23 that you'll be able to come in  
266 past the pond?

267

268 Mr. Poe: There's negotiations with Menards. Half that stub is in our property and half is in theirs and  
269 they're kind of strong arming to get that access, i.e. if we buy 10% of our material from them or if  
270 Graphics Way gets extended; there's a couple of things going on to get us access.

271

272 Mr. McCarthy: But that access is part of the plan; that would be part of the consideration tonight and  
273 you're saying you don't know if it will exist or what?

274

275 Pastor Huff: The only thing we know right now is that Creekside exit is based upon Menards and if they  
276 give us the ability to cross 10' of easement, we could use that as an entrance into our facility as our third  
277 entrance, so we're kind of waiting on that to deal with the final outcome from Menards. Menards has said  
278 if you will buy 10% of your construction property from us, we will give you 10' of easement to be able to  
279 drive across there where that Creekside turn is into what used to be the old Gooding property.

280

281 Mr. Poe: I'm pretty sure there should have been an easement there after that was completed but that was  
282 never drawn that way; it's a stub to nowhere for Menards.

283

284 Ms. Sundar: The parking lot that you have, does it meet the recommendations of the fire department as  
285 far as a fire hydrant?

286

287 Mr. Weber: We're working with the Fire Department as far as requirements.

288

289 Ms. Boni: They haven't submitted a final plan per se, but they are working with the Fire Department to  
290 make sure the fire hydrants are located in the right place.

291

292 Mr. McCarthy: Did Mr. Clark identify which access he was having trouble with?

293

294 Mr. Poe: I would assume it's the southeast and we're working with the County to get that flush drive.

295

296 Pastor Huff: As it is now, everybody is going to have to go out and exit and turn right down Graphics/  
297 Highland.

298

299 Mr. Oster: You'll have to go out by Menards.

300

301 Pastor Huff: I didn't think that was the one that was connected.

302

303 Mr. Oster: They're not but when they build, they can connect to "this" because "this one" is done  
304 already; this is a road. "this", as far as I know is not and that will have to take some kind of completion



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305 before they could connect any bank on “this one” or “this one up here” is the one you were talking about,  
306 right?

307  
308 Pastor Huff: Yes.

309  
310 Mr. Oster: There’s nothing there right now, so everyone will have to go in and out “this one”.

311  
312 Mr. Weber: There’s 2 stubs there right now. Potentially, there would be Creekside in front of Menards.

313  
314 Mr. Beard: “This” is the one right off of 23 on Halfway.

315  
316 Mr. Poe: We don’t have anything coming off of 23. There’s one off of Creekside.

317  
318 Pastor Huff: What’s that at the red light?

319  
320 Mr. Beard: “This” stub is right when you turn off 23, when you turn in right only, “this” is to the right of  
321 it. And the top one is the one off Graphics Ways off of Creekside.

322  
323 Mr. Oster: I didn’t know there was a little one down “here”. If there’s a little one down “here”, wouldn’t  
324 they be able to use it?

325  
326 Mr. Poe: Currently we have the stub on the south side and north side of Graphics Way.

327  
328 Mr. Oster: So the south side is all the way up to your lot?

329  
330 Mr. Poe: The existing stub is “here” and then we’re building up about 150.....

331  
332 Ms. Boni: That was just built.

333  
334 Mr. McCarthy: It’s over by the self storage area.

335  
336 Pastor Huff: If you exit out the north one, you turn left, you’re going up toward Menards. Menards is  
337 actually sitting up “here” but you’re still on the front lot essentially.

338  
339 Mr. Poe: So from “this” you’re going up to Mt. Carmel “here” and we’re going to push people to the  
340 right.

341  
342 Mr. Oster: The Orangepoint light, I didn’t know that was actually done yet. They’ve got both of them;  
343 that should handle it.

344  
345 Ms. Boni: Either way, the County Engineer or Fire Department somehow, worst case scenario, denies  
346 this, they’ll have to redo their layout and come back here. We can’t issue a permit until the County  
347 Engineer and Fire Department are ok with it, so they are doing their due diligence in working with those  
348 entities, so we might not have the exact answers today, but we’re looking at it as more of a picture view.

349  
350 Mr. McCarthy: I think the Commission needs to look at it as though it’s going to be built as being  
351 proposed. Aside from that, when is Graphics going to be built? We don’t know, so we can look at it as  
352 those 2 stubs can be connected to and right now that’s what you need to do. The extension on your south,  
353 Graphics was not extended to the property line so they cannot assume that that road will ever be built;  
354 they need to look at it that way because AEP’s very patient.

355

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356 Mr. Oster: And they wouldn't have to have that connected thru there if they've got access off both stubs.

357

358 Mr. McCarthy: And they do. Work out the radius with the Fire Department.

359

360 Mr. Oster: I'd say it's a go.

361

362 Mr. McCarthy: The ponds, are those going to be wet or dry?

363

364 Mr. Poe: Wet.

365

366 Mr. McCarthy: Will those have a fountain for aeration?

367

368 Mr. Poe: Yes.

369

370 Mr. Ward: How far off 23 is the pond?

371

372 Mr. Weber: It is on the water surface elevation that's required in order to meet the requirements of the  
373 Township, we'll have to meet the zoning there, and our engineer has already talked with Michele on that.

374

375 Mr. Ward: Has anyone spoke to the Department of Transportation?

376

377 Mr. Poe: Yes.

378

379 Mr. McCarthy: All the exterior lighting you're proposing now is downlighting?

380

381 Mr. Poe: Yes.

382

383 Mr. McCarthy: Is the only signage included on the building itself?

384

385 Mr. Poe: We intend to have a monument sign and landscaping as soon as you come in, some wayfinding  
386 directing people to the entrances.

387

388 Mr. McCarthy: The monument sign, is that labeled on the drawing?

389

390 Mr. Poe: I don't believe we have it on there.

391

392 Mr. McCarthy: That's fine but you'll have to come back for that. I wanted to get it in the record that it's  
393 not included with whatever's going on here tonight. On your exterior lighting, the Township has  
394 requested that the color temperature of the LED be kept in the 2700-3000 Kelvin range.

395

396 Ms. Sundar: You can check all the information with Michele; they'll be very happy to help you.

397

398 Mr. Miller: I'm going to reiterate a question Mr. McCarthy had on the definition of the metal.

399

400 Mr. Poe: It would be about 3-5" strip of corrugated metal that would have a vertical corrugation to it.

401

402 Mr. Oster: Kind of like some of the roofing product only a little smaller and those panels are probably a  
403 little lighter at about a foot but I think it's a common product.

404

405

406

### **PUBLIC COMMENT**

## Board of Zoning Appeals

407 Dave Eby, 433 Highmeadows Drive, Powell, 43065, this looks like a project that could be a benefit to  
408 Orange Township. When we originally did the Master Plan of this area we were expecting this to be fully  
409 taxable commercial property but that notwithstanding, Graphics Way connection was seen as a critical  
410 thing. In Exhibit1, I can see there is, somewhat circuitous, but a connection between Orange Road and  
411 the Menards' area if people cut thru the parking lot. So that's one of the reasons I think it's in everyone's  
412 best interest not to necessarily hold this conditional use up, but to push for the sooner rather than later  
413 completion of this section of Graphics Way. And while the intention today is that this will just be a  
414 worship facility for the 1500 people capacity, I know things change with time and I frequently go to a  
415 church with venues of similar size that draw people from 5 states and Canada for events, and that can be a  
416 bit of income to the church if you use it for that kind of a thing and that brings a lot of other traffic at  
417 times as well. I don't see that as a particular problem; I'd like to see traffic handled as well as possible,  
418 but that traffic can even be a benefit to restaurants, retail and other businesses in the area. So just because  
419 they say they're not going to use it for anything else today, we know that's not going to be locked into  
420 law as a result of that statement, and I'd like to see Graphics Way completed as soon as possible for  
421 everyone's benefit.

422

423 Mr. McCarthy: If it were going to be a re-use, right now it's FR-1, this would be installed under our  
424 Conditional Use Permit unless it was another church, they'd have to come to the Township, most likely  
425 for a rezoning.

426

427 Mr. Eby: If they're just going to use it for extra events and use it Sunday for worship and Friday  
428 afternoons staff meeting or some....

429

430 Mr. McCarthy: You're concerned commercial?

431

432 Mr. Eby: It has happened with many facilities this size. That was the slant that was in the newspaper that  
433 they say is not currently in their plans.

434

435 Pastor Huff: As far as what was quoted in the Columbus Monthly, no one on staff was ever, no one was  
436 interviewed; I'm not sure where they got the information about it being an event center. I can assure you  
437 that currently in our 40,000 square foot facility, the services that are conducted there are worship,  
438 funerals, weddings, and that's it. Everything at the church that is done has a Gospel centered spiritual  
439 component to it. That's what we consider when we allow someone to come in, regular attenders and  
440 members. We have a policy, and currently we stick to that as our policy.

441

442 Mr. Trefz What about regional church meetings?

443

444 Pastor Huff: We're associated with Southern Baptist, so a regional church meeting, an event that had that  
445 spiritual component to it, so yes, if that were the case.

446

447 Mr. Trefz: How often would conferences like that be a possibility?

448

449 Pastor Huff: Currently we have 2 a year; we just had yesterday and today.

450

451 Mr. Miller: Was that held at your existing facility?

452

453 Pastor Huff: Yes.

454

455 Mr. Miller: How many attendees?

456

457 Pastor Huff: 120, adults only.

## Board of Zoning Appeals

458 Mr. Oster: So far under a service?

459

460 Pastor Huff: Yes.

461

462 Mr. Miller: If you're with the Southern Baptist, do you plan on having any children's programs on the  
463 typical Baptist Wednesday?

464

465 Pastor Huff: No. We do our Sunday service then we do groups in homes throughout the week and there  
466 are children's activities in those.

467

468 Mr. Oster: I would assume any activity that you do is going to be far smaller than your Sunday services,  
469 so not a concern.

470

471 Pastor Huff: Yes.

472

473 Mr. Ward: For your benefit and your knowledge, there are 3 conditions that we are considering placing  
474 on this application. One is the landscaping along US 23 and Graphics Way providing some kind of buffer  
475 area.

476

477 Ms. Boni: Just for enforcement, if we could have a condition saying something like a 3' contiguous  
478 landscaping buffering parking facing US 23 and Graphics Way; that will help me....

479

480 Mr. McCarthy: Parking areas. There are 2 different issues, one where there is buffering up and down 23  
481 and that is not necessarily unbroken. You mentioned totally blocking off your building. We've got  
482 Menards; I think the broken up look is more Mt. Carmel or if you look on the west side down by  
483 Nationwide Children's, that whole North Orange development, it's not totally unbroken but I understand  
484 your point, what are we supposed to do.

