

CITY OF CIRCLEVILLE  
PLANNING AND ZONING COMMISSION  
104 EAST FRANKLIN STREET  
CIRCLEVILLE, OH 43113  
(740) 477-8224

City Hall Council Chambers  
Wednesday, February 1, 2017  
6:00 p.m.

**MEETING MINUTES**

**Members Present**

Al Sedlak  
Bob McCrady  
Mike Combs  
Don Sherman  
Don McIlroy  
Terry Leasure  
Valerie Goeller, Clerk

**Visitors Present**

See attached

Chairman Al Sedlak called the meeting to order around 6:15 p.m. and explained the first two items on the agenda were public hearings. He explained that process rezoning's go through

The first item on the agenda was a public hearing as requested by Scott Wills, 39 E. Dominion Blvd, Columbus, Ohio 43214 to rezone a 17.309 acre tract of vacant farm land located east of Walnut Creek Pike between North Court Street and Sycamore Drive, to be rezoned from LB, Limited Business District to AR, Apartment Residential District, for the purpose of an apartment complex.

Scott and Larry Wills were sworn in.

Larry Wills stated we are requesting the rezoning on 17.309 acres that is zoned LB, Limited Business at this time. We are asking for apartment zoning. We are owners and managers of apartment communities. We own and manage approximately 1550 units at this time. We thought that Circleville could use additional housing with the new businesses coming into the area. Our proposal would be for 264 units that would be one and two bedroom. At this time, the one bedrooms would be 747 square feet, with the two bedrooms at 1,200 square feet. Our first priority of business would be to extend Atwater Avenue to connect and build it to city standards. Aside from that, we have all utilities. It is apartment zoning to the east and to the south of this property. We are asking for the rezoning to be done.

Al Sedlak stated that along with the application, we were also provided with some very preliminary plans. I am not sure if anyone has seen those or if those have been circulated, but on the plans that were presented to us

Atwater Avenue coming from the North would not be extended and connected to Atwater Avenue to the south, along Graystone. It would curve in to the apartment complex. Mr. Wills just indicated that this would change. That would not be something they would be doing going forward. I would also like to mention that Don Sherman and I spoke before hand and just as this is a first step in the request for rezoning. This is also a first step of any development that the owner of the property would want to do. They have submitted a preliminary plan and drawing, but it is not a developmental plan and is not anything final. It is nowhere near the finished product. No matter what approvals they might get going forward, they would still need to come back before this commission for approval of a developmental plan. That would again be a hearing before this commission. If you are like me and had an opportunity to see their proposal, this is very preliminary. They have already made one modification to it that they would like to pursue. I just wanted to make note on this before going forward. Due to the number of people here tonight, we need to limit the time to one minute for each speaker.

Judith Stout, 1270 Wexford Drive was sworn in and stated I live in one of the condos in Graystone Village. For thirty-three years I was a part of a local family that built, owned and managed apartments here in town. I would like to speak about the changes in apartment renters over the years. When we built Plaza Drive, there were a lot of people coming in to Circleville with industry. When they moved in to the apartments, some of them stayed for 25 to 30 years. They were wonderful renters. They treated their apartment like it was their own home and when they left, it was left like it was their own home. Now let us fast forward to the 1980's. My son John was doing most of the managing at that time and he told me that renters have changed so much since my husband and I had it. When people moved out, so many of the apartments were trashed. They do not have respect for what they have, let alone anything that is owned by anyone else. The plan we are discussing here tonight is for twenty, three story buildings that would be built on 17 acres. However, having developed land, I know that the 17 acres is not going to be what those buildings are built on. You have to put in roads and sidewalks. There are no garages planned, so there will have to be a lot of parking spaces. They have plans for a swimming pool and clubhouse, which leaves much less than 17 acres to build twenty, three story apartment buildings. The governing board at Graystone has done a good job of keeping the condos looking good. We are proud of where we live and we appreciate all that they have done for us. If those apartments are built across from us on Atwater Avenue, our property values are going to plummet. There are already people that were considering buying in Graystone, now on hold and waiting to see what is going to happen with the building of the apartments. Graystone owners are not the only ones who are going to lose their financial investment if these apartments are built. There are many single family homes that we will hear from tonight. For all the homeowners that are involved in this, I beg of you, please don't do this to us! Plan to vote no on the apartments!

Matt Tootle, 320 Nutmeg Court stated he lives in the Rockford development. I have put a huge investment into the property that we currently live in. With the apartments going in, the property values will go down. Studies show that is what happens and this would turn our investment in to a capital loss. A lot of us are new to the neighborhood. Rockford has empty lots that they still need to sell and that will completely blow that out of the water. A lot of the people in our neighborhood are young families with young kids. With 264 apartments, each having one or two cars, this will cause an increase in traffic and a danger for all of our kids. Think about the kids and vote no against the apartment going in.

