CITY OF PICKERINGTON

PLANNING & ZONING COMMISSION
CITY HALL, 100 LOCKVILLE ROAD
TUESDAY, APRIL 14, 2026

FINAL AGENDA

REGULAR MEETING
7:30 P.M.

1. ROLL CALL

2. APPROVAL OF MINUTES OF FEBRUARY 10, 2026, REGULAR MEETING

3. SWEARING IN OF APPLICANTS

4. COMMUNITY COMMENTS

5. SCHEDULED MATTERS

   A. A public hearing and review and request for a motion to amend a Final Plat for Pickerington Square (Giant Eagle) for an outparcel lot split.

   B. Review and request for a motion to consider Nonresidential Design Standards Certificate of Appropriateness for Site Plan, Architecture, Landscaping and Lighting for Midwest Shooting Center located at 1892 Winderly Lane.

6. REPORTS

   A. Planning & Zoning Director

      1. BZA Report

      2. FCRPC

7. OTHER BUSINESS

8. ADJOURNMENT

SUBJECT:

APPROVAL OF MINUTES OF FEBRUARY 10, 2026, REGULAR MEETING

Attachments

Draft P&Z Minutes 2-10-26

D R A F T

CITY OF PICKERINGTON

PLANNING AND ZONING COMMISSION
CITY HALL, 100 LOCKVILLE ROAD
TUESDAY, FEBRUARY 10, 2026

REGULAR MEETING MINUTES
7:30 P.M.

1. ROLL CALL

Mr. Blake called the Planning and Zoning Commission meeting to order at 7:30 P.M.

Present:	Mrs. Rohaly; Mr. Blake; Mr. Hayes; Mr. Bushman; Mrs. Marshall
Absent:	Mr. Hughes
Others Present:	Clem Chukwu; Debbie Kopinsky; Jesse Shamp; Greg Butcher; Justin Furr; Karry Arnett; Vicki Locker; Trevor Swanson; Darlene Warmesch; Aaron Reynolds; Steve Fox

2. APPROVAL OF MINUTES OF JANUARY 13, 2026, REGULAR MEETING

Moved by Mrs. Rohaly **to approve**, **seconded by** Mrs. Marshall

Yes: Mrs. Marshall, Mr. Bushman, Mr. Hayes, Mrs. Rohaly, Mr. Blake
5 - 0 Passed

3. SWEARING IN OF APPLICANTS

Justin Furr, Karry Arnett, Vicki Locker, Darlene Warmesch, Trevor Swanson, Aaron Reynolds and Steve Fox were sworn in.

4. COMMUNITY COMMENTS

Karry Arnett

Ms. Arnett commented: These ladies and I are here to present our concerns and extreme frustration with the two parcels of land that Bernie Fleming owns on Town Square Drive. It probably started going on six years ago when he started tearing down trees and just continued to turn it into a Sanford and Son looking lot. He has piles of trees, containers and large dump trucks that park over there. He is in Florida now, so nothing is happening right now. The north side of the lot affects us, and we are concerned. What is he allowed to do? Are there City codes to stop him from doing some of these things that are destroying our entrance to our City. It is so embarrassing. I have a lot of company, and it is embarrassing to have people

turn down that street and see that mess. There have been several attempts, I have been told, to try to find out some information from the City and what I am told is that nobody knows anything. Is there any type of code for tearing down these trees and not replacing them? It is just ridiculous when you wake up every morning and you have to look at this. There are so many conversations on Facebook, not only from us in our community, but people that drive through every day. It just looks hideous, and he just seems to get away with it. We are just trying to find out anything we can and are just frustrated. I understand that he owns the property, but there has got to be some limits and concerns for our City.