485

486 Ms. Boni: When I receive a landscaping plan, I want to refer to the condition that is stated in there.

487

488 Mr. McCarthy: On parking lots, I would say parking lots that will face public roadways will have a 3'  
489 contiguous hedge; that was your language, correct?

490

491 Ms. Boni: Yes.

492

493 Mr. Poe: In the conditional use, if you could say where that's stated, is that a development plan that  
494 we're not a part of or....

495

496 Mr. McCarthy: It's up and down 23, every development plan there.

497

498 Ms. Boni: And it's the Board's decision; it's not something that's in the Code, so it would be a  
499 recommendation.

500

501 Mr. McCarthy: It's more to maintain the character of the area.

502

503 Mr. Miller: It's also a safety issue too.

504

505 Mr. McCarthy: Michele, would you be comfortable to maybe reference similar to Nationwide Children's,  
506 Mt. Carmel or Menards? With Menards, theirs is continuous; they may want to break it up more. Do you  
507 think we need to continue this so we can identify and maybe give them an opportunity to firm it up?

508

## Board of Zoning Appeals

509 Ms. Boni: You want to table this?

510

511 Mr. McCarthy: Do you think we need to give them some examples?

512

513 Ms. Boni: I just want to let the Board know we have several items on the agenda for next month and I  
514 think based on these 3 conditions, we may be able to hash this out this evening.

515

516 Mr. McCarthy: Do you think Nationwide Children's, Menards, Mt. Carmel may be representative maybe  
517 with the understanding not necessarily a continuous row. Would those 3 make sense? The entirety of  
518 North Orange really. Right now there are a couple of groups of trees along Graphics Way. Graphics  
519 Way, as I recall, is to have street trees along both sides. Would you rather see those the same as the rest  
520 of the road or do you think what's there would be adequate?

521

522 Ms. Boni: I'll leave that up to the Board to decide.

523

524 Mr. Poe: So if we reference those 3....

525

526 Mr. McCarthy: I think those would give us a basis for working toward a solution; they're not all  
527 unbroken but they extend the full width. And a 3' hedge along all public roadways of all parking areas  
528 along public roadways with the headlights facing out.

529

530 Mr. Oster: Since there's a little stub there, is that considered a roadway?

531

532 Mr. McCarthy: If it's a public roadway. That stub from Menards, is that going to be a public roadway?

533

534 Mr. Oster: Where it swoops way up "here" and comes back in "here", and that's what they're talking  
535 about trying to get access to but is that actually going to be a roadway because it seems like they're saying  
536 no, that's ours, and they're holding it over their head.

537

538 Mr. Poe: I'm pretty sure we're going to bring the road out, even if we have to buy some landscaping for  
539 it.

540

541 Mr. McCarthy: Will that be an access drive when you put it in or will it be a public roadway?

542

543 Mr. Poe: It will be an access drive.

544

545 Mr. Oster: I don't think that's going to be a roadway like everything else but it would be nice to still  
546 have, especially "here"; I don't know if that span is enough for a bunch of headlights out to 23.

547

548 Mr. Poe: Is this section "here" public; is that the question?

549

550 Mr. Oster: That's just going to be a private drive.

551

552 Mr. Poe: Yes.

553

554 Mr. McCarthy: But where you're turning off 23, it's public. The access drive at the north, is that going  
555 to be one way?

556

557 Mr. Poe: There will be 2 lanes to pull in and out.

558

559 Mr. Oster: That doesn't look wide enough.

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560 Mr. Miller: The entrance now on the south perimeter is an inbound only that goes in from 23.  
561  
562 Mr. Poe: "This" is a right-in/right-out, so we're not changing anything.  
563  
564 Mr. McCarthy: What is the distance from the 23 right-of-way to your private drive?  
565  
566 Mr. Weber: The drive off Creekside is only 2 lanes and access will be determined by the County on how  
567 that needs to operate; whether it's full access or right-in/right-out.  
568  
569 Mr. Oster: That's why I was trying to figure out where we want those light buffers at. By that pond, right  
570 in the corner?  
571  
572 Mr. Ward: The buffers will be where they will be parking; that's our concern, headlights out.  
573  
574 Mr. Oster: And that would be right along the pond. You're not going to have to worry about "this"  
575 because there's nothing there. Just kind of wooded, undeveloped.  
576  
577 Mr. McCarthy: For now.  
578  
579 Mr. Ward: How does the Board feel about the landscaping per the plan or would you prefer to have it  
580 reflect what is shown in other locations in that area where I think the trees are placed on center, and  
581 whether they're 50' or 30', I'm not sure.  
582  
583 Ms. Sundar: I think it would be nice if they followed other locations. That's what we did with GFS and  
584 Aldi; we had an issue just because there was already existing, Aldi had it different. So I think it would be  
585 good if everything was the same.  
586  
587 Mr. Miller: This is 330' from 23.  
588  
589 Mr. Oster: So it's not as close. They could also do the mound around that pond, correct, for their  
590 headlight buffer.  
591  
592 Mr. McCarthy: Typically people have used mounding with plantings. It;s a combination of mounding  
593 and they usually have to break the mounding up for drainage anyway.  
594  
595 Mr. Oster: But the mound would give you a full length buffer for headlights to 23.  
596  
597 Mr. McCarthy: Mound with landscaping, not just mounding.  
598  
599 Mr. Ward: Depending on the height of the mound, you've got a slope you have to consider, so if you've  
600 got a 3' mound with a 9-12' slope, that gets into some of their other areas.  
601  
602 Ms. Boni: We could have a condition saying that the landscaping shall be consistent with abutting  
603 properties on 23.  
604  
605 Mr. McCarthy: I don't know that I'd go with abutting; I would identify those developments and I think  
606 Nationwide Children's, Mt. Carmel and Menards would be fair representatives. If it's similar to those,  
607 that gives you a lot of reasonable play and will maintain the character all the way up 23 as soon as we fill  
608 in a few more other areas.  
609  
610 Mr. Oster: The main concern has always been headlight buffering, especially for 23.

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611 Mr. Ward: The condition on the buffering, the 3' continuous landscape buffering along parking areas  
612 facing public right-of-ways.

613  
614 Ms. Boni: That's fine.

615  
616 Mr. Ward: And then landscaping or buffering consistent with the existing property along US 23, such as  
617 Mt. Carmel, Menards and Nationwide Children's; secure the third entrance off of Creekside Drive, make  
618 sure that's completed; and the lighting between 2700 Kelvin and 3000 Kelvin. How does the Board feel  
619 about a condition that there shall be no commercial use....

620  
621 Mr. McCarthy: How about all uses shall be related to the church's religious operations?

622  
623 Ms. Boni: Do you have any questions on that?

624  
625 Mr. Poe: I just want to make sure I'm clear as far as the landscaping. I thought all the landscaping was to  
626 be consistent with Nationwide, Menards....

627  
628 Mr. McCarthy: That would be the buffer landscaping along 23.

629  
630 Mr. Poe: And then you mentioned a second landscaping item.

631  
632 Mr. McCarthy: The second landscaping item is the 3' where your parking is facing a public roadway that  
633 is continuous to stop the headlights going out on the public roadway.

634  
635 Mr. Poe: And that's existing now on adjacent properties?

636  
637 Ms. Boni: Yes, it's on each one, just along the parking. Do we want along Graphics Way and 23 or just  
638 23?

639  
640 Mr. McCarthy: The buffer, just 23. The 3' hedge would go along Graphics.

641  
642 Mr. Poe: Along 23, it makes sense, but along Graphics Way, a) that's a lot of money and b) that doesn't  
643 happen anywhere else along the entire stretch of Graphics Way, so it seems like quite a hardship on the  
644 church to force that when it's not existing anywhere else.

645  
646 Ms. Sundar: Not now but we're looking at everything, including the future, so that's the issue.

647  
648 Mr. Poe: Right now everything is built and nothing exists there. Our property would be the only  
649 property.

650  
651 Mr. Oster: But the problem is we can't bring you back in here and say now you have to do it because  
652 your headlights from all the parking, because that's all parking, is now going to go across Graphics Way,  
653 if that gets completed, to whatever business may go across from you and that's why it's at the roadway  
654 now.

655  
656 Mr. McCarthy: Would mounding help you?

657  
658 Mr. Oster: Mounding is the way a lot of others, in fact the other church did that too.

659  
660 Mr. Poe: There's a bike path right along that stretch too, so I don't think that we would want to do that....  
661

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662 Mr. Oster: On your side?

663

664 Mr. Poe: Yes.

665

666 Ms. Boni: I'm doing a street view on my computer of Graphics Way right now, and I don't see many  
667 trees; I see some here and there, but....

668

669 Mr. Poe: It's a very rudimentary road; it seems like a real road but most of it's just ditches, it's not even  
670 curb.

671

672 Mr. Miller: It is now; it's not highly developed yet.

673

674 Mr. Oster: I agree, it's not even a road.

675

676 Mr. Beard: It goes north and south....

677

678 Mr. Oster: But all the middle is not there, correct? Actually, on your aerial photo it doesn't even show  
679 the south part that was thrown in.

680

681 Mr. Beard: That's because the self-storage is there.

682

683 Mr. Miller: If it does come to fruition where it does require.....

684

685 Mr. Oster: Could we stipulate something like that now, that if that doesn't get done, they don't have to do  
686 it until needed but it's stipulated now that it's needed.

687

688 Mr. McCarthy: What I thought we'd do is try and find a street view of the new part around you and  
689 Menards and Mt. Carmel, and if they don't have it, I think your argument is very strong.

690

691 Ms. Boni: I found somewhat of a plan for Mt. Carmel, and they do have trees that are planted but it's not  
692 contiguous.

693

694 Mr. Oster: I don't think anybody's really got filled in continuous either from just my recollection of  
695 living here.

696

697 Mr. Miller: If the landscaping would be similar to instead of the continuous.

698

699 Mr. Poe: We'll make it similar to Mt. Carmel.

700

701 Mr. Ward: To try and get a handle on this and sum it up, we'll add the condition that all the uses of the  
702 facility shall be related to the church's operation, that the LED lighting will be between 2700 and 3000  
703 Kelvin, that the US 23 landscaping buffer will be similar to Menards/Mt. Carmel, and the third entrance  
704 will be required for a zoning permit and it will be completed, and did we indicate that the headlight buffer  
705 would be similar to Mt. Carmel?

706

707 Mr. Oster: Yes.

708

709 Mr. Ward: Along that public right-of-way.

710

711 Mr. Poe: It was mentioned that we are required to have two entrances. Of course we want them but we're  
712 not going to have Menards be the....



## Board of Zoning Appeals

713 Mr. McCarthy: The only reason that that was included was you have 2 entrances. That is fine for cars but  
714 that southeast entrance is probably with radii that doesn't work for the Fire Department.

715  
716 Mr. Poe: We'll get that flushed out with Fire and the County.  
717

718 Ms. Boni: Isn't the Board allowed to require a third entrance if the Fire Department and County Engineer  
719 are ok with it?