Jaqueline Cooper, 373 Chatham Road was sworn in and stated I am concerned about the quality of life for my neighbors, my family and for where I chose to live. My husband and I relocated here from Columbus ten years ago. There was an apartment complex built in our nice, new subdivision that we lived in. With the apartments, came an increase in traffic, violence, vandalism and congestion. We moved out of Columbus for that very reason, even though we still commute to Columbus. I don't want this in my neighborhood. I don't want this for my street

or for the new families in the neighborhood. We live where we live because we saw the good in Circleville. We see the good in Circleville, but as home owners, we don't need an apartment complex in that end of town. There are plenty of other places and plenty of other units that are available. If you check around, you will see that there are other units being offered to the community.

Kip Nungester, was sworn in and stated he resides at 326 Butternut Avenue. I am just echoing what everyone else is saying. We moved into the neighborhood two years ago. We have three small children and within one block of my home there are 14 children, between two homes. We already have teenage drivers not paying attention and texting while going through the neighborhood. One clarification I wanted to get before coming here was that they had mentioned something about Atwater Avenue being connected. We don't want it there, period. However, if it was going to be there and out of our control there is absolutely no reason to have Atwater from Heritage Ponds connected to an apartment complex. On the plans, it shows a major entrance from Walnut Creek Pike, plus you already have the existing Atwater Avenue over by Graystone. There would be two points of access and there would be no benefit to allow 264 apartments to have access through a residential neighborhood. There are constantly children in the streets. Also, home values will drop and people are already upside down on their home. We are already fighting that battle of keeping that above water. There is no reason to have this here on this end of town. If you have ever tried to turn left on Court Street from Walnut Creek Pike at certain times of the day, you have to wait for north and southbound traffic before making a left turn. I have counted before and I have seen 23 cars waiting to make a left turn. If you put an entrance 50 feet from there with 264 apartments, it will be a traffic nightmare. Please vote no!

Brian Thompson, 1555 Pecan Place was sworn in and stated I felt it was important to be here tonight due to the fact of the notification or lack thereof, for the people represented here tonight. To send letters out to people within 200 feet is disrespectful to that entire subdivision. I know that may be your rules, but you see the people here before you that are against this. Keep this in the back of your minds when you reevaluate your rules. I am concerned about the children, as well as the price of housing dropping so that we cannot sell our homes. I have lived in this town for 43 years and after being notified about this by neighbors on Sunday, it is the first time I ever contemplated putting a for sale sign in my front yard.

Brent Bowers, 6 Claire Court was sworn in and stated he does not live in the area of concern, but wanted to speak on behalf of the issue, as a past person from safety forces. Many people get lost, especially the emergency squad and police department. Whether it is on the north end of Atwater Avenue or the south end of Atwater Avenue They do not know the housing numbers. I feel that at the minimum, Atwater Avenue should be extended from Dunkle Road to Morris Road. I don't know if the apartment complex is geared towards low, medium or high income levels. However, I do agree with many of the people that if it is geared towards low to medium income levels, the property levels could very well drop. If I understand it correctly, the contractors or proposed owners are willing to do a lot of infrastructure in that area to help alleviate traffic levels, three or four lanes, turn signals. I have no pro or con against it, other than what I just stated.

Sandra Lamothe, 150 Walnut Creek Pike was sworn in and stated this directly affects me, my husband and our dogs. We look directly at that property. I definitely do not want it because apartment buildings start out nice, but then five to ten years down the road they look bad and no one takes care of them. Our property values will go down. Even if they make them high-end apartments. If they aren't filling them down the road they can turn them in to Section 8. I'm sorry I didn't buy my home to live near a Section 8 area. I paid good money for my home and we have done a lot of improvements to it. I want to stay here, but if this goes in we won't stay here

in Circleville. We came from Columbus, just because of apartment buildings and everything else going in around our house. Please do not approve the apartments, we would greatly appreciate it.

Jennifer Conrad, 455 Hillcrest Drive was sworn in and with her child by her side stated these are the faces of the children that play in that community. Connecting Atwater Avenue is going to cause too much traffic in that community. How can you look at the faces of these children and think that this is going to be safe?

Donald Kadunc, 1280 Wilshire Court was sworn in. If they claim to be luxury apartments, then I think that has to be part of the final plans. They should all have washer and dryer hook ups and 1 ½ to 2 baths. This is a three story building, so is it a three story walk-up? Is it three stories with an open access or vestibule area? It should be a restriction that it could not turn in to subsidized apartments.

Mike Parks, 1190 Atwater Avenue was sworn in. We all know that someday Atwater Avenue will go through. I live on Atwater and it is going to happen. The issue that we are all concerned about is that we don't want apartments.

Dana Widmayer, 500 Chatham Court was sworn in. I have been in project management for about 30 years. One of the first things you have to ask is what the purpose would be and what is the goal we are trying to achieve. I really don't think that the apartments will achieve any positive goals. We have talked about safety and property value. Other than that, what else do you need to hear? It is not a good location for apartments and I don't think the people want it.