Vicki Locker

Ms. Locker commented: I have only lived in Pickerington three and a half years and am excited to be here. Our grown children are in this area so we are down here in our senior years to be closer to family and the grandchildren. When we moved in, the first lot that Ms. Arnett was talking about was already taken care of, so I did not live here to see what people called a beautiful tree-filled lot. I have only seen what has happened in three and a half years, which is a lot of crushed asphalt being brought in and trucks being parked there. I had reached out to the Mayor a few months ago and he called me and we kept it brief. I told him that I do not want to get caught up in the rumors because those are a waste of everybody's time. Two thirds of what we see on Facebook is not based on any factual information. I have been here since the trees that are up against our condos have gone down, and it is my understanding that Mr. Fleming can buy property and, until he proceeds with what he is going to do with it, if he does nothing, he is probably not doing anything wrong. There had been a rumor out there that he was being fined for something. How long does the fining process go on until it goes to the next level? We would just like some kind of dialogue with the City to know what is going to happen. Just since my husband and I moved here, we have been so pleased with what has been done with Johnson's Ice Cream, taking that building and repurposing it and are excited for when the mexican restaurant opens. I would love to see more stores in Old Pickerington and tries to frequent the ones we have. We are small town people and like the feel of it. It seems like such an eyesore when you are entering the City. It is a valid concern for those of us who were willing to come out to a meeting and have our voices be heard rather than through social media.

Mr. Blake asked Mr. Butcher if he would like to address this now or set up a meeting with these ladies. Mr. Butcher stated that he can address the concerns. He clarified that he has not been asked by anybody in the Condo Association related to this property. He continued that, on a semi-annual basis, myself, Mr. Chukwu and the Development Director have met with Mr. Fleming and every meeting has been candidly full of promises about what his plans are on both sides of the road, from breweries to distilleries to a farmers' market to event space to other retail. He stated that, naturally, we treat him the same as we treat everybody else and ask questions and schedule follow-ups, which we have. He continued that what Ms. Arnett and Ms. Locker described is factual, that nothing has happened. He clarified that there has been some activity on the property that Mr. Fleming has been asked to mitigate. He clarified that that is to remove the dump trucks, to remove the sign and to clean up the wood, mulch and the piles on the east end of the site. He added that when that happens, it starts a process and with Code Enforcement it is a long process. He stated that not knowing Mr. Fleming really well but knowing him well enough and observing some of the activities he has done, most, if not all, are lawful as a property owner, but there are some zoning issues that the City is looking at related to outdoor storage. He continued that this will likely be a long, drawn out code enforcement process to clean up the properties. He clarified that this could take months to years. He added that the City is as frustrated as the residents. Ms. Locker stated that cleaning up the property is a step in the right direction. Mr. Butcher stated that clean-up is part of the long process, and it involves citations and summons to court. He clarified that the City did not want to enter this phase, but it is time. Ms. Arnett stated that she saw that Mr. Fleming had applied for and received a license to put a food truck up at the corner where it says Keller Growl. Mr. Buther stated that he does not think Mr. Fleming ever applied for a food truck permit. Mr. Chukwu stated that he did not. Mr. Butcher stated that the City has a system that registers food trucks. He clarified that Mr. Fleming had two food trucks on the property and the City had asked that both of them be removed as soon as they appeared.

5. SCHEDULED MATTERS

A. Review and request for a motion to consider a Conditional Use Permit for Automotive Service Regulations for Gerber Collision located at 10601 Freedom Way

Mr. Chukwu reviewed the staff report and location map with the Planning and Zoning Commission. He stated that the reason for the Conditional Use Permit (CUP) is based on the code requirement that any auto-related services would have to undergo a CUP application process. He continued that the applicant is proposing to construct a 16,570 square foot building. He clarified that he wants to concentrate on two items from his staff report regarding compliance with CUP requirements. He stated that one of the items is *required assessment of traffic impact*. He continued that the City Engineer is anticipating a rebuttal from the applicant stating that, based on the traffic that this site would generate, that they would not need a traffic impact study submitted to the City. He added that the other item is *storage of motor vehicles shall be permitted on the premises for periods of time not exceeding seven days. Such motor vehicles may be stored for periods of time in excess of seven days if stored entirely within an enclosed building*. He stated that he would love the applicant to clarify how long the vehicles will be stored on site. He clarified that the reason for that is because he has been going back and forth with the applicant on the type of enclosure that he wants to see on site. He continued that they had spoken about PVC, a vinyl type of fence which he is not in support of.