720  
721 Mr. McCarthy: The Fire Department I don't think said it was ok: I thought they said they had a problem  
722 with the turning radii on one which means they can't get in there if the other one is blocked.  
723

724 Mr. Weber: We can make sure fire trucks can get in and out of both of those....  
725

726 Mr. McCarthy: Why don't we just rephrase it that there shall be 2 entrances to the development as  
727 approved by the Orange Township Fire Department and you can work out the engineering; just have it in  
728 place when you come back for your permit.  
729

730 Mr. Ward: 2 entrances approved by the Orange Township Fire Department will be required for zoning  
731 permit issuance.  
732

### **MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-18-23**

734  
735 Mr. Ward made a motion to approve Conditional Use Application #CU-18-23, Lifepoint Church, with the  
736 following conditions:  
737

- 738 • The use of the facility shall be related to the church's religious operations
- 739 • All LED lighting shall be between 2700 and 3000 Kelvin
- 740 • US 23 landscaping buffer to be similar to Menards, Mt. Carmel and Nationwide Children's
- 741 • Headlight buffering to be similar to Mt. Carmel along the public right-of-ways
- 742 • Two entrances approved by the Orange Township Fire Department will be required for zoning permit  
743 issuance

744  
745 Seconded by Mr. Miller  
746

747 Vote on Motion: Mr. Ward-yes, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes  
748 Motion carried  
749

750 Board recessed for 10 minutes  
751 Hearing continued with Variance Application ##VA-18-24  
752

753 Minutes prepared by Cindy Davis, Zoning Secretary  
754

755 On January 17, 2019, Mr. Oster made a motion to approve the meeting minutes of the Orange Township  
756 Board of Zoning Appeals for Variance Application #CU-18-23, Lifepoint Church, dated November 17,  
757 2018 as written; seconded by Mr. Trefz  
758

759 Vote on motion: Ms. Jordan-abstain, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes  
760

761 Motion carried.  
762

## Board of Zoning Appeals

1 Application #VA-18-24

November 15, 2018

2  
3  
4 **Variance Application #VA-18-24, Buckeye Investment NWO LLC**, Requesting a Variance from  
5 Section 14.06(b (3)) of the Olentangy Crossings South Rezoning Case #18517 to allow the  
6 construction of a new building that will fail to have the front elevation facing US 23 in an area zoned  
7 Planned Commercial & Office (PCD) District. The subject property is located at 45 Coal Bend Road,  
8 Lewis Center OH 43035 and having permanent parcel number #318-220-02-017-002.  
9

10 Mr. Ward called the hearing back from recess.

11  
12 Mr. Beard presented the Staff Report and presentation. The subject site is part of the Olentangy Crossings  
13 South Subdivision on the southwest corner of Coal Bend and US 23 intersection. Surrounding the site to  
14 the north is Planned Commercial, south and east is Planned Commercial and Office District, west is  
15 Single Family Planned Residential. Use Variance from Section 14.06, in addition to any other procedures  
16 set out in this resolution, all applications for amendments to the zoning map to rezone property in this  
17 district shall follow the procedures set forth. Number 3 is architectural design criteria for all structures  
18 and criteria for proposed signs, any lot along US 23 shall orient the proposed structure so the front  
19 elevation faces US 23. The applicant is requesting the elevation facing US 23 to have architectural  
20 elements of the front facing elevation without having an entrance, and their entrances facing Coal Bend  
21 and Artesian Run.  
22

23 Ms. Boni: This part of the discussion is for the building itself; the second discussion will be for signage.

24  
25 A court reporter with Runfola Reporters administered the oath to those wishing to speak on this particular  
26 application.  
27

### **APPLICANT PRESENTATION & BOARD QUESTIONS/COMMENTS**

28  
29  
30 Lee Beckman, 222 Euclid Avenue, Bellvue, Ohio 44811, with Beck Suppliers, President of Construction.  
31 We're looking at building a convenience store that will offer food and fuel. The new business we're  
32 putting in here we started about 2 years ago, diverting primarily from focusing on fuel sales and gone to  
33 food sales; this store is the prodigy of our development. The store is divided into 2 categories, retail/food  
34 and fuel. The layout of the property and building are based on those. We've been working with the  
35 County Engineer and Fire Department regarding the layout and the way we have it situated now based on  
36 what entrances we were allowed to have, which are on Coal Bend and Artesian, Artesian being on the  
37 backside and Coal Bend being farther to the west end of that property. We are trying to create a safe  
38 environment to come onto and off of the site, and to do that we bring in patrons either directly to the fuel  
39 side or into the other side which is more toward the retail and food section based on the 2 entrances we  
40 were allowed. We worked with the County and Fire Department on rotating the building so we could  
41 keep a separation between those 2 types of patrons rather than having cross traffic, where if you have  
42 food/retail customers going to the Route 23 side of the building, they would be crossing the path of the  
43 fuel customers, creating more of a safety hazard on site and also, with cross flow of traffic with the  
44 pedestrians walking to the store. With the entrance on the backside into the food/retail area, the customer  
45 will come in thru the backside of the building and never have to interact with the fuel customer, so that's  
46 the reasoning for our orientation. Due to the traffic study, the County Engineer and Fire Department,  
47 those are the reasoning of why we have the entrances where we have them. If we had entrances more  
48 toward the front toward 23, we would have no problem rotating the building toward 23 more.  
49

50 Mr. Ward: You are not allowed access off of 23?  
51

## Board of Zoning Appeals

52 Mr. Beckman: Correct.

53

54 Mr. Ward: I just want to make that clear.

55

56 Mr. Oster: I thought they were supposed to have their off 23. Is there a reason you can't have a set of  
57 doors on the 23 side also with your gas pumps?

58

59 Mr. Beckman: We can't put the gas pumps between 23 and the....

60

61 Mr. Oster: I don't want the gas pumps up there, right exactly the way it's at, but isn't the problem your  
62 entrance to the building?

63

64 Mr. Beckman: Our problem is our access from Coal Bend onto the property is to the west side of the  
65 building. If we had it closer to 23 where we had access to the east side of the building, we would put the  
66 entrance doors on the east side, but since we have to bring patrons all the way to the back of the property,  
67 you end up having cross traffic.

68

69 Mr. Oster: Everybody's got that too. You could come all the way around "this" side of the building too  
70 because you've got access all the way around your building.

71

72 Mr. Ward: No access off of 23, was there a study or indication from traffic management that your  
73 entrance off Coal Bend to be so many feet from the intersection to make it safe?

74

75 Mr. Beckman: Yes. We've been working with CEC, a local engineer, and with the County Engineer and  
76 Fire Department on those accesses. It took us about a year to get to the point we're at. We have  
77 acceptable access to the property, we've gone thru the process of doing a traffic study to identify where  
78 there were problems and the site engineer has developed that into the plan.

79

80 Mr. Ward: Just for the record, this is an acceptable use of the zoning?

81

82 Ms. Boni: Yes.

83

84 Mr. Oster: I was thinking it was different. You're saying access, and the way I read this, was it was just  
85 the construction and architecture of the building with the front facing 23, not access from 23.

86

87 Randy Schaffer with Janota & Hermer Design Build Firm, 2773 SR 99, Monroeville, Ohio, basically the  
88 Zoning Code says the front of the building faces 23; it doesn't necessarily say the front doors, and with  
89 the standard zoning, there is 4-sided architectural requirements and that's where some of the clarification  
90 or question came in. What technically is the front of the building; is it an entrance, an architectural  
91 feature because we've run into that before where you face the building one direction and there's always  
92 one side that has a gutter and downspout when you require 4-sided architectural which we've done and  
93 put some signage toward 23 to give the appeal as traffic passes by. And One Investments has 26 other  
94 convenience stores, so they have a good idea of traffic flow, traffic pattern, pedestrians in and out of the  
95 building, and that's what Lee was talking about, bring them into the store, get them out and get them on  
96 their way. You have traffic coming in from all around, people walking in and out of the store from the  
97 fuels pumps with the cross traffic.

98

99 Mr. Beckman: Over the last couple of years we've done a lot of redesign of the way we've done stores.  
100 We have 26 stores currently in operation, only 2 with the new style where we've shifted our focus over to  
101 food, and a lot of the things we've done in development is for convenience to customers getting in and off  
102 the property. We've also eliminated curbs around the parking because we've done a study that found 50-

## Board of Zoning Appeals

103 60% of our accidents happen from customers tripping on the curb accessing the building. Those are the  
104 type of things we've done over the last couple of years to come up with these new designs.

105

106 Mr. Oster: So there's no curb where you pull up to park against the building?

107

108 Mr. Beckman: Correct; bumper posts, it's all concrete.

109

110 Mr. Schaffer: And that's one of the things with the stores, brick veneer, architectural concrete for the  
111 drive, everything's maintenance free and looks nice. The focus is keeping it looking new from day 1 until  
112 5-10 years later.

113

114 Mr. Beckman: We actually just called the innovators in Convenience Store Magazine in July. They came  
115 out and viewed our new stores and labeled us as the innovators of convenience stores, and those are some  
116 of the reasons why; we're one of the few convenience stores that offers fuel that has shifted to food and  
117 still offering fuel. And in regards to safety, we're one of the few companies that looks at the design of the  
118 property and worries about having the 2 types of customers and try to find the best method to get both of  
119 those patrons on and off the site as safely as possible.

120

121 Mr. Miller: What do you expect your product sales to be, fuel versus food?

122

123 Mr. Beckman: Usually our sales are 75% convenience items and fuel, and 25% food. The site we built  
124 about 5 months ago was the first to have this design and it's a 50/50 split right now, and the food is  
125 growing quick, so we're really focusing on food now.

126

127 Mr. Schaffer: As opposed to the gas station.

128

129 Mr. Beckman: We've also hired a person who has spent the last 14 months developing this piece for us,  
130 and we've also brought on a food specialist in regards to keeping all food the same from location to  
131 location, in regard to putting together a safety manual and really investing into the food prep of our stores  
132 and these are people who have been in the industry for 30+ years and we're really excited to have them  
133 and like I said, the last store has a 50/50 food split and keeps growing.

134

135 Mr. McCarthy: I noticed you have a kitchen on your plan. Are any tables, chairs or booths inside the  
136 store?

137

138 Mr. Beckman: Yes.

139

140 Mr. Oster: So it's like a little diner too.

141

142 Mr. Beckman: Yes, we have 4 tables with 2 seats at each.

143

144 Mr. Schaffer: So it's not a sit down restaurant type.

145

146 Mr. Beckman: In the summer months we typically offer seats outside.

147

148 Mr. Trefz: Is the outdoor seating on the plan?

149

150 Mr. Beckman: No. It's typically just something during warm weather so it's not something that's there  
151 all the time.