Diane Moore, 1268 Wexford Court was sworn in and stated the one thing that has not been said here tonight is that most of the people that live in Graystone are elderly. I walk my dog up and down the street and I always feel safe. I don't think that we will feel safe if there are 264 apartments right across the street from us. This is probably my last home. We have a lot of elderly people that need to be protected. We have always been safe at Graystone. I worry about our safety too.

Joe Kluczynski, 549 Chatham Court was sworn in. I want to expand on Dana Widmayer's comments. I would compel the commission to do its due diligence with its analysis. I think what you will find in your final analysis is that it is going to be a net cost and a net risk to the community. I know bringing in additional property brings in tax revenue to benefit the city, but you have to look at all the risks that have been discussed here in terms of safety and operational risks. I would also ask that you look at the credibility of the organization and their operational performance. How well have they operated within communities? We have to look at the big picture and how this fits in our community. Fundamentally this is a miss-match in terms of the nature of this particular style of residence to the larger community in the area. Evaluate the facts and I think you will find that it will be a net risk and net cost to the community.

Darrell Smith, 1294 Wilshire Court was sworn in and stated I have just one thing that I think you need to consider. We have people within this community that have invested in building apartments and have them available right now. I work out at the YMCA and multiple signs exist on Nicholas Drive for available apartments. There are also signs for available apartments on S. Court Street. Why do we need 264 more apartments if we have empty apartments that are available right now?

Tammy Deck, 383 Harwich Road was sworn in and stated that the one thing no one has touched on is water pressure. We have no water pressure out there, it is really bad. When you put in 264 apartments, how much water pressure are we going to have?

Jeff Buitendorp, 336 Victor Drive was sworn in and said I was just going through the zoning regulations and the purpose of this committee is to protect the property rights. We have already established that property rights are going to fall if this development goes through. You are also supposed to provide safe and convenient traffic circulation. This is going to add congestion to the area. We are going to have traffic problems and now we are talking about connecting Atwater Avenue. I ask this committee, if you are connecting Atwater Avenue, why aren't we connecting all the other streets that don't go anywhere? We have multiple roads that don't connect. So if this is a safety concern then you could rename the roads, then there would not be any confusion. This is a simple matter that is very cost effective. My other issue is that I am a working professional. I work in Columbus and I have lived in Circleville most of my life. There is only one development in this town that I would move in to, and that is the Heritage Ponds Estate. You go anywhere else and there is nowhere else to build. If you want to develop this town into a commuter community and you put apartments there, you just killed the one property where a working professional would move in to.

Linda Park, 320 Hillcrest Drive was sworn in and said I would like to know if a traffic study would be done before you make a decision.

Al Sedlak stated that it would be part of the consideration if and when a developmental plan would be submitted. What we are doing here tonight is just a zoning classification. Their information regarding what they plan or hope to build there is just a concept. It is a proposal, so there is nothing for us to approve in that regard. All we are deciding is the land use classification.

Linda Park asked would the developers be willing to provide names of complexes that they currently own, so we could look up reviews or go to visit the locations?

Al Sedlak said that this would be up to them. It is a question this committee could ask them.

Lisa Jenkins, 1595 Atwater Avenue was sworn in. As a person who moved to Circleville, grew up in Circleville and then moved away, we ultimately decided to come back to Circleville. I teach in Circleville and I see what is happening to Circleville. I think we need to reverse the trend. If these apartments are in some way to house the influx of jobs from the new plant, how about building them in the school district where the money from the plant is going. Build them out by Logan Elm, in the field behind the plant. One and two bedroom apartments are not for families. I could not squeeze my family in a one bedroom apartment. This will not be families moving in these apartments. If you need to build these apartments, build them close to the jobs that you are saying will bring these families in. Don't build them in my back yard, I don't want them.

Chris Foster, 309 Sycamore Drive was sworn in and stated I have lived around Circleville my whole life. My wife came here from Sioux Falls and this is the place where we wanted to buy our house. We have two littles one that are two and six years old. The six year old goes to school here in Circleville. Please put yourself in our shoes. There are 200 people here. We are very concerned about the little ones and our property value. We are also concerned about the city. I just ask that you put yourself in our shoes. What would you do? Would you want this in your back yard? Would you want your little kids to be playing around the streets and have a chance at

getting hit and killed? I just ask that you think long and hard about this and put yourself in our shoes and vote no.

Ethan VanDette, 355 Hillcrest Drive was sworn in and stated I can only speak from my own experience, but I have lived in two different apartment complexes that were called “luxury” and that was in Dublin, Ohio, before I moved to Circleville. I had to do plenty of repairs myself that they were not willing to do. I don’t want to put any blemish on these gentlemen and I can’t speak for them. However, calling something a “luxury” apartment doesn’t make it one. I would like to reiterate that they don’t stay that way. I cannot speak for everyone, but I am not against new people coming in. I don’t think any of us are against new people coming in to Circleville. I don’t think it is fair for us to talk about the quality of people coming in to Circleville. However, I can say that I am concerned that the needs of the Sofidel Corporation coming in won’t be met by luxury apartments. How many of the employees working there that are making a little bit better than minimum wage are going to want to spend \$1,000.00 a month in rent? Why can’t we build this elsewhere or build it closer to where the factory is going to be built. I think that is a great idea and I personally would like to see something else go in there, if nothing at all. What about a park? There aren’t any parks up there, but that would bring its own set of problems obviously. I do represent my wife and my two young children and I would not like to see any added traffic on Hillcrest. We all know the cut-through streets in Circleville, we all take them. I certainly wouldn’t want to live on Cedar Heights, or the street that cuts through Sylvan Village. To make another route like that is just not a great idea. If you look at Circleville, it doesn’t take a lot to see that eventually the plan is to have those roads connect. I think we need to fight right now against the apartments going in, and maybe fight the road another day.