Mr. Chukwu stated that the Zoning Code supports the Conditional Use Permit application for Automobile Services regulation for Gerber Collision facility that complies with the minimum zoning code requirements and the following conditions:

1. **That the proposed use shall not create odor, noise, vibration, glare, electrical interference or other nuisances detectable to normal senses off the lot.**
2. **That the applicant shall construct a brick or stone wall that matches the primary building.**

Mr. Blake asked the applicant to address Mr. Chukwu's concerns. Justin Furr stated that he is with Gemini Commercial Real Estate, the developer for Gerber Collision, who will be the tenant on this site. He continued that regarding the traffic study, it sounds like the City Engineer just needs to know the daily trips. He clarified that if you count in and out as a trip, we estimate sixty trips per day, or thirty cars. He added that it is a collision business and is based on insurance, so if you get into an accident, your insurer is generally going to send you to our facility to get an estimate. He continued that there is not a significant amount of traffic like a standard retail business would have. He stated that they will submit that information to the City Engineer. He clarified that a traffic study would be way overkill for the amount of trips. He stated that regarding the length of time vehicles are stored on the property, it is variable and depends on how much the car is damaged, the kind of accident and how long it takes the parts to come in. He clarified that there is likely the potential that a vehicle could be there and be in different states of repair for more than seven days, so he cannot tell how long. Mr. Chukwu stated to the Chairman, Mr. Blake, that in light of Mr. Furr's answers, it brings him back to his main issue about the type of enclosure, because the code is specific that if a vehicle is going to be stored there for more than seven days, that the vehicle needs to be parked inside the building. Mr. Blake stated that this is the code, correct? Mr. Chukwu stated yes. Mr. Blake stated that if he brings a vehicle to Gerber Collision and the damage exceeds the amount that the insurance is willing to pay because of the value of the vehicle, and the vehicle is salvaged, what happens to the vehicle, and how long is kept on the lot? He continued that he knows that the applicant is going to say he does not know; it could be a week, or it could be a month. Mr. Furr stated that is right. Mr. Blake stated that it is very subjective and depends on a lot of things. He continued that he is going to follow Mr. Chukwu's lead as to the storage of vehicles because of the subjective answers. He asked for clarification from Mr. Shamp about how many yes votes are needed for this item to pass, since there are only five Commission members present. Mr. Shamp stated that four are needed. Mr. Blake informed Mr. Furr that there is always an opportunity to table the item. He asked Mr. Chukwu about the wording for the enclosure. Mr. Chukwu stated that the code lists a couple of materials for an enclosure and staff is willing to ask the Commission to deviate a little bit from the code