152

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153 Mr. McCarthy: Ms. Boni, if outdoor seating is not included in the zoning district, how will that be  
154 handled?  
155  
156 Ms. Boni: They would have to amend the zoning or seek a variance.  
157  
158 Mr. Schaffer: If it's not allowed, we won't have it.  
159  
160 Mr. McCarthy: I'm just bringing it up; this is not the first time we've had this. And Ms. Boni, the  
161 parking calculation will include consideration of the tables and what not?  
162  
163 Ms. Boni: Yes.  
164  
165 Mr. Schaffer: Back to the elevation facing 23 and the interpretation of the front of the building, I guess  
166 that comes down to what is technically the front.  
167  
168 Mr. Oster: The way I took it was a door. When I was looking over your materials, I understand why it's  
169 positioned this way because the pumps have to be on that side, but I wasn't sure what constituted the  
170 front.  
171  
172 Ms. Boni: And that's why this is here because the language was so ambiguous, so I wasn't able to  
173 determine.  
174  
175 Mr. Trefz: On the plan, on the top side of the diagram are the fuel stations, right?  
176  
177 Mr. Oster: Yes.  
178  
179 Mr. Trefz: Can you invert that and put that on the bottom and have the food on the other side? Why are  
180 the pumps located on the top of that diagram rather than the bottom?  
181  
182 Mr. Schaffer: Easy access off of Coal Bend.  
183  
184 Mr. Trefz: If you pull in the bottom drive and then pull right back out the bottom drive, how is that  
185 different from the top drive, pull in, pull out, and then the bottom drive is just the food I assume.  
186  
187 Mr. Schaffer: Right. The majority of your traffic will come in from 23, the main corridor, they get on  
188 Coal Bend....  
189  
190 Mr. Trefz: But you just said that 50% of your thing is now food, so the main traffic is going to be coming  
191 into the fuel pumps to get to the food.  
192  
193 Mr. Beckman: The big concern about switching that around is you're going to have all your deliveries  
194 thru the day right out front on Coal Bend, so every truck that comes in bringing product is going to be  
195 stopping and parking....  
196  
197 Mr. Trefz: They wouldn't come in on the bottom....  
198  
199 Mr. Oster: I would think they'd have to come in Artesian.  
200  
201 Mr. Beckman: This way they do. They come in Artesian, pull around the building and that's where they  
202 unload.  
203

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204 Mr. Trefz: Did any of the traffic police, anyone insist that the pumps are on that side?

205

206 Mr. Schaffer: I don't think there's anything that requires them on that side.

207

208 Mr. Trefz: But you had studies done; was there anything in the studies that said they had to be on that  
209 side?

210

211 Mr. Beckman: I don't think so.

212

213 Mr. Trefz: I'm just curious as to how the decision was made to put them on the north side.

214

215 Mr. Beckman: For the most convenience to the customer from 23. 23 is going to be the main customer  
216 base.

217

218 Mr. Schaffer: Typical customers are going to find the easiest way. As you're driving down the road, it's  
219 easy to get in and get back out. The other location is more difficult; you can't see where to get in and get  
220 out, you've got to go down and around the walk or something.

221

222 Mr. Beckman: People coming in on 23, even if we had the pumps switched, would still come in from  
223 Coal Bend and drive across the entrance to get to the fuel pumps; they would not drive all the way around  
224 to Artesian. If they come in on Coal Bend, they have the option to go to the fuel or straight to the food, so  
225 if you shifted everything to the left and flipped the building left to right, then they would come in and go  
226 down the right side to that and all your deliveries would be on the left side.

227

228 Mr. Schaffer: If we flipped it like what you're saying at 180 degrees where the entrance to the food was  
229 facing 23, then you'd have traffic coming across the fuel pumps to get to it.

230

231 Mr. Trefz: Again, you flip the fuel pumps to the bottom....

232

233 Mr. Schaffer: You want to put the fuel pumps on the south side and flip the building.....

234

235 Mr. Oster: Toward 23?

236

237 Mr. Trefz: Your pattern is the same.

238

239 Mr. Schaffer: The pattern is the same but it's going to make it difficult for customers because you're  
240 bringing them to the backside of the building to get fuel.

241

242 Mr. Trefz: Not if things slid "that" way.

243

244 Mr. Beckman: You want to slide it north toward the left?

245

246 Mr. Trefz: Yes.

247

248 John Fandrich, 200 Caboose Lane, if you're going to have delivery trucks stopping on Coal Bend, you're  
249 going to cause problems on that entire road. But if you have delivery trucks coming in on Coal Bend and  
250 they're all going to be stopping on Coal Bend to turn left into this gas station as opposed to going around  
251 from the west side, then you have a cluster up at the top and have cars coming in and backing up almost  
252 into 23. I don't think that would be a good idea.

253

254 Mr. Trefz: So a delivery truck is coming from US 23, correct?

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255 Mr. Schaffer: Yes.

256

257 Mr. Trefz: It's coming in on Coal Bend and go to Artesian and turn left, so the left hand turn is either at  
258 Artesian or it's into the thing.

259

260 Mr. Fandrich: Artesian has 0 traffic right now and they won't have a whole lot of traffic then. You're  
261 proposing to put a traffic jam at Coal Bend about 100 yards from the road.

262

263 Mr. Oster: What they're doing is bringing everyone to the back of the building.

264

265 Mr. Trefz: But you're still making a left turn no matter where you're going.

266

267 Mr. Oster: No, but you're going to have the back of the building up by Coal Bend and that's where all  
268 the trucks are going to want to come in to make deliveries to the back. They're not going to want to come  
269 to the front.

270

271 Mr. Trefz: But to get to the back of the building now, you have to turn left then left again, even though  
272 there's not much traffic there. If we're worried about blockage, there's still blockage on Coal Bend.

273

274 Mr. Oster: I don't agree and I'm not exactly sure what you're seeing but if you come up 23 and you're  
275 going north, you're going to turn left onto Coal Bend, go all the way down to Artesian and turn left, and  
276 then back up to the end of their lot, turn left again and come into the back side of their building. And  
277 that's where all the trucks need to be, off of Coal Bend on Artesian.

278

279 Mr. Trefz: But at what point in making a left turn are the trucks prohibited from making the left turn they  
280 want to make?

281

282 Mr. Fandrich: I'm not worried about that. When our entire neighborhood is driving out, that's our main  
283 artery of our neighborhood. What you're proposing is a truck coming up, a turn lane is about 20', so a  
284 truck is taking up the entire turn lane, then the next car that comes up is going to be tucked up against it  
285 and confused, not sure what to do, so the next car entering into our neighborhood doesn't know what to  
286 do, so that's backed up, meanwhile we can't get thru because this truck is now trying to turn into this gas  
287 station where it might be blocking the road. Whether I'm in favor of anything on the screen or not, that's  
288 a bad idea, that's going to cause more traffic jams and safety concerns all over it.

289

290 Mr. Trefz: I think that came up with the Fire Department; they were concerned about getting trucks in.

291

292 Mr. Oster: Artesian Way is where you're going to want everything that's coming in truck-wise because  
293 there's nothing there and they'll be able to use that or sit on there in case there's 2 or 3 there at the same  
294 time.

295

296 Mr. Ward: Is Coal Bend and Artesian Run Township or County routes?

297

298 Mr. Beckman: Township.

299

300 Mr. Ward: And you said you did deal with Township traffic people as to flow and so on.

301

302 Mr. Beckman: Yes.

303

304 Mr. Ward: So this is approved by them?

305

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306 Ms. Boni: You need to submit final plans to the Fire Department; they have not received those, so we  
307 have not received Fire Department approval.

308  
309 Mr. Beckman: We have been in discussion with them.

310  
311 Ms. Sundar: Do school buses come around that neighborhood?

312  
313 Kevin Yarnell, 143 Long Branch Run, which is practically on the other side of that mound. There is a  
314 147 lot neighborhood with only 2 entrances into this neighborhood, and the north entrance only has about  
315 20 some homes that have that north entrance to themselves. The majority of the neighborhood will be  
316 coming thru the Coal Bend area throughout the day, so you're proposing at one point putting truck traffic  
317 thru there. There is no designated turn lane and you're going to have these trucks coming down thru and  
318 if they get stuck on Coal Bend anywhere, you're going to have people coming in off 23 and come right  
319 behind a truck.

320  
321 Ms. Boni: Either way, we're not here to determine the access for this; that's ultimately up to the County  
322 Engineer and Fire Department.

323  
324 Mr. Miller: If the delivery trucks are coming in on Coal Bend and turning left on Artesian Run, are they  
325 going to have to turn in and then go to the back, so those trucks are basically going to go to the back of  
326 the store and directly across to where your fuel area it to get back out or what is your plan for the trucks?

327  
328 Mr. Oster: They probably go back out Artesian.

329  
330 Mr. Miller: But are they going to back out? These are semis.

331  
332 Mr. Oster: Or back in and unload.

333  
334 Mr. Beckman: They do it either way. Depending on the size of the truck, they can go around. They  
335 usually schedule deliveries during slow times and then the store routes the trucks based on how busy it is.

336  
337 John Thiede, 6726 Fall Brook Trail, Delaware, can you point out to me where the fuel trucks will go  
338 when they offload fuel; is that in the upper northeast.....

339  
340 Mr. Schaffer: Yes.

341  
342 Mr. Thiede: So you're proposing trucks will come around Coal Bend, down Artesian, turn into the back  
343 of the store then go all the way up to the northeast corner?

344  
345 Mr. Schaffer: Yes.

346  
347 Mr. Thiede: Then exit back out right "there"?

348  
349 Mr. Schaffer: Yes.

350  
351 Mr. Thiede: I think for that, that's the safest part of it to be able to make deliveries. I would only ask  
352 there be no left turn for trucks into that entrance. That would prevent any trucks ever having to park right  
353 there, traffic backing up towards 23; they'd be required to come in only thru the one entrance.

354  
355 Mr. Schaffer: And that's where the discussion on that entrance location is far enough away from 23 in  
356 order to have stacking if needed.



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357 Mr. Ward: Again, our issue here is the structure. Any traffic issues are up to the County and the  
358 Township. To get that signed it may be a very viable situation, but I would take that up with the County  
359 Engineer.

360  
361 Mr. Thiede: The issue I'm seeing is they have flipped the store so the gas pumps are on the south side of  
362 the building instead of the north; that's what was originally proposed, and that makes it easy for the  
363 pumps, everything else is back that way, but I still don't think it alleviates any of the traffic; that's how  
364 people get into the store. My greatest concern is on that turn right there. A fuel truck is usually 40-45.  
365 That distance is going to take up that whole turn lane that's going to make that left into there. So if it's  
366 sitting there waiting for traffic coming out of the neighborhood, traffic behind it is going to back up, you  
367 end up with a problem. To alleviate the problem, I think you need to, although I don't agree with the  
368 whole gas station concept at all, but if you're going to do it, flip the gas station around.

369  
370 Mr. Schaffer: One point on fuel delivery, Buckeye Investments owns the convenience store and trucks  
371 delivering fuel, so they have control; it's not an outside entity delivering fuel to them. They specify their  
372 delivery routes and the way they get into the building.