Larry Harris, 1286 Wexford Court was sworn in and stated one of my big concerns is three story apartments. Do you realize that is going to be one of the tallest structures in that whole area? By doing this, aren’t we going to be creating problems as far as parking, water problems and so on? Where are these people working? What was the purpose of putting the apartments in that location? There has to be a purpose, what is it? If it is housing for the new plant, it would be the wrong end of town. This just doesn’t make sense. I say no on this issue!

Diane Smith, 1308 Stratford Court was sworn in. I think we kind of skirted around different aspects of the safety of the children, traffic and water problems. I would like to say that I have lived out at Graystone Villas for 7 ½ years and it has been a fairly safe place to live. I only remember one instance that went on for a while where we had some vandalism going on. My husband kept saying it was an inside job and someone that knows the patterns of the residents. If I remember right, it turned out to be a Dispatch delivery man that was burglarizing the neighborhood. With the addition of apartments in this residential area, I think will bring the added problem of having to worry about vandalism and break-ins to cars or scouting their property. This is a big concern and worry about our property values. I am just thinking of the day-to-day living and safety. A lot of these people go to work in Columbus and they should be able to leave their home during the day knowing they are in a safe place and a safe neighborhood. I have lived in an apartment complex before and it seems like a lot of times the people that are in the apartment complexes seem to venture out in the neighborhood and then you have added crime. I don’t think we should have to worry about that. When we moved to this area, we never thought we would have to worry about an apartment complex coming in so close to us. I do hope that you will vote no on this. There are a lot of people here with valid concerns. I hope that you care enough about us, the taxpayers and citizens that live in this area, to please vote no against these apartments.

The first public hearing for this request was closed.

The next item on the agenda was the second public hearing, requested by the City of Circleville, 104 E. Franklin Street, for the property located at 1395 S. Court Street LLC., P.O. Box 1474, Pataskala, OH 43062 to rezone a 3.193 acre tract of vacant land located East of US Route 23 between South Court Street and US Route 23 from AR, Apartment Residential District to GB, General Business District, for the purpose of commercial development.

Don Sherman stated this piece of property was part of Caroline Court at one time. This parcel was part of that and intended to be apartments. When the apartments sold they did not sell that lot, which made it landlocked. When 1395 South Court LLC purchased the old Davy's property, they purchased that with the intent of a commercial development. The City as a TIF that runs along Rt. 23 for tax incentives for infrastructure. We had reached out to 1395 South Court LLC and suggested they look at this parcel, since it was immediately adjacent to what they own and they could actually develop this for maybe a larger restaurant or larger retail place. The City is asking under Section 6 and 6.02, that this board recommends the rezoning so that this can be zoned GB and developed along with the land on the North side of the new connector.

Al Sedlak asked if there was anyone to speak on this issue.

Don McIlroy stated that the new connector was put in going over to the West side shopping center. We did that for one reason. We wanted to save that West side shopping center. It was turning in to be nothing more than cement. The owners of the LLC group that bought the Davy property are putting in something that I have heard everybody wants, which is new restaurants.

Al Sedlak closed the public hearing portion of the meeting, and proceeded into the regular agenda.

The first item on the regular agenda was approval of the meeting minutes from the month of January, 2017.

Al Sedlak stated on the second page, about 8 lines from the bottom, there is a typo. The word air should be spelled error. More important on pages 5 & 6 there are a number of references to similar use and special use. These are different zoning terms and there is a very important distinction between them. There are a number of places in there that it says similar and it should say special. I will go over this with Valerie Goeller. I would ask that the meeting minutes be corrected to reflect that. If no other corrections are to be made to the meeting minutes, can I get a motion to approve?

Bob McCrady made the motion to approve, seconded by Terry Leasure. All in favor, meeting minutes approved.

Then next item on the agenda is a vote on a recommendation to forward to City Council from Scott Wills request for rezoning the 17.309 acres off of Walnut Creek Pike, extending to approximately the north end where Atwater Road now terminates, from LB, Limited Business District to AR, Apartment Residential District.

Al Sedlak asked if any members of the board had any questions for the applicants or anyone else who spoke.

Bob McCrady asked what price range apartments are we looking at?

Larry Wills stated I would like to give you the answer to that, but I do not have it. We have a contract to do a complete comprehensive study and they will tell us. I will say that they will be market rents, we don't own, develop or manage any subsidized apartments at all. These would not be also.