that says if the vehicles are there for more than seven days they should be parked inside the building, if the applicant would provide a wall that matches the primary building. Mr. Blake asked about what the wall would look like, where the wall would be located and how much of the property would it enclose? Mr. Chukwu clarified that this will be discussed in the next submitted item. Mr. Furr stated that he would like to understand if the concern is the visibility of the damaged vehicles. Mrs. Marshall asked what is the maximum number of vehicles that could be inoperable outside, are tarps going to be used, and could they be visually seen from a residential area? Mr. Furr stated that the technical maximum would be the number of parking spaces, which is 45. Mrs. Marshall stated that potentially there could be 45 vehicles. Mr. Furr stated yes, but highly unlikely. Mrs. Marshall asked if the vehicles would be stacked. Mr. Furr stated no. He clarified that he is the developer and Gerber Collision is the tenant, so he does not operate the business. He continued that, according to what the tenant told him, they do not stack vehicles. He stated that their proposal is to install black PVC because it is more durable than wood, it does need painting, and it does not fail nearly as quickly as wood fencing does. He continued that the fence would go around nearly the entire property. He added that it covers the parking to the north and goes all the way around the outside and connects to each side of the building. He stated that the only area of the site that is not fenced is the small section of parking along Freedom Way right in front of the building. He clarified that a Gerber standard across the country is to fence all of their parking for security purposes but also because of concern about people not wanting to see a damaged vehicle. He stated that something that is very unique to this site versus other sites is that Freedom Way's elevation is above this site. He continued that this site will be cut, it is lower, and there is a conservation easement behind it, so the grade actually sits below the road. He added that as part of zoning, they are required to install earth and mounds along Freedom Way that will be of differing heights and on top of the earth and mounds they are required to install landscaping. He stated that even if an eight-foot fence is installed, the top of that fence does not come to the top of the mound. He continued that Freedom Way is a dead end and this site is not surrounded by any residential properties, it is surrounded by all commercial, so if you are driving on Freedom Way, in its current plan, with an eight-foot fence, you are not going to see those vehicles with the earthen mound, landscaping and the grade difference. He added that they understand the visual break and have actually added additional landscaping to that berm to try to mitigate that issue and for them to put in a wall that you are not going to see is a significant expense, hundreds of thousands of dollars and serves no purpose. He stated that they offered to put in a more decorative style PVC fence and make fence panels that look like stone and different things. He continued that it is still low maintenance, the tenant is fine with it and it still secures the vehicles. Mr. Blake asked Mr. Chukwu if the fence meets the minimum commercial design standards today? Mr. Chukwu clarified that the code lists a couple of materials that include wood, vinyl (with specifications) and wall. He continued that he had made some concessions with the submittal, such as vehicles being stored in the building. He clarified that without the applicant giving him a definite answer about how many days the vehicles are going to be outside, it would not meet the code. Mr. Furr stated that according to the zoning code, technically the business is not surrounded by any residential, so a fence is not required in the first place. He continued that they are putting a fence in because they understand the view issues and that there could be security issues. He added that they read the code many times and a fence is allowed, and PVC, vinyl, and wood fence is listed in the code, so it technically meets the zoning code. He stated that he agrees with Mr. Chukwu that there has to be give and take and Mr. Chukwu told him that he wants a wall and I need to store vehicles outside. He continued that he gets it, but he cannot spend 300,000 dollars that he does not have in his budget and is not going to accomplish the goal of screening the visibility if that is a concern. Mrs. Marshall stated that maybe Mr. Furr is saying that the business may not be the right fit for the location. Mr. Furr clarified that he is saying that that much money for a fence that is not going to accomplish the goal of screening visibility of the cars is a challenge. Mr. Hayes asked about the vacant land next to the site. Mr. Furr stated that it is a conservation easement that the EPA controls and nothing can be built there. He continued that they have to spend a significant amount of money to put in retaining walls to hold the site up so it does not infringe on the conservation easement. He added that they got really creative to try to make a project happen on this property. Mr. Blake stated that he feels like it is a good use for the property. He asked Mr. Shamp for clarification of the fence meeting the City's code requirements. Mr. Shamp stated that it does. He clarified that he sees that Mr. Chukwu is trying to mitigate the lack of being able to store the vehicles inside the building with storing the vehicles inside a fence that is