373  
374 Mr. Oster: Are the fuel drops between the pumps or all up in the corner?

375  
376 Mr. Beckman: The fuel tanks are right "here", below ground. The trucks come in, go up "there" and exit  
377 "there" or on Artesian.

378  
379 Mr. Oster: It looks like out the front would be the easiest because you've got a gas pump right there.

380  
381 Mr. Beckman: And one thing to remember, when these fuel trucks are happening, it's either 3:00 in the  
382 morning, at a time when there's no traffic.

383  
384 Audience members: Then there's the noise, those are our homes.

385  
386 Mr. Ward: Anyone have any more comments on the layout of the store; that's what we're here for.

387  
388 John Caggens, 150 Long Branch, Delaware, sticking with the subject of the concept of the elevation, my  
389 biggest concern, perhaps selfishly, I do want to applaud you guys for designing a very aesthetically  
390 attractive face to 23 but I think any of us could agree however we put shutters and bushes on our house,  
391 we all know where the front door is. But my concern is, and this just supports some of the commentary  
392 on the traffic flow, that what this does is pushes all this traffic, light, exhaust and noise to "this" side of  
393 the building 24 hours a day, 7 days a week and the only thing buffering my house from all that is "his"  
394 house.

395  
396 Mr. Schaffer: There's a landscape island there.

397  
398 Mr. Caggens: Yes, but not high enough for the lighting and signage you're asking for. You certainly  
399 have traffic issues which will have to be handled by the roads people and Fire Department, all the issues  
400 have been brought up about Coal Bend and backups, etc., but no matter what you do when trucks and cars  
401 are coming around "here", that does eliminate a lot of safety issues, but you can't get away from the light,  
402 the noise and the exhaust. Trucks pulling in at 3:00 a.m. under a big tall light with a sign buzzing. So we  
403 have an issue here with the quality of life for the 147 homes that are here, especially with traffic getting  
404 pushed around. If this gas station has to be here, I'd rather see everything that generates noise, light and  
405 pollution facing 23.

406  
407 Mr. Oster: And that's the way it is.

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408 Mr. Caggens: No, the pumps are “here” and “here’s” 23. No turn lane coming on to Coal Bend so then  
409 you come in “here” and you have all the gas pumps on “this” side and the food entrance on “this” side.  
410 And I know we’ve got the signage subject later, but we’ve got signage on “this” side and “this” side,  
411 looking for change in square footage and elevation, so trying to stick with the subject that you’ve brought  
412 up as far as elevation “here”, a fake front, a façade, “this” is where people are coming in and out 24/7,  
413 generating all that light, noise and pollution. That’s my single greatest concern.

414  
415 Mr. Oster: Even if it was turned the other way with the pumps down “that” side, the tanks are probably  
416 still going to be in that corner, where they’re going to drop, and it’s going to put the back of the building a  
417 little closer to you for all the other stuff that’s in the store.

418  
419 Mr. Caggens: The issue is you have a convenience store and parking spaces and 6 pumps on “this” side,  
420 but you’ve got parking spaces all around, parking spaces and signage on “this” side, the front door traffic,  
421 deliveries, etc. coming right in this neighborhood. The space on “this” side is no problem. What I would  
422 like to see, everything that generates light, noise and smell on “this” side.

423  
424 Ms. Boni: Have you guys ever considered putting the fuel pumps fronting 23?

425  
426 Mr. Schaffer: That’s not allowed.

427  
428 Ms. Boni: According to ODOT or....

429  
430 Mr. Schaffer: I think it’s according to your Code that we can’t have a canopy out front on 23.

431  
432 Audience member: Like Meijer? Meijer pumps are on 23.

433  
434 Mr. Ward: It’s zoned differently.

435  
436 Mr. McCarthy: Just to clarify that, in this planned district the building setback is 150’ from the right-of-  
437 way. Many locations along 23, the minimum reached by a global agreement years ago is that it would be  
438 80’. So this 150’ is not 80’, so if it was 80’, we’d have 70’ to play with. I just wanted to point that out as  
439 to why you might see it in one area and not another. This was brought to the Township as I recall by the  
440 developer; 150’ was not requested by the Township. It’s in place, it was a concept as part of the overall  
441 plan for the entire area to bring it toward a unified manner. They vary up and down there; I’m only aware  
442 of one that’s less than 80’ and that pre-dates an awful lot of what’s happened here. So, you are dealing  
443 with that.

444  
445 Audience member: There have been variances presented to shorten that 150’. It was during 2016 when  
446 the zoning was attempted to be amended....

447  
448 Mr. McCarthy: Was it amended up along 23?

449  
450 Audience member: Yes. It was from 150’ to 100’ and you mentioned yourself that if you did move it to  
451 100’ then you should move the setback toward the houses, that condition towards 23.

452  
453 Mr. McCarthy: I’ll leave that to the Board but I understand what you’re saying.

454  
455 Mr. Yarnell: Most of the light on that west side, you mentioned there is a mound there but the mound is  
456 not tall enough. I can see the surface of 23 from my house from the sidewalk and that’s looking over the  
457 top of the mound because there’s an elevation change vertically that goes up to 23. So I’d be looking into  
458 a convenience store with lights practically 24 hours a day.

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459 Sean Griffith, 240 Coal Bend, I just wanted to reiterate what some of my neighbors are saying that for  
460 that location, putting a lot of that on the north side is really going to impact the neighborhood more than if  
461 it was rotated more towards 23, especially when you're talking about a gas station that is going to have a  
462 lot of traffic, lights, signage that we don't want seeping back into our neighborhood because we are so  
463 close to that location. If a gas station is going to go there, if you could grant them a variance or whatever  
464 they need to place that stuff up toward 23.

465  
466 Kali Mavuleti, 171 Coal Bend, we have a walkway "here" where walkers use it during the evenings in the  
467 summer, and all this traffic concerns me in this location.

468  
469 Mr. Schaffer: That walkway is on the west side?

470  
471 Mr. Yarnell: The walkway goes north/south following Artesian all the way to the park.

472  
473 Kevin Shatz, 6653 Old Ironside Lane, kids actually walk to the soccer fields and the church.

474  
475 Mr. Yarnell: I also remember the comment that was made that this is an applicable use of a lot, and I  
476 have qualms about this being an applicable use of the lot.

477  
478 Mr. Ward: It's the zoning; it is allowed to be that kind of a business.

479  
480 Mr. Caggens: I just wanted to clarify something so that it is on record. Can we go back to the drawing of  
481 the landscaping? I know we talked that there's going to be a mound in the back with landscaping and  
482 what not, Is there a height that's required?

483  
484 Mr. Schaffer: 3'.

485  
486 Mr. Oster: Usually.

487  
488 Mr. Caggens: The mound is 3'?

489  
490 Mr. Oster: The buffering.

491  
492 Mr. Caggens: The buffering is 3'. Are there any trees or anything proposed to go on top?

493  
494 Mr. Oster: Usually.

495  
496 Mr. Caggens: Could you go back to the picture from yesterday? That is what the property looks like now  
497 from Artesian looking toward 23. At the right you see McDonald's always completely maintains their  
498 property. This hasn't been mowed since whoever took ownership in February. My concern is that  
499 nobody's paying attention to it. September 18 I emailed asking it to be taken care of and it still hasn't, so  
500 I just want it to be on record what the landscaping is supposed to be like and that somebody's actually  
501 going to hold them to it.

502  
503 Mr. Schaffer: Landscaping on Page C700 is per the Zoning Standards; the mound 3' high and tree  
504 locations.

505  
506 Ms. Boni: We have reviewed everything.

507  
508 Mr. Yarnell: In my backyard I have a storm water retention area. Where will the water for your whole  
509 property end up going?

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510 Mr. Schaffer: Our detention will be onsite and will be between the parking and the buffer and will be  
511 designed per County standards.

512  
513 Mr. Beckman: We have designed this whole area with an almost 150' buffer which part of this building  
514 line is clear back "here"; we could build the building farther back but we moved it as far forward as we  
515 could and use that area as the detention area.

516  
517 Mr. Schaffer: We're responsible to take care of any water issues.

518  
519 Mr. Miller: What is the planned lighting other than....

520  
521 Mr. Ward: we'll get into that; we'll deal with this building and then we'll move on.

522  
523 Mr. Beard: The variance we're looking at right now is whether their front door has to face 23 or not.  
524 Right now they have it as architectural elements with windows and not a door.

525  
526 Mr. Schaffer: And that description of door on the front of the building is a physical door on that side of  
527 the building. That's where the frontage question comes up.

528  
529 Ms. Boni: That's why it's here.

530  
531 Wayne Lauer, 255 Olentangy Crossing West, I'm on the north side of the development. Can you flip the  
532 entrance to the food part to the 23 side? That way most of the people park over "here" and employees will  
533 park over "here"?

534  
535 Mr. Beckman: That's the issue with cross traffic and safety.

536  
537 Mr. Lauer: If they're coming in for food.....

538  
539 Mr. Beckman: They're going to come straight down off Coal Bend.

540  
541 Mr. Lauer: Right now they're going to come down Coal Bend and come down "here" and park over  
542 "here" and if they want food, they would just come "this" way and come down thru "here".

543  
544 Mr. Beckman: That's crossing the dispenser area; we're trying to eliminate that.

545  
546 Mr. Lauer: Wouldn't it not be common sense that 80% or more of the traffic that's going to come into  
547 your location is going to come in off of Coal Bend.

548  
549 Mr. Beckman: Correct.

550  
551 Mr. Lauer: It wouldn't be people saying I don't like that, I'm going to go all the way around to Artesian,  
552 so the Artesian entrance on there is really going to be for delivery.....

553  
554 Mr. Beckman: Primarily.

555  
556 Mr. Lauer: So if I'm a customer coming down 23 and I need gas, I'm going to get gas first so I'm going  
557 to park on that same north side or whether I'm parked on the north side or the south, I can still get the  
558 food, it doesn't matter which one. So I don't see why it's such a big deal of not having the store front  
559 where you're at when most people are still going to get to it no matter what. I or any other customer is

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560 going to say I just want food, I'm going to go in the food entrance. There's probably not a sign that says  
561 food entrance here, gas entrance here.

562

563 Mr. Beckman: Correct.

564

565 Mr. Lauer: So what is the big deal of having one side for food and one or gas?

566

567 Mr. Beckman: The traffic pattern. You have 2 customers; you have food and retail....

568

569 Mr. Lauer: And you say it's going to be 50/50, right?

570

571 Mr. Beckman: Correct. Both are going to come straight thru. For the fuel pumps, they're going to park  
572 "here". People that want a meal and fuel or just fuel, they're going to come in and park "here" and exit  
573 "here" or out. The food only customers, if you bring them in across the fuel dispensers they're still going  
574 to be interacting with all the fuel customers just to get food. The idea is to eliminate as much cross traffic  
575 as possible, make it as easy as possible for the customer to get on and off the site as safely as possible.