Bob McCrady questioned the monthly rate.

Larry Wills said the feasibility study will tell us whether this is a feasible product, or not.

Don Sherman said I would like to address a few of the things that came up. The City's comprehensive plan does show Atwater Avenue going through to Chatham Road. The reason for that is so the people in the Rockford area would have an alternate access back in to town, rather than just going out on Walnut Creek Pike. Basically Atwater Avenue someday will be completed and this will help alleviate traffic on Walnut Creek Pike. This will also help the safety forces. I just want everyone to realize too that currently this area is zoned LB, Limited Business, so you could have various businesses going in and backing up to your homes. This could happen without a public hearing. This is strictly a rezoning, we do not have a development plan yet. Some of the comments that we have had originally is obviously Atwater Avenue will be required to go through, even though their conceptual plan did not show it. With the number of units we are looking at, a traffic impact study would need to be done to see if turn lanes would be required on Walnut Creek Pike and what affect it would have on the intersection of Walnut Creek Pike and North Court Street. In general, just strictly looking at the gross area, based on our current zoning code, the maximum would be at 188 units. As streets get built and so forth, obviously that number would have to be reduced. The one other subject that was raised that I had not heard before was the water pressure issues. I was not aware of that. I will take that back and we will look to see what we can do to help that issue. Whether this is built or not, we will address your water pressure issues.

Bob McCrady stated he had a question for the Mayor. A few years ago, we had the Edsall Company do a plan for Circleville. Is this property included in that plan? If so, what was their plan?

Don McIlroy said right now the property is Limited Business. That plan also showed to extend Atwater Avenue being extended.

Don Sherman stated that the two comprehensive plans from 1996 & 2004 both showed that general area being business up so far and then the rest was residential. However, when they say residential that includes apartments. It does not distinguish that apartments go in certain areas, it is just general residential in the comprehensive plan.

Don McIlroy asked if Scott Wills or Larry Wills could address the concerns that the citizens have about the property values dropping with apartments.

Larry Wills replied I would share your view that if you are near a subsidized apartment project that the property values will decline. However, I have been in the real estate business for forty years and I have also seen apartment projects built where the property values do not decline.

Mike Combs asked if they had a ratio of the number of people per unit for your other apartment complexes.

Larry Wills replied, I really do not at this time. We are saying one and two bedroom apartments. However, our feasibility study may tell us that is not right. It may tell us that we do not need that many one bedroom apartments, we need more two bedroom and maybe a few three bedroom apartments.

Don McIlroy stated a lot of the people have been talking about families. Mr. Wills, in your past projects with the apartments, are these married couples, singles or families?

Larry Wills replied, we have all of the above. We do have families with children and school age children with buses that pick them up, so it is a regular community.

Don McIlroy asked, have you looked any place else in Circleville to build apartments?

Larry Wills replied, yes we have. It has been discussed that we should maybe go closer to the plants. However, the comprehensive plans call for most of the land down through there as Industrial Use.

Don McIlroy asked, have you looked anyplace in Circleville? That is more important to me.

Larry Wills stated he had never seen a crowd like this in Circleville. I am the gentleman that brought in the Walmart development and had it approved to go in to Circleville, and then it was vetoed. I am very familiar with the concerns of the people. I am still a partner in that development down there and I have been associated with Circleville for quite a few years.

Don McIlroy asked Mr. Wills if he had approached the administration for other sites.

Larry Wills replied he had met with Don Sherman before and he has a zoning map. Quite honestly, if you are going to build housing in Circleville, it should be on the north end.

Al Sedlak stated on the plat that you have attached to the application, at the south east corner of the parcel that is at issue here, is a 2.1788 acre parcel that indicates it is also owned by Rising Development Corporation, is that the case?

Larry Wills replied, yes sir.

Al Sedlak stated that is not part of this because it is already zoned Apartment Residential.

Larry Wills stated that is correct.

Al Sedlak asked, can you share with us what are your plans for that 2 acre parcel?

Larry Wills replied, that is not in our contract to purchase and is not a part of this deal.

Al Sedlak asked, Rising Development Corporation is the owner of these two parcels of real estate, is that correct? You are here as an individual and you have a contract to purchase the 17 acres from Rising Development, but not the 2 acres?

Larry Wills replied, yes sir that is correct.

Al Sedlak asked Larry Wills if he has had any discussions with Rising Development's representative on what their intentions are regarding the 2 acre parcel.

Larry Wills stated, no we have not.

Al Sedlak stated it just strikes me as funny that you have a 2 acre parcel wedged in here that is already Apartment Residential and it is not part of the plan or the proposals. I don't know what you would do with a 2 acre Apartment Residential tract. The area is straight east of where Carnival and Dollar General used to be or to the north of where Adena opened their clinic. It is basically a square shaped parcel fronting on Atwater Avenue. It just strikes me as odd that you have a 2 acre Apartment Residential parcel, sitting there by itself, that I can't imagine isn't going to be caught up in this at some point in the future.