seemingly nicer looking than a plastic PVC fence, but there is no residential around it, so there is not a mandate to fence it. Mr. Hayes stated that he agrees with Mr. Blake and thinks it is appropriate for the area; there is no residential, there is an easement, and it looks like proper protocols are in place to have proper screening. Mr. Blake asked if a fence completely shields the automobiles from Freedom Way. Mr. Chukwu stated that there is a likelihood that some of the vehicles will be seen, and the applicant is telling him that the undulating varies, and he needs to understand that. Mr. Blake stated that Freedom Way runs north and south and asked if there is a fence to the west of Freedom Way there in the front? Mr. Chukwu stated there is not. Mr. Blake clarified that the rectangle to the north is completely fenced in. Mr. Furr clarified that the proposed storage of vehicles will only be behind fencing. He stated that in general, the operation prefers to have the vehicles as close to the building as possible, so unless there is an overflow, most of the vehicles will be parked in what is currently shown as angled. He clarified that they have modified their site plan to widen the drive aisles for the Fire Department so those angled spaces will be perpendicular to the building and will still be behind the fence up next to the building. He continued that the north section is for overflow, and because it is further away, it is more difficult for the employees to move them in and out of the building. He added that there are twelve repair bays inside the building, so the cars that are actively being worked on and ready will stay inside the building because there is no reason to move them out. Aaron Reynolds with Civil and Environmental Consultants stated that the south end, closest to Freedom Way, of the north appendage where cars would be stored is roughly at an elevation of 852. He continued that the top of the mound in between Freedom Way and the parking lot is at an elevation of 859, but that is only the side of the mound that is facing the parking lot. He added that you really cannot see the front edge of the parking lot and may be able to see the back edge, but the elevation difference really defeats the purpose of what a wall would typically block from view, and he is not sure what it would actually achieve. Mr. Blake asked Mr. Shamp if staff condition number two should be stricken or revised. Mr. Shamp stated that he thinks that if the applicant is saying that they are willing to put in a PVC fence, he suggested revising the condition to say that the applicant shall construct a fence as described in the meeting that meets the code requirements. Mr. Blake stated that the applicant had offered to work with staff on the design style of the fence and asked the applicant if that is correct. Mr. Furr stated yes. Mr. Blake asked Mr. Shamp to reword condition two so it is clear. He asked if the traffic study needs to be addressed. Mr. Chukwu stated he does not think so. Mr. Shamp proposed amending condition number two to say **The applicant shall construct a fence consistent with code requirements around the perimeter of the property, with the exception of the access point and work with staff on sufficient screening.** Mr. Furr stated that he wants to be clear that it could be PVC or vinyl. Mr. Shamp stated that his interpretation is that it is consistent with the code and that we allow fences that are made of PVC or vinyl. He clarified that it removes the reference to brick or stone wall in the current condition. Mr. Reynolds clarified that they do not currently have the fencing enclosing any part of the six customer parking spots up front and is only in the storage area. Mr. Chukwu asked if the applicant would be allowed to put black PVC vinyl around it. Mr. Blake clarified that the applicant would work with staff. Mr. Shamp clarified that it does not have to be brick or stone and if black PVC vinyl is consistent with the code then that is okay. Mr. Furr stated that he knows that Mr. Chukwu does not want black PVC, and he is not going to go that way. He continued that they could put decorative PVC fencing, and he is not going to do black and will work with staff and has offered some other options already. Mr. Shamp suggested the motion state that **condition two be modified to state that the applicant shall construct a fence consistent with code provisions and with the input of staff around the site with the exception of the access point and the customer parking at the front end.**Mr. Blake asked for a motion and a second to approve with staff recommendation one and revised staff recommendation number two.

Moved by Mr. Hayes **to approve with staff condition number one and amending staff condition number two to state that the applicant shall construct a fence consistent with code provisions and with the input of staff around the site, with the exception of the access point and the customer parking at the front end**, **seconded by** Mr. Bushman

Yes: Mrs. Rohaly, Mr. Blake, Mr. Bushman, Mr. Hayes

No: Mrs. Marshall

4 - 1 Passed

B. Review and request for a motion to consider Nonresidential Design Standards Certificate of Appropriateness for Site Plan, Architectural, Landscaping and Lighting for Gerber Collision Facility located at 10601 Freedom Way

Mr. Chukwu reviewed the staff report and site plan with the Planning and Zoning Commission. He stated that the proposed building will be 16,570 square feet. He continued that there is an existing sidewalk and one of the comments from the City Engineer was that the applicant would need to mitigate any sidewalk that needs to be mitigated. He added that the code is specific about the dumpster enclosure material, which should be brick or stone and have a wooden door. He stated that based on this type of use, the code requires roughly 155 parking spaces and 45 parking spaces are being proposed by the applicant. He continued that the height of the building is within the maximum height required by the code with a 22-foot tall building being proposed by the applicant and the maximum is 40 feet. He stated that the code requires that any landscaping plan should be prepared by a licensed landscape architect in the State of Ohio and the applicant needs to meet this requirement. He continued that regarding the interior landscaping, the code requires that the applicant allocate ten percent landscaping for the interior vehicular use area. He clarified that the applicant did not make such provisions in their plans. He added that staff is recommending that any landscaping needs to be maintained year round to make sure that the potential screening is achieved on this site. He deferred to the City's Architectural Consultant. Trevor Swanson stated that he is with TRIAD Architects, and conducted the architectural review for the applicants' compliance with the City's Nonresidential Architectural Standards. He continued that as the applicant is proposing today, one conditional item will be required and will need to be revised in order to meet the standards and that is the dumpster enclosure. He added that currently the applicant is showing the dumpster enclosure to be PVC fencing and the code requires that the dumpster enclosure be either cladded in stone or brick and have solid wood doors so the plans will need to be revised. He stated the applicant stated to him prior to the meeting that he is going to accommodate requirements for the dumpster enclosure. Mr. Blake asked Mr. Swanson if he is fine with everything except the dumpster enclosure, which is required to have three sides being non-wood, brick or stone and a front gate that is operational. Mr. Swanson stated that is correct. Mr. Blake stated that everything else on the building reviewed meets the City's Standards. Mr. Swanson stated that is correct. He clarified that with the fencing, three sides of the building are opaque and there are no residential areas, so the applicant is articulating the building correctly. He continued that it is windowless in the back, which is accepted by code, but they are meeting the fenestration requirements in the visible portions at the front entry. Mr. Blake stated that signage will not be considered tonight. Mr. Chukwu stated that is correct. He continued that the proposed lighting and wall packs meet the City's requirements.