576

577 Mr. Lauer: You have an entrance on the north and south sides of the building, correct?

578

579 Mr. Beckman: We have an entrance on the north side.

580

581 Mr. Lauer: That's the west side.

582

583 Mr. Beckman: Correct and we have a delivery entrance on the south side.

584

585 Mr. Lauer: So the normal person driving to that area, the first door they see is the one to the north, so  
586 whether I'm there for food or gas, I'm going to go to the path with the least resistance, I'm going to go  
587 there first.

588

589 Mr. Beckman: Especially if you're going to get fuel.

590

591 Mr. Lauer: Whether I'm going to get fuel or not.

592

593 Mr. Beckman: If you're going to get anything but fuel, and this has been proven by our stores, the  
594 customer will always try to avoid the pumps.

595

596 Mr. Lauer: But if I'm coming in that entrance, I don't see that other door. When I'm driving up 23, I turn  
597 onto Coal Bend, as soon as I'm there, I don't see that door.

598

599 Mr. Beckman: Right, but it's going to have parking available and that's what people are going to see. It's  
600 a learned environment. Our customers are repeat customers; very few customers come only once, and  
601 this is the quickest and easiest way to get in and out of the store.

602

603 Mr. Schaffer: So if you tell us we have to have a door to the east, which is 23, we have a door north, a  
604 door east and a door west; that complies with if you say we have to have a door there. The question isn't  
605 we can't have a door "here"; we have to have a door "here". It's the same door, it's just facing 23; is that  
606 correct?

607

608 Mr. Ward: Is that the understanding of the regulation?

609

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610 Ms. Boni: The reason it's here today is because staff wasn't able to determine, based on the standard  
611 that's provided in the planned district, whether it's a front elevation and we asked the Board to make that  
612 decision. If the Board deems it a front elevation with a door, so it would be a front elevation.

613  
614 Mr. Schaffer: It wouldn't be move "this" door from "here" to "here", it would be a door on 23.

615  
616 Mr. Beckman: I know you are your own people and I totally understand, we have been to other  
617 jurisdictions where we've had the front entrance explained to us that it has to architecturally look like the  
618 main elevation and that's why we designed it the way we did.

619  
620 Mr. Yarnell: This is not new philosophy even though they said it is. I grew up in Pennsylvania and there  
621 are facilities treated the same way. A lot of people do the food store or they do the gas station. Typically  
622 they get gas then they go inside and get food, so breaking that out saying it's 50/50 may not necessarily  
623 be truthful because you're not counting the customers that first stop at the gas and then go inside and get  
624 food, so you're still primarily a gas station instead of a food store. The people who end up having to park  
625 on the west side still brings up the problem with all the noise and lighting; we'd rather it be towards 23  
626 because there's still going to be that much traffic and people. It keeps people from feeling that they've  
627 got to go around and maybe drive into our neighborhood because they might miss the entrance. I'd rather  
628 all that parking and showing that actually looking like a front face be toward the 23 side, not toward the  
629 neighborhood side.

630  
631 Robyn McComb, 6710 Fall Brook Trail, Delaware, we are putting a lot of consideration on the  
632 commercial sides to the importance of safety for their patrons. I'm just asking the Township to consider  
633 the safety of the residence of the Township.

634  
635 Mr. Miller: That's a strong consideration.

636  
637 Jason Zamock, 6551 Old Ironside, I'm a home office worker, so I'm there all the time and I'll be exposed  
638 to what day time noise is like. When I'm not a home office worker, I have a national sales job and  
639 especially when I don't have to fly somewhere, I've probably been in every truck stop in Pittsburg,  
640 Indianapolis, Detroit, Louisville, and you get to these type of facilities, and I appreciate these commercial  
641 sites have to grow and exist, but I've never pulled in any of them and said because of the ergonomics of  
642 the layout, I'm just going to drive somewhere else and get my gas, or I've got my fuel, I'm not going to  
643 buy food because I can't park. You just deal with the ins and outs and everyone moves around. I can  
644 appreciate the efficiency study and things you need to do to make your operation work the best it can to  
645 drive up your profits and probably reduce your liabilities; I imagine those are the primary drivers. What  
646 I'm fearing is they're taking over as primary drivers and not considering what we have to deal with, like  
647 the noise, lights and exhaust. Like Kevin mentioned, I also live where you can stand in the backyard and  
648 are able to see out on 23. I don't have this proposed property in my backyard but I know what it's like.

649  
650 Mr. Ward: The frustration is we've gotten off subject. The subject is whether the frontage is on 23 or  
651 not; the rest of that comes under other considerations to be perfectly frank.

652  
653 Mr. Oster: And this design lends itself so that that building could be turned so the front is facing 23 and  
654 they've already got a door on that side that could service the fuel pumps if need be. I think almost  
655 everything's electronic today and nobody goes inside to pay but if need be they've already got a door in  
656 that building if it was turned.

657  
658 Mr. Schaffer: So you're turning the building?

659  
660 Mr. Oster: Turning the building.

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661 Mr. Schaffer: But the fuel canopy is on the north.  
662  
663 Mr. Oster: It could stay there or you could turn it where the fuel pumps were that way also if you wanted  
664 to spin the whole thing.  
665  
666 Mr. Schaffer: Right now fuel pumps are on the north side, so leave the fuel pumps there....  
667  
668 Mr. Oster: You could possibly. You don't have any other scenario so I'm just looking at other scenarios.  
669 You could pick up the whole thing and put your pumps up front. As a matter of fact, you could  
670 reconfigure your pumps like your picture shows to where they're double stacked.  
671  
672 Ms. Boni: If the fuel pumps do go on 23, it has to maintain 150' setback.  
673  
674 Mr. Beckman: The problem is, we'd have to push the building way to the back of the lot.  
675  
676 Mr. Beard: The canopy is at 150'.  
677  
678 Mr. Beckman: If we did rotate everything 90 degrees, it pushes the building more to the west which is  
679 closer to Artesian Run because that length is much longer than the width. So you're pushing everything  
680 more toward the residential and we've gone thru quite a bit of design to try and create that buffer on the  
681 west side of our property between the residents and the building.  
682  
683 Ms. Sundar: What is the option if you wanted to push it to the south over toward Artesian; is that an  
684 option?  
685  
686 Mr. Beckman: It's going to create where all the truck traffic is that's coming into the north side of the  
687 building and that's where we have the situation of bringing the trucks in and causing traffic issues.  
688  
689 Mr. Miller: You're bringing gas trucks in on Coal Bend, turn left on to Artesian, would it not be easier to  
690 put the gas pumps on the south side, including the tanks, which means as trucks come in, you've got  
691 everything right there to the back side?  
692  
693 Mr. Beckman: Where's the back side though?  
694  
695 Mr. Miller: You could move your building north.  
696  
697 Mr. Beckman: Right now our delivery door is on the south side of the building. What you're suggesting  
698 is flipping the whole building 180 degrees south.  
699  
700 Mr. Miller: You could flip the building 90 degrees and do 2 things. Have the doors to the front to 23  
701 which everybody says is what they want anyhow, bring your gas pumps and stuff to the south side which  
702 would make it easier for the trucks to get in and out of.  
703  
704 Mr. Schaffer: Rotating it 90 degrees like you said, I don't have an issue with, it's just going to reduce  
705 that buffer in the back down to nothing.  
706  
707 Mr. Miller: What would that nothing be Michele?  
708  
709 Ms. Boni: "This" line right "here" that I drew, that's the 50' building setback that's required, so the  
710 building could potentially go up to "this" line.  
711

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712 Mr. Miller: I'm just saying move the building north and your fueling area to the south.

713

714 Mr. Schaffer: We've been thru this a lot with the County, the Fire Department, we've worked on this for  
715 a year; this is the best layout we came up with.

716

717 Scott Wallace, Real Estate Manager with Beck Suppliers, doing business as Friendship Kitchen, a year  
718 and a half ago I sat down with John Piccin at the County Engineer's Office, Mike Love, the traffic guy,  
719 and Mike Clark of the Township Fire Department. We went thru every iteration. There is a concern with  
720 safety vehicles. "This" does help with safety vehicle circulation and if we would put those pumps all the  
721 way to the south and the store all the way to the north, then all of our deliveries and everything are going  
722 to be right on Coal Bend.

723

724 Mr. Oster: I agree with that. I'm kind of surprised that your tanks are up by 23 instead of back in the  
725 back in what I'm going to call your green space.

726

727 Mr. Beckman: Originally that's what we were doing, but we're trying to blend in with the neighborhood  
728 as much as possible and trying to get that stuff away from the residents.

729

730 Mr. Wallace: "Here's" the front setback and we're trying to keep as far away as possible from the back  
731 setback because of the residential and this is what we came up with. I bet we had 6 or 8 meetings; I had 4  
732 or 5 of them with all 3 of those guys I just mentioned and then Lee came in. We've been thru this for a  
733 year and a half.

734

735 Robyn McComb, 6710 Fall Brook Trail, this is kind of a nightmare traffic-wise and the reason it's kind of  
736 a nightmare for a gas station is this plot of land was never intended for a gas station. The only reason it is  
737 is because McDonald's bought the lots abutting the church. The original intent was clearly never to allow  
738 this to happen but because the ??? purchase went down, now we have this traffic nightmare, neighbor-  
739 hood nightmare, there's going to be accidents on 23 coming southbound. Most of the people going to this  
740 gas station aren't locals; it's a highway with transient people coming north and south traveling. There are  
741 all kinds of issues and my point is that it was never intended to be a gas station here.

742

743 Mr. McCarthy: In the course of your discussions with everybody, has there been any discussion for the  
744 need for a turn lane coming south on 23?

745

746 Mr. Beckman: That's part of the traffic study.

747

748 Mr. McCarthy: There's been a traffic study done that did not recommend it?

749

750 Mr. Beckman: That's correct.

751

752 Mr. Thiede: I appreciate what you said about all the people you've had do all the studies, but it's a 2 part  
753 question for either Ms. Boni or Mr. McCarthy: Earlier there was a question that they couldn't put the  
754 canopy or pumps on the 23 side which would be the east side of the building due to some....

755

756 Ms. Boni: It's because of the setback.

757

758 Mr. Thiede: I thought there was some other word besides setback but my point is I think your pumps, if  
759 this gets built, it would be more beneficial for the neighborhood if the pumps were facing 23 and I know  
760 you said that pushes the building back toward the neighborhood and you wanted to have a buffer zone in  
761 there. I think the greatest portion of the problem of light, noise and everything else, you'd be moving that  
762 on the other side of the building away from the homes, you're not going to have as much traffic, as much



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763 noise on the back side of the building as you would on the gas side. That is why that would be a much  
764 better option for the neighborhood if that's being built regardless of the traffic issue. I don't think we can  
765 ever solve the traffic issue.