Larry Wills replied, I believe it adjoins the 17 acres.

Al Sedlak stated yes it adjoins on two sides, on the north and on the west.

Larry Wills stated Rising Development stills owns that property and they still own around 5 acres on the other side of Atwater Avenue.

Al Sedlak asked, that is straight to the north of Graystone?

Larry Wills replied yes, that is correct. He still owns that and we are not in contract for that at all.

Al Sedlak asked if there had been any discussions of your use or purchase of this.

Larry Wills stated, the only discussion I have had is if the apartment project goes well and there is a demand for condominiums, then I would be looking for maybe another tract for condominiums.

Mike Combs asked if all of the buildings were three story buildings.

Larry Wills replied yes, on this plan they are, however, this is subject to change by the feasibility study.

Al Sedlak stated this property is zoned in a Limited Business District. In all districts there are permitted uses, conditional uses and others, but those are the main ones. Permitted uses allow the property owner to come up with a proposal and go to Mr. Sherman as the Service Director. They are able to get a zoning permit and begin development, unless they need a variance. In a Limited Business District, the permitted uses are administrative, business or professional offices, retail stores, personal services, nursery schools, daycare facilities and churches or places of worship. Conditional uses bring in a lot more, including veterinary offices, several types of group residential facilities, similar small business uses and multiple family residences. With a conditional use, if somebody would want to utilize one of those, they would need to submit a developmental plan and come back to this board before approval. The property owners in an adjacent area would be notified. As far as why only people within 200 feet are notified, that is a matter of the law and if somebody disagrees with that they can certainly bring that up with City Council. It already brings in a lot of people. At any rate, an apartment complex can be built on this property under the conditional use with a developmental plan without a rezoning. Keep that in mind that the current zoning does not prohibit an apartment complex. They would still have to get our approval of their developmental plan, but that is still something that could happen. I would like to see a nice apartment complex on the north end of Circleville. We don't have one and I think it would add to the community and I think it would be beneficial to the community. Having said that, I don't think this is the right place for it. This is my observation, I live fairly near there, but I am far enough away that this would not impact me at all. However, I drive by this area two to three times a day and I go up and down Walnut Creek Pike. I don't think that is the place for an apartment complex or an access on to Walnut Creek Pike. Maybe this would be something

that would be more properly considered in the developmental plan stage, but I am backing it up to this point. I don't think that the increased traffic and congestion of an apartment complex is conducive to that location. I believe that having an exit on to Walnut Creek Pike would create a safety concern. The plans they have now is that this would not connect to Atwater Avenue going south, that obviously could change in the future. What there plans are now is it would connect to Atwater Avenue going up in to the Rockford Home Subdivision. If that created increased traffic, that would not be a good thing. My personal feeling is I would rather see one of the permitted uses under the Limited Business District be utilized on this parcel rather than apartments or frankly, no offense to the people in Graystone, even additional condominiums. I think that sort of density compacted housing isn't conducive to that particular tract of land. I mention that only to the benefit of the other members of the board and just to voice my opinion. We on the board are really not under any obligation to justify our vote or to tell you why we vote a certain way. I generally do, but other members of the board may not. We have to be comfortable in our own skin in how we approach this and if any members of the board would like to speak on this, please do so at this time. That is how I feel and that is how my vote is going to go.

Don McIlroy showed the audience a map of the area and stated I want to talk about some of the things that you have said. Keep in mind, I am the Mayor of the City of Circleville. I represent every resident in the City of Circleville, whether it would be north, east, south or west. I represent the whole community. I don't know if you can see this or not, but here is the property that we are talking about. I have had many of you come in my office to talk to me about why you are against this. I have also had people come in to my office and say that it is a good idea. I have also had some people in my office that used to sit on this commission. When Graystone came in that was all zoned Single Family Residential and we had the same number of people in the crowd saying we don't want Graystone. Look what happened to Graystone, it turned out pretty nice. You talked to me and I really listened to what you said about Plaza & Nicholas Square apartments. I have listened to people talk about property values going down. Plaza Drive is right behind me, where I live. I live in a single family unit. Plaza Drive, which is subsidized housing, is right across from me. My house did not depreciate until the owner of the single family house across the street from me sold his house far below market value, then it depreciated. Anyone could make that decision and the property values will go down. When I came in to office I heard, "Circleville is a good place to live, but." "We have a great downtown area, but." "We have a good hospital, but." Everyone wanted to throw a "but" on it. Hopefully we are feeling a little bit better about Circleville today than we did six years ago. You also said, Mayor, you have got to develop this area, so we did. The first thing we started to look at was along Rt. 23. We started developing along Rt. 23, by this time next year there will be six restaurants down there. Then I hear from the people in the north saying, "You are not doing anything for us here." You said, "We don't have any fast food restaurants." I also see that you lost a grocery store in the north end. This property shown on the map is zoned AR. An apartment complex could go in there tomorrow, if it passes everything they are supposed to do as far as zoning requirements. It is already zoned apartment. The other thing I hear is "not in my neighborhood." I get really concerned when I hear that. We have a drug problem in the City of Circleville. We are not the only community that has a drug problem. By the way, every community has a drug problem. In the north end of Circleville has a rehab center that is doing extremely well for women. They have had no problem with that, they had to come in and get it rezoned. We had another group come in on Mill Street that opened up a men's clinic. This place was as full as it is today with people in that neighborhood saying "no way, not in my neighborhood." We passed it, we said yes. The neighbors are very happy that it is in their neighborhood. However, I am your Mayor and I represent you. So my vote today will be representing you.