Mr. Chukwu stated that the Zoning Code would support Planning and Zoning Commission consideration for a Certificate of Appropriateness for Site Plan, Architecture, Landscaping, and Site Lighting for Gerber Collision Facility that complies with the minimum zoning code requirements and the following conditions:

1. That the landscape plans shall be prepared by a licensed landscape architect in the State of Ohio.
2. That the applicant shall provide the required 10% landscape area for the VUA.
3. That the dumpster enclosure shall be constructed of brick or stone and have wooden doors.
4. That the applicant shall screen stored vehicles with a brick or stone wall that matches the primary building.
5. That the applicant shall receive a Comprehensive Sign Plan prior to installing any wall or ground sign.
6. That the applicant shall address all comments of the City Engineer.

7. **That the applicant shall address all comments of the City's Architectural Consultant.**
8. **That the applicant shall address all comments of the Violet Township Fire Department.**
9. **That the applicant shall address all comments of the Fairfield County Utility.**

Mr. Shamp suggested amending staff condition number four to state **That the applicant shall screen the vehicles consistent as approved in the Conditional Use Permit.** Mr. Chukwu stated that the applicant met with the Violet Township Fire Department and believes the radius of the internal drive issue has been resolved. Mr. Blake asked the applicant to step forward. Justin Furr, the applicant, stated that he is with Gemini Commercial Real Estate. Mr. Blake stated that there are nine staff conditions and asked Mr. Furr if he had any questions or disputes with any of them. Mr. Furr stated that condition number one is fine, and he already has a licensed landscaper in Ohio in the works. He continued that ten percent of the interior parking listed in condition number two is nearly all fenced in and will not be seen. He added that they already added landscaping proactively along Freedom Way to help with the screening. He stated that in their new site plan, there are a few areas where they can add some grass islands, but accomplishing ten percent, we are planting landscaping behind a fence that nobody is going to see, and they would rather leave it out along Freedom Way, which is above the City's current landscaping ordinance. He clarified that this is one request. He continued that, regarding condition number three, they would put in a gate on the dumpster enclosure that matches the other fencing if possible, and if not, they will use wood, and the masonry dumpster enclosure is no problem. He added that everything else is acceptable. Mr. Blake asked Mr. Chukwu if the ten percent landscape listed in condition number two is behind the area that the Commission approved for the fencing. Mr. Chukwu stated that it is and whenever you have any vehicle use area, the code is specific. Mr. Blake stated that he understands but is not relevant. Mr. Chukwu stated that it is relevant because it is the code, and it does not matter if the area is fenced in or not. Mr. Blake asked Mr. Chukwu if he is requesting ten percent of the area that is fenced in where the vehicles are going to be stored. Mr. Chukwu clarified that he is requesting ten percent of the parked areas and any usable space that the vehicle will use and this is what the code says. He clarified that the square feet of all the paved surfaces are divided by ten percent and that is the amount of landscaping to provide for that area with islands. Mr. Blake stated that for him, he has not seen a facility like this with this type of use come before him, so he is trying to get clarification and is trying to use common sense. He continued that he is not trying to go against the code, but if Mr. Chukwu is requiring ten percent in an area where they are just parking vehicles, that is not going to be seen by the public, he asked if the ten percent could be put out front where people could see something beautiful. Aaron Reynolds, with Civil and Environmental Consultants, stated that although the language is not written this way, the ordinance intends for that to be public vehicular use areas. He continued that all the storage of vehicles is not pubically accessible. Mr. Chukwu clarified that the code does not say public. Mr. Blake stated that if it is a fenced area for the storage of vehicles that are going to be worked on by an automotive service facility, is not visible by the public and is not accessible by the public to drive through, is it necessary to require ten percent of that area? Mr. Bushman stated that it is probably not necessary, but the code is the code. Mrs. Rohaly asked where they would put the extra grass with the crumpled-up cars? She stated that you really do not need to beautify the enclosed area, so she would put the landscaping outside the enclosed area where people actually drive-by and see the landscaping. Mr. Blake stated that he is always careful not to set a precedent. Mr. Shamp stated that he thinks Mr. Chukwu is right that the code does not specify but the clear intent of it is to keep a Home Depot parking lot from looking like Kings Island. He continued as far as setting a precedent, it does not concern him because of the unique conditions to the site. He added that if somebody comes here a year from now and says you did not force the collision experts to do it, we can say that it is because there are 12-foot mounds in front of the building, have met all the landscaping requirements, it is not a pubically accessible area and that the parking lot is more a part of the function of the site rather than parking for customers. He clarified that this is a unique site that is down below the mound, away from any residential sites out of view, and he does not think it gives us a problem enforcing our code as written, outside of very unique circumstances down the road that would be treated differently. Mr. Reynolds stated that they did take the plantings that would technically be required and added those to the mound and the screen out front and thinks that Mr. Furr is still willing to incorporate those in that area. Mr. Shamp suggested saying that c**ondition number two is amended**