766  
767 Mr. Wallace: Facing the building, turning it one turn and having the pumps, I'm pretty sure that Lt. Clark  
768 had an issue with circulation around the building. Originally we came out with the pumps and the store  
769 all the way back and this is what we came up with. We took into account when McDonald's comes in, if  
770 they ever do, so that's why as I recall we didn't have it oriented that way.

771  
772 Mr. Oster: I think that lane is going to be pretty tight with that 6<sup>th</sup> pump on the end there.

773  
774 Mr. Beckman: We've done the turning studies on this, but when I did first put this design together, the  
775 pumps were out on front on 23 and thru iteration after iteration, we ended up it being like this, either  
776 being Fire Department, County, just design for safety, there were all kinds of different aspects that came  
777 up with this result.

778  
779 Richard Shepherd, 6581 Old Ironside Lane, I want to agree with all my neighbors. The thing I see here  
780 and we've made it very clear that we live here, we live in the second house as you turn onto Ironside from  
781 Coal Bend, so from our backyard, we see all that stuff. I have 6 kids, the youngest is 6<sup>th</sup> grade, and we're  
782 in the backyard playing and running along the sidewalks all the time, and 24 hours, this gives us concern  
783 about security, and many of us have the same fears because we're back there in the backyard. If this was  
784 to go in at all, I would like to see the pumps on the 23 side, the frontage to have all the lights directed  
785 toward 23 and have the setbacks be back and put some landscaping as well as some beautification at the  
786 back of the building; at least we're cut short by the building, all the noise and lights would be facing 23.  
787 The second thing I'd like to see is have the entry like Costco has on the corner, a nice big entry that  
788 caddy-corners 23 and Coal Bend, that way, when you pull in, you can still park straight in at a slight angle  
789 and you can get gas but it still kind of diverts traffic to the back. Another thing I'd like to see is a  
790 dedicated lane to get in there. Like if you want to go to Kroger and get fuel, you get in that lane and pull  
791 safely in there. People go flying thru there and there could be a lot of accidents; I know that's not your  
792 responsibility, but that's a concern I have.

793  
794 Mr. Miller: As much as I appreciate your comments in regard to the safety and ingress/egress of the  
795 building, etc., unfortunately, we can't control that because either the State, County, etc. controls those  
796 roads. In regard to buffering from a landscaping standpoint, that's further down the road. This part here  
797 only has to do with the layout, the entrance, the door, the entry, etc. and I don't mean to be rude by  
798 cutting you short, but it's reality.

799  
800 Mr. Shepherd: I just wanted to get some information out.

801  
802 Mr. Wallace: On the landscape buffering, it's shown per the zoning, so anything asked for over and  
803 above would be a gesture by Buckeye Investments to the homeowners, correct?

804  
805 Ms. Boni: That's correct.

806  
807 Mr. Ward: Again, the question is what's the front of that building?

808  
809 Mr. Schaffer: Which is the door, it's not necessarily the fuel canopy. Is that correct?

810  
811 Mr. Ward: We keep getting into a little conflict there because I guess the regulation is not absolutely  
812 clear. Is that right?

813

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814 Ms. Boni: It says any walk with frontage along US 23 shall orient the proposed structure so the front  
815 elevation faces US 23.

816

817 Ms. Sundar: With all the comments and concerns from the residents, is there any way to change the  
818 setback and face the lights toward 23? I don't know how much is doable, but I think hearing all the  
819 concerns, that is something the Board should ask.

820

821 Ms. Boni: And again, the reason why it's here today is because the elevations that they provided to us,  
822 staff did not believe that was the front elevation, so they requested a variance to not have this elevation  
823 that they are proposing fronting 23 to be there front elevation.

824

825 Mr. Thiede: You're saying the requirements are that you must have elevation facing 23 and they're  
826 asking for the variance not to have that.

827

828 Ms. Boni: That's correct.

829

830 Mr. Schaffer: So add a door?

831

832 Mr. Thiede: I'm not saying add a door, the entrance is where it should be, the east and the west and your  
833 pumps are on that east side.

834

835 Mr. Beckman: What dictates the front of the building, the pumps, elevation, architectural element?

836

837 Me. Miller: I'm not a lawyer, but based on what you're presenting here, to me, "that's" your front  
838 elevation; "that's" where the doors should be.

839

840 Mr. Schaffer: So you're saying the front faces 23?

841

842 Mr. Miller: Right.

843

844 Mr. Beckman: If we have the front elevation on 23, we can do that.

845

846 Mr. Miller: If you can duplicate that elevation...

847

848 Mr. Oster: You'd almost have to turn that building.

849

850 Mr. Schaffer: Turn the building?

851

852 Mr. Beckman: And not the canopy?

853

854 Mr. Oster: And not the canopy if that was what he's saying because you've got a door in the back right  
855 now, I'm saying the back is toward Artesian. If you turn that building ¼, now your front doors are going  
856 to be on the front, you're still going to have a door on the side that you were going to use for grocery and  
857 food, that now would service the pumps, and the pumps would still be on the side.

858

859 Mr. Beckman: So cross-traffic is not an issue; you guys don't consider that to be a viable safety hazard?

860

861 Mr. Oster: Honestly, I don't but that's just me.

862

863 Ms. Sundar: I think it comes down to the point of having to choose.

864

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865 Mr. Schaffer: But you're not saying we can't have a door on Artesian; you're saying we have to have a  
866 door on 23?

867

868 Ms. Boni: You can have a door on any elevation.

869

870 Mr. Oster: Your front elevation though is what they're talking about, and the way this is written up and  
871 presented, your front elevation is facing your pumps.

872

873 Ms. Boni: But this would be a working door.

874

875 Mr. Miller: A main entrance.

876

877 Ms. Boni: Exactly.

878

879 Mr. Beckman: It seems awkward for me to have the architectural aesthetics over play safety, but I'll do  
880 what you guys want me to do.

881

882 Mr. Miller: Before you came in here and the building was developed, you knew the guidelines, so you try  
883 to get us to change after the fact.

884

885 Mr. Schaffer: Actually my question to Michele was what dictates the front elevation and she had to  
886 research and that's why I came here. I said is it an architectural feature that overpowers the others or is it  
887 a physical door because it doesn't say door.

888

889 Mr. Beckman: That's why we designed architecturally like we did.

890

891 Mr. Oster: A lot of the light issue is still going to be there if the pumps are left on that side anyway, so as  
892 far as that's concerned, that's really not going to help.

893

894 Mr. Schaffer: Light trespasses are held onto the site; it does not trespass beyond the property lines. With  
895 the bigger buffer on the west side, that's farther away that the light poles are, so more green space toward  
896 the residents.

897

898 Mr. McCarthy: And the lighting is downlighting.

899

900 Mr. Schaffer: Yes.

901

902 Mr. Griffith: Back to the point about the setbacks, the front elevation to me is the main entrance to the  
903 building. The drawings I've seen, that does not look like the front of the building. The picture where it  
904 faces Coal Bend, that looks like the front of the building and the main entrance. And this point of safety  
905 and setbacks, a couple of years ago Continental came in and did the rezoning for some of the properties  
906 just north of this one. If I recall they did get that set forward an additional 50'.

907

908 Mr. McCarthy: I checked that at the break, and it was reduced with one exception to 100' but that was  
909 done by the Zoning Commission as an amendment to the development plan. I believe it was said at the  
910 meeting, initially they had this lot together with a couple of lots in Olentangy Crossing and there was an  
911 objection that you can't change 2 development plans with 1 application.

912

913 Mr. Griffith: Right, and this one never got changed as a part of that.

914

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915 Mr. McCarthy: I don't recall if it was a personal discussion or it was a statement to the record but I  
916 believe the Counsel for the applicant indicated that they were dropping the south because they didn't want  
917 to have to live with limited uses that were being discussed at Olentangy Crossing. I think they just left  
918 that one, and here we are.

919

920 Mr. Griffith: Does it come under this Board that you could issue a variance on this particular lot to  
921 change the setback to move it 50' closer to 23 because I think a lot of the residents are saying we don't  
922 want the gas pumps in front of the building facing north, it's going to kind of bleed back into our area.

923

924 Mr. McCarthy: We're here for a variance and a variance is supposed to react to a special condition of the  
925 property itself; this property is flat, it's laying right next to the road, it might be a little difficult to get  
926 there on that but lies in the discretion of this body but the course taken by Continental was probably the  
927 most appropriate and that would be to take it thru the legislative process and I think part of the reason  
928 they withdrew that was they knew if they stayed in the legislative process, there would be a huge  
929 discussion about uses, and they didn't want to go there.

930

931 Mr. Griffith: I guess that was my hope that you could somehow move that up 50', turn it 90 degrees, then  
932 hopefully alleviate a lot of the concerns about the light, noise and all that.

933

934 Mr. McCarthy: I can only say what the Code says and it's supposed to be because of a special condition  
935 regarding the property, irregular shape, topography issue, typically things of that sort. I'll leave it to the  
936 Board beyond that.

937

938 Mr. Ward: In light of some other possibilities, I'd like to take another 10 minute break but we'd like to  
939 meet with you folks.

940

941 Mr. Ward called the hearing back to order. Variance Application Case VA-18-24 is asking that the side of  
942 the building facing 23 is a use variance, not the main entrance. Is it the Board's feeling, as presented that  
943 that is not the main entrance facing 23?

944

945 Mr. Oster: Definitely the main entrance is facing Coal Bend. I think that's probably agreeable by  
946 everybody.

947

948 Mr. Schaffer: Is that because of the elevation of the building or....

949

950 Mr. Oster: It's just the way the building's built.

951

952 Mr. Schaffer: So do we have doors on the east side of the building?

953

954 Mr. Miller: It's based on how you presented it to us.

955

956 Mr. Ward: I think putting a door on that side of the building does not necessarily make it the main  
957 entrance. That's not where you're point to.

958

959 Mr. Oster: I put your door as 23 right "here" and your pumps and they do fit back with the setback also,  
960 easily if this drawing is anywhere close to being scaled.

961

962 Mr. Miller: That goes back to what I asked before if the pumps were moved to the south side in lieu of  
963 the north side which could give easy access because you could also move your storage tanks to the back.

964

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965 Mr. Beckman: My question is, are the pumps considered the front of the building or is the  
966 architectural....

967

968 Mr. Oster: The building is considered.

969

970 Mr. Schaffer: You're saying the front of the building is facing 23.

971

972 Mr. Miller: Correct.

973

974 Mr. Schaffer: If we put the sign and lights coming down on the double doors on the 23 wall...

975

976 Mr. Beckman: And eliminate that all on the elevation facing the canopy, then that would satisfy the front  
977 being facing 23?

978

979 Mr. Oster: I think so.

980

981 Mr. Schaffer: Because technically it has nothing to do with rotating the building because those are just  
982 the sides of the building.