Don Sherman motioned to approve the rezoning request, seconded by Don McIlroy. VOTE ON MOTION: DON MCILROY, NAY; AL SEDLAK, NAY; DON SHERMAN, YEA; TERRY LEASURE, NAY; BOB MCCRADY, NAY; MIKE COMBS, NAY. 1 YAY, 5 NAYS. MOTION DENIED.

Al Sedlak stated this means our recommendation to City Council will be to not approve the rezoning request. That is just a recommendation to City Council. As I indicated, City Council will now schedule a public hearing and the same people that were notified of this hearing will be notified then. They will have a public hearing and you will have the same opportunity to address City Council. President of Council, David Crawford, will set the ground rules on that. I have tried to be honest with you and follow the way he does it in City Council, so I think it will be somewhat similar. After that, the matter would be referred to a committee. They would have one or two hearings on it, then it would come back to City Council. Regardless of what we did tonight, this is possibly the first step in the process. However, it will go to City Council with a negative recommendation from us. That will conclude our proceedings on that particular issue.

Don McIlroy told Mr. Wills, come and see me. I have some other areas that I think we can look at. Circleville is changing and there is a population shift coming out of Columbus. This is going to affect us in housing. We have to house these people. I would love to have those folks live and work in the Circleville area and the Pickaway County area. When we had RCA, half of their employees were from Ross County because we didn't have housing for them. I would like to see this happen. We need more children in our schools and we need more infrastructure. I need more housing. For you folks that wanted to sell your house, please build another one next door. We need more housing so that we can get more businesses in that north end. I have a really good idea for the old Carnival building, but I can't say what it is yet. Mr. Wills, come and see me. I think I have a place that will work for you.

The next item on the agenda is a vote on a recommendation to forward to City Council the rezoning of the 3.193 acre tract located East of US Route 23, between South Court Street and US Route 23 from AR, Apartment Residential District to GB, General Business District.

Al Sedlak asked if anyone was there to speak on this issue or if anyone on the board had anything they would like to bring up on this issue. If there are no comments or questions, do we have a vote to recommend?

Terry Leasure motioned to approve, seconded by Bob McCrady. VOTE ON MOTION: AL SEDLAK, YAY; DON SHERMAN, YAY; TERRY LEASURE, YAY; BOB MCCRADY, YAY; MIKE COMBS, YAY; DON MCILROY, YAY. 6 YAYS, 0 NAY. MOTION CARRIED.

The next item on the agenda was Conditional Use Permit # 1-17, as requested by the Circleville Herald/Teresa Maynard, 401 East Main Street, Circleville, to utilize 401 East Main Street for their business office, in an area zoned RO, Residential Office District.

Jennifer Bainey was sworn in and stated I am here to represent Teresa Maynard/Circleville Herald. We have leased the building from Susan Dickey Beckley who retired. She still owns the building at 401 East Main Street. We have leased it and filled out all of the paperwork needed, per Mr. Sherman. I would be happy to answer any questions. I have all of Teresa's paperwork here and hopefully everything is in order. We signed a ten year lease with Ms. Beckley and also applied for a sign permit. We have moved in and we have very minimal traffic. We are just doing administrative work out of the building. We are not producing a paper and we don't have any equipment or presses. We are just editing and doing administrative work. We have a few customers that come in each day, but it is not a high traffic area.

Bob McCrady asked, are you not doing any distribution out of the office?

Jennifer Baineey replied, all of the printing is done in Athens. The truck brings all of the papers up to our office and then our carriers do get them out of our office, then they distribute them out of their cars.

Bob McCrady asked, how many carriers are we talking about?

Jennifer Baineey replied I can get that answer for you, I am not for sure. They do distribute throughout Pickaway County. I would say more than ten carriers. However, I will get that answer for you by tomorrow morning.

Bob McCrady stated, I am just concerned about the amount of traffic in the area.

Al Sedlak asked, what time do they pick up the papers?

Jennifer Baineey responded, bright an early, around 7:00 a.m.

Terry Leasure stated, it used to be Dr. Moshtaghi's office. He had people in and out of there all day long when he had his doctor's office there. Dr. River's office is right next door and he has people coming in and out too.

Al Sedlak stated I thought the carriers would be coming through there before school buses are on the road and people would be commuting to work.

Jennifer Baineey replied, I would say they are in and out between 7:00 a.m. and 8:00 a.m. By the time I get there at 8:00 a.m. they are gone, I never see them.