that the applicant shall provide an extra ten percent of the pubically available parking in landscaping along Freedom Way. Mr. Butcher asked if the applicant is offering ten percent of the entire paved surfaces initially? Mr. Reynolds clarified that when they performed the calculation, he thinks you would find the vehicle use area as part of the drive aisles, so he is not 100 percent certain, but yes, he believes that the way Mr. Butcher defined it, it is all the asphalt areas. He continued that it is an equation, and whatever the count worked out to, they added those plantings to the mounds. Mr. Shamp stated that they are already in the applicants' plan. Mr. Reynolds stated that is correct. Mr. Shamp stated that if that is the case, he would just strike condition number two. Mr. Butcher agreed. Mr. Furr asked if the Commission wants a wood door on the dumpster enclosure? Mr. Blake stated that he wants a door that is not going to fall off. Mr. Furr stated that PVC would be better. Mr. Blake clarified that condition number three be amended to state **That the dumpster enclosure shall be constructed of brick or stone and have door with material that matches the fence.** Mr. Shamp clarified that condition number four is amended to state **That the applicant shall screen stored vehicles consistent with the approval in the Conditional Use Permit Application.** Mr. Blake asked for a motion and a second with staff recommendations as read in the record.

Moved by Mr. Hayes **to approve with staff conditions, striking condition number two, amending condition number three to state that the dumpster enclosure shall be constructed of brick or stone and have a door with material that matches the fence, and amending condition number four to state that the applicant shall screen stored vehicles consistent with the approval in the Conditional Use Permit Application**, **seconded by** Mr. Bushman

Yes: Mr. Blake, Mr. Bushman, Mr. Hayes, Mrs. Rohaly, Mrs. Marshall

5 - 0 Passed

C. Review and request for a motion to consider Nonresidential Design Standards Certificate of Appropriateness for Site Plan, Architectural, Landscaping and Lighting for Hampton Inn & Suites located on the west side of Winderly Lane south of Hampton Inn by Hilton