983

984 Mr. Oster: I think the way the building is designed, it is rotating the building. You're going to rotate that  
985 building just the way it's built and you're still going to have a side door over by the pump now; that was  
986 your back door.

987

988 Mr. Schaffer: But you're saying we cannot have a different door to the west?

989

990 Ms. Boni: "This" is what's on Coal Bend, right?

991

992 Mr. Oster: Right.

993

994 Mr. Beckman: It would change that entire elevation to Route 23.

995

996 Mr. Miller: Correct.

997

998 Mr. Schaffer: That would still be on the building, just the entrance on 23. If that front entrance was on  
999 23....

1000

1001 Mr. Beckman: That would satisfy it?

1002

1003 Mr. Miller: That part, yes. Now my question I asked before, why can't you put the pumps to the south  
1004 side by going down along Coal Bend and down to Artesian, you're going to go that way anyhow to get to  
1005 your tanks, you're going to have to go all the way around the building. Why not put your pumps and  
1006 tanks to the south side?

1007

1008 Mr. Beckman: We're just going to address the elevation.

1009

1010 Mr. Ward: That elevation is going to go on the 23 side; however, do we need drawing of that or do we  
1011 just make that a condition?

1012

1013 Ms. Boni: We would deny the variance as submitted and then they would provide me....

1014

1015 Mr. Oster: They would have to go back to the drawing board and resubmit it.

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1016 Mr. Schaffer: So we would have to come back to the BZA because that would comply with the basic  
1017 zoning then?  
1018  
1019 Mr. Ward: Right.  
1020  
1021 Mr. Schaffer: We didn't submit this to say we're not complying, we're not going to put a door on it, it's  
1022 just a gray area in the Code. It said front elevation so we dressed up that elevation. It wasn't any intent  
1023 of ours to say we know we need a door here, but we're not putting it in.  
1024  
1025 Mr. Beckman: The only reason we came for a variance is because it was suggested to us. We didn't  
1026 think there would be a variance required because we thought we created a front elevation.  
1027  
1028 Mr. Oster: I made my own model and it's moveable, and "this" could be moved back down towards  
1029 "this" and change the pumps.  
1030  
1031 Mr. Ward: That's not the issue.  
1032  
1033 Mr. Oster: This is going to put it in the front.  
1034  
1035 Ms. Boni: If they're willing to do the façade, with the doors on 23....  
1036  
1037 Mr. Oster: And if everyone's ok with the pumps being on the side. I'm just throwing that out there that  
1038 there's a lot of possibilities.  
1039  
1040 Mr. Ward: We're not dealing with the pumps; we're dealing with the building.  
1041  
1042 Mr. McCarthy met with applicant's counsel.  
1043  
1044 Mr. Beckman: Under recommendation and what we've asked for, if the Board would agree that "this"  
1045 would be acceptable as the east elevation facing 23, then we would look at withdrawing our variance  
1046 request.  
1047  
1048 Mr. Ward: If that's what you do, it meets and you don't need us.  
1049  
1050 John Kuhl, 52 E. Gay Street, Columbus, just to be clear, we're not turning the building, we'll make that  
1051 elevation look the same as some of the other elevations. This whole characteristic will be the same; the  
1052 east elevation will look the same as "that" as well as some of the other elevations.  
1053  
1054 Mr. Miller: And that will be considered an entrance....  
1055  
1056 Mr. Kuhl: Yes, and there will be other entrances as well.  
1057  
1058 Mr. Miller: I just wanted to make sure that's not a façade.  
1059  
1060 Mr. Oster: So it's going to look just like "that".  
1061  
1062 Mr. Beckman: The doors will be active and you can go in and out of them into the store.  
1063  
1064 Mr. Oster: I think the way the building was designed, this is my opinion, the building needs to spin, not  
1065 make the side look like the front.  
1066

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1067 Mr. Ward: That's not an issue here.

1068

1069 Mr. Oster: All I'm saying, "that's" your front, "that's" your rear. The way you designed your building,  
1070 there is a front and there is a rear, and of course there is a side door, so the building would need to spin.

1071

1072 Audience Member: Just to be clear, that would have to be the main entrance on the east side, and it's not  
1073 a point to the BZA at that point, but then they've got to make sure the side that's on the north side does  
1074 not look exactly like that so you can tell that it is the main entrance.

1075

1076 Mr. Oster: That's true.

1077

1078 Mr. Ward: No it's not.

1079

1080 Ms. Boni: They technically can have the same on all 4 sides.

1081

1082 Mr. Beckman: And that's called out, same architectural elements.

1083

1084 Mr. Oster: But the rear is not; the rear is clearly the rear of the building, and the rear is usually the  
1085 opposite of the front. So what they're saying I don't agree with, but that's just me.

1086

1087 Mr. Schaffer: The rear of the building we prefer to have the roof come down with gutter and downspouts  
1088 but you have a 4-sided architectural requirement which dictates that has to look similar all the way  
1089 around. But as far as the variance, it comes down to again, what is the front elevation. It has more pizzazz  
1090 than anything else?

1091

1092 Mr. Yarnell: If you're a customer coming in, when you get to that building, you know what the front  
1093 elevation is.

1094

1095 Mr. Ward: To answer your question, that would meet the requirement of the regulation and if I  
1096 understand it, you would not need a variance.

1097

1098 Mr. Oster: You're saying the widest part of the building doesn't have to be the front. Is that what you're  
1099 saying?

1100

1101 Mr. Ward: To have a front elevation facing 23; that's all that's required.

1102

1103 Mr. Oster: I'm saying "this" is made to be the front, and "this" is the rear of the building. This building  
1104 by all rights should go like "that". That's my opinion.

1105

1106 Mr. Ward: That is not the way it is by Code.

1107

1108 Mr. Oster: That's your opinion, not mine.

1109

1110 Mr. Ward: That's the Code.

1111

1112 Mr. Oster: I don't agree; I think it's a gray area.

1113

1114 Mr. Wallace: I think we need to ask the County Engineer and Lt. Clark; they wanted the building facing  
1115 "this" way. They did not want it parallel to High Street because of circulation.

1116

1117 Mr. Oster: They wanted the building the way you wanted it?

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1118 Mr. Wallace: The way it is right now.  
1119  
1120 Mr. Beckman: Originally I had it facing 23 and they had me rotate it.  
1121  
1122 Mr. Miller: Were they under the understanding that that would be a fake façade with that elevation  
1123 towards 23.  
1124  
1125 Mr. Ward: They didn't know what the regulation is. The issue is, if that happens, you don't need to talk  
1126 to us about...  
1127  
1128 Mr. Wallace: If we duplicate this elevation to on the east facing 23, that would satisfy the Board? That  
1129 would not require a variance.  
1130  
1131 Ms. Boni: That is what has been decided.  
1132  
1133 Mr. Oster: If you look at the inside of their store and the way they have all their coolers configured, they  
1134 can't have a door right there, so now the design of your building has to change that he doesn't realize.  
1135  
1136 Mr. Schaffer: We'll have to make modifications,  
1137  
1138 Mr. Yarnell: When you say duplicate, that means you're going to have a front entrance on the north side  
1139 and a front entrance on the 23 side.  
1140  
1141 Ms. Boni: I'd also like to point out that the Code doesn't say entrance; it says front elevation.  
1142  
1143 Mr. Oster: So you can have 2 fronts?  
1144  
1145 Mr. Ward: They could put that on all 4 sides if they wanted to.  
1146  
1147 Mr. Oster: Then they could put a door in there. But there's going to be a front, the one with the big  
1148 double doors.  
1149  
1150 Mr. Ward: That's going to be on 23.  
1151  
1152 Mr. Oster: Are you going to have a front over "here" too?  
1153  
1154 Ms. Sundar: It doesn't matter; it's an entrance, correct?  
1155  
1156 Mr. Ward: As far as the other variances...  
1157  
1158 Mr. Miller: If they're going to withdraw, there's no need to....  
1159  
1160 Mr. Wallace, The thing is we're seeing there's a difference of opinion of whether or not that would  
1161 comply with the Code.  
1162  
1163 Mr. Oster: I would check with whoever is telling you we don't want this and we don't want that, to what  
1164 constitutes the front and the rear of the building. Is that all on Michele; you can dictate what is the front  
1165 and the rear of the building and if a building can have 2 fronts.  
1166  
1167 Ms. Boni: I would say I need some guidance from the Board.  
1168



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1169 Mr. Oster: I say you can't have 2 fronts and there's definitely a front and a rear with the way that  
1170 building is designed.

1171  
1172 Ms. Sundar: There are 3 entrances shown...

1173  
1174 Mr. Oster: I'm talking about the way the building is designed and laid out, you gave us an internal layout.

1175  
1176 Mr. Beckman: We prefer to have a hold on the variance.

1177  
1178 **MOTION TO DENY VARIANCE APPLICATION #VA-18-24**

1179  
1180 Mr. Miller made a motion to deny the request for Variance Application #VA-18-24, Buckeye Investments  
1181 NOW, LLC, based on the elevation that was presented in lieu of the front elevation facing 23 as pictured;  
1182 seconded by Ms. Sundar.

1183  
1184 Vote on Motion: Mr. Ward-yes, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes  
1185 Motion carried

1186  
1187 Ms. Boni: Seeing how late it is, we would like to schedule a special meeting of the Board of Zoning  
1188 Appeals to go over the signage. I will have to send out a Legal Notice, so I would need at least 10 days in  
1189 advance.

1190  
1191 Mr. Beckman: I will be out of the country from November 29 until the 10<sup>th</sup> of December,

1192  
1193 Mr. Ward: The BZA will reconvene on December 12, 2018 at 7:00 p.m. for a special meeting to take up  
1194 the rest of the issues regarding signage and lighting.

1195  
1196 **OTHER BUSINESS**

1197  
1198 Ms. Boni: I believe the Board has a draft calendar for 2019. I did make a change to make it 6:30, but if  
1199 you're not able to make it, we'll leave it at 7:00.

1200  
1201 **MOTION TO APPROVE CALENDAR FOR 2019**

1202  
1203 Mr. Oster made a motion to approve the 2019 Orange Township Board of Zoning Appeals Meeting  
1204 Hearing Calendar as provided; seconded by Mr. Ward.

1205  
1206 Vote on Motion: Mr. Ward-yes, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes  
1207 Motion carried

1208  
1209 Hearing adjourned at 11:00 p.m.

1210  
1211 Minutes prepared by Cindy Davis, Zoning Secretary

1212  
1213 On January 17, 2019, Mr. Oster made a motion to approve the meeting minutes of the Orange Township  
1214 Board of Zoning Appeals for Variance Application #VA-18-24, Buckeye Investment NOW LLC, dated  
1215 November 17, 2018 as written; seconded by Mr. Trefz

1216  
1217 Vote on motion: Ms. Jordan-abstain, Mr. Oster-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Miller-yes

1218  
1219 Motion carried.