Terry Leasure asked, do they pick up the papers at the back door?

Jennifer Baineey replied yes, there are twenty available parking spaces. Traffic flow is minimal. Office hours are 8:00 a.m. to 5:00 p.m. I will find out how many carriers we have by tomorrow morning.

Terry Leasure stated I live on Franklin Street and I don't think that time of day would affect the kids. I am just glad to have you staying in Circleville.

Jennifer Baineey stated I love the new offices. It is absolutely beautiful and we hope you will come in and visit us.

Al Sedlak stated I think their use would comfortably fit under Conditional Use, Section 18.04 D, as a professional office. If there are no other comments or questions, could someone move for approval?

Don Sherman commented, when we found out they were moving about two days before, they came in immediately and filled out the paperwork.

Jennifer Baineey replied, yes we were thrown for a bit of a loop. We didn't realize what needed to be done. Mr. Sherman was nice enough to let us know what we needed and worked very patiently with us. We worked as quickly as we could.

Al Sedlak stated the Residential Office District is a little different because the only permitted uses are residents. Offices are all Conditional Use.

Don Sherman motioned to approve, seconded by Terry Leasure. VOTE ON MOTION: DON SHERMAN, YAY; TERRY LEASURE, YAY; BOB MCCRADY, YAY; MIKE COMS, YAY; DON MCILROY, YAY; AL SEDLAK, YAY. 6 YAYS, 0 NAY. MOTION CARRIED.

Al Sedlak stated we are going to take the next two items out of order. The next item is temporary sign approval as requested by Shawn Martin of Ace Hardware, 1184 North Court Street, Circleville, to erect an inflatable hot air balloon on the roof, to advertise their grand opening in an area zoned GB, General Business District.

Shawn Martin stated essentially the balloon would go up for the grand opening on the night of the 23<sup>rd</sup> and will come down the morning of the 27<sup>th</sup>. The grand opening is scheduled for Friday, Saturday and Sunday. The sign and balloon will be on the roof and there will also be a grand opening banner.

Don Sherman stated they are not allowed as general signage. We discovered that under Temporary Signs, Section 35.08 I, allows for streamers and/or inflatable devices are permitted as temporary signs, provided specific approval for such signs is granted by the Planning and Zoning Commission.

Don McIlroy stated I am looking at the picture here and it doesn't look like it is a stand-alone inflatable balloon. What is it exactly? How do you anchor it?

Shawn Martin replied, that is just a rendering of what it would look like. It was photo-shopped in to the picture of the store of what it would look like. It will be anchored to the roof of the building.

Don McIlroy asked, what would happen if we had high winds? Could this be deflated within seconds? I would hate for this balloon to go over in to the residential area.

Shawn Martin replied, I do not know. I am actually contracting with a company to do this.

Don McIlroy stated, I would suggest that you have a back-up plan for high winds.

Don Sherman commented, typically they have a small fan on it and it is continually blowing in.

Don McIlroy asked if there were any concerns with area businesses or neighbors.

Valerie Goeller replied, this is nothing that the public gets notified of. There is no public notice required, just for the Planning & Zoning Commission to make determination. I am just thankful that he came to us to get the permission to have the balloon.

Terry Leasure asked, how is the business going?

Shawn Martin replied, they had a good start, but January has been very slow. However, this is typical for January and February. The weather is not cooperating, we need snow.

Al Sedlak asked for a motion for approval of the balloon

Bob McCrady motioned for approval, seconded by Mike Combs. VOTE ON MOTION: TERRY LEASURE, YAY; BOB MCCRADY, YAY; MIKE COMBS, YAY; DON MCILROY, YAY; AL SEDLAK, YAY; DON SHERMAN, YAY. 6 YAYS, 0 NAY, MOTION CARRIED.

The last item on the agenda is Final Plat approval, as requested by Circleville Health Partners, 4100 Regent Street, Suite F., Columbus, OH 43219 for Wyngate, 745 & 747 Northridge Road, in an area zoned SU, Special Use District.

Don Sherman stated I was asked to speak on behalf of the Final Plat. This is the Final Plat, you saw the Preliminary Plat about two years ago. Basically, because there are easements/dedications of additional right-of-way, a plat is required. This is going through the middle of the property, across the north east side is the water line. This is a public waterline and they are actually dedicating additional public right-of-way along Northridge Road. This is pretty straight-forward.

Al Sedlak stated if there were no questions, I ask for a motion for approval of the Final Plat.

Terry Leasure motioned to approve, seconded by Don Sherman. VOTE ON MOTION: BOB MCCRADY, YAY; MIKE COMBS, YAY; DON MCILROY, YAY; AL SEDLAK, YAY; DON SHERMAN, YAY; TERRY LEASURE, YAY. 6 YAYS, 0 NAY. MOTION CARRIED.

Bob McCrady motioned to adjourn, seconded by Don Sherman. All in favor, meeting adjourned

Respectfully submitted by Kim Hunter, Clerk.