Mr. Chukwu reviewed the staff report and location map with the Planning and Zoning Commission. He stated that the hotel will be located on the cul-de-sac of Winderly lane. He continued that there will be two access points to the hotel, one to the north and the other to the southeast of the site. He added that the proposed hotel will be a four-story 57,100 square foot building. He stated that the total height is going to be 59.5 feet which will trigger a variance for the height through the Board of Zoning Appeals (BZA). He continued that he asked the applicant to incorporate a sidewalk along the private access drive, which they complied with. He added that a total of 98 parking spaces are needed, which the applicant complied with. He stated that the proposed dumpster enclosure meets the intent of the zoning code with the applicant proposing brick with wooden doors. Trevor Swanson stated that he is with TRIAD Architects and they conducted the review of the applicant's proposal for its compliance with the nonresidential architectural standards. He continued that in order to meet the standards, it will require one item to be waived and that is to allow windows to go below 18 inches to grade when adjacent to sliding entry doors. He clarified that this is a common waiver they have done for previous applicants. He stated that the hotel is proposing at the front entry to have automatic sliding doors and in order for those to function properly, you cannot have a water table adjacent to those sliding doors and so this is a concession that would need to be made in order for them to be able to use those doors. He continued that everything else meets the standards; they are using the right materials, they have the right amount of fenestrations and windows, and the build is articulated as the standards requested. Mr. Chukwu stated that the applicant provided adequate landscaping and also provided more than ten percent interior landscaping as required by the code. He continued that the applicant is proposing a different style for the site lighting. He clarified that the code states that if there is an adjacent property with the same style they can use the same style, which is what the applicant is proposing. He stated that staff is in support of this project and there are five conditions and one waiver.

Mr. Chukwu stated that the Zoning Code would support Planning and Zoning Commission consideration for a Certificate of Appropriateness for Site Plan, Architecture, Landscaping, and Site Lighting for Hampton Inn & Suites that complies with the minimum zoning code requirements and the following conditions:

1. That the applicant shall receive a maximum building height variance from the Board of Zoning Appeals.
2. That the applicant shall provide undulating mound along Winderly Lane and Access Drive.
3. That the applicant shall provide wall pack light fixtures compatible to the light pole fixtures.
4. That the applicant shall address all comments of the City's Engineer.
5. That the applicant shall address all comments of the City's Architectural Consultant.

Mr. Chukwu stated regarding condition number three, since the style is different from our typical goose neck and has the same style that is adjacent to them, he is recommending that wall pack should have the same style as the applicant is proposing for the pole. He continued that the one waiver is that the windows adjacent to the entry doors shall be 18 inches from grade unless waived by two-thirds vote of the Commission. Mr. Blake asked the applicant to step forward. Steve Fox stated that he is with V3 Companies. Mr. Blake asked Mr. Fox if he had any questions, comments or concerns with the staff conditions. Mr. Fox stated that there are no objections. Mr. Shamp suggested voting on the waiver first and framing it as we move to waive the requirement for windows to be 18 inches from grade at the following locations, adjacent to the sliding entry doors.

Moved by Mrs. Rohaly **to waive the requirement for windows to be 18 inches from grade at the following locations, adjacent to the sliding entry doors**, **seconded by** Mr. Hayes

Yes: Mrs. Marshall, Mrs. Rohaly, Mr. Bushman, Mr. Hayes, Mr. Blake

5 - 0 Passed

Moved by Mrs. Rohaly **to approve with staff conditions**, **seconded by** Mr. Bushman

Yes: Mrs. Rohaly, Mr. Blake, Mr. Hayes, Mr. Bushman, Mrs. Marshall

5 - 0 Passed

6. REPORTS

A. Planning & Zoning Director

1. BZA Report

Mr. Chukwu stated that he will have one item on BZA.

2. FCRPC

Mr. Chukwu stated that he had nothing to report.

7. OTHER BUSINESS

8. ADJOURNMENT

Moved by Mr. Blake **to adjourn**, **seconded by** Mrs. Rohaly

Yes: Mrs. Rohaly, Mr. Blake, Mr. Hayes, Mr. Bushman, Mrs. Marshall

5 - 0 Passed

The Planning and Zoning Commission adjourned at 8:44 P.M.

RESPECTFULLY SUBMITTED:

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Debbie Kopinsky, Deputy City Clerk