

14060012

File No: V-11-2014

Fee: 300.00

Date Received: 6-11-14

Initials: CAS

Scheduled Public Hearing Date: 7-9-14

Check or Receipt Number: 120805



**PLANNING COMMISSION
APPLICATION FOR VARIANCE**

Property Address: 376 AGLER Rd. Parcel ID #: 025-010194-80

Applicant: SPEEDWAY LLC

Contact: JOHN SARANZAK Title: CONSTRUCTION

Address: 500 SPEEDWAY DRIVE

Phone: 937/408-1866 Fax: _____ E-Mail: JDSARANZAK@SPEEDWAY.COM

Status: Property Owner Option Holder Contractual Purchaser Agent

Property Owner: SPEEDWAY LLC

Contact: JOHN SARANZAK Title: CONSTRUCTION

Address: 500 SPEEDWAY DRIVE, ENON OHIO 45323

Phone: 937/408-1866 Fax: _____ E-Mail: JDSARANZAK@SPEEDWAY.COM

Signature of Applicant: [Signature] Date: _____

Note: Planning Commission members and/or City staff may visit the property prior to the hearing. All correspondence will be to applicant above unless otherwise stated.

Submission Requirements

1. Submit eleven (11) copies folded (not rolled) to 11 X 17 size of a survey and legal description of the property certified by a registered surveyor. Any drawings submitted must include one copy that is no larger than 8½ x 11 inches.
2. Submit a list of all contiguous property owners and their mailing addresses.
3. Submit a statement of the reason(s) for the variance request. The statement should address the three (3) conditions listed on page two of this application that must be met in order for Planning Commission to grant the variance.
4. Application Fee: \$150 for single-family residential and \$300 for all other districts.

APPROVAL

Code Sections to be varied: 1165.04(a)(2) 1153.03(c)(4) Current Zoning: CC

Short description of the governing code and the requested variance: (a) to allow an electronic price panel on 2 existing signs (b) to allow an existing building to encroach into the rear yard setbacks and to allow 2 corner additions to be built with a 0 rear yard setbacks

In accordance with Section 1131 of the Codified Ordinances of the City of Gahanna, Ohio, I hereby certify that this project as stated above has been approved by the Planning Commission on _____. A copy of the minutes is hereby attached. The applicant shall comply with any conditions approved by the Planning Commission and shall comply with all building, zoning, and landscaping regulations now in place.

Planning & Zoning Administrator: _____ Date: _____

PAID
JUN 11 2014
RECEIVED
JUN 11 2014
BY: CAS CLK# 120805
BY: CAS

pmj l.p. 71988

1131.04 PUBLIC HEARING.

At such hearing the applicant shall present a statement and adequate evidence, in such form as the Planning Commission may require, and the Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

- (a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- (b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- (c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

Planning Commission Information for All Applicants

1. All required information must be submitted with the application. Deadline for acceptance of applications is 5:00pm on the Tuesday four (4) weeks prior to the Public Hearing Date. No application will be forwarded to the Planning Commission until all information is received in the Planning & Zoning Office.
2. It is the responsibility of the applicant to have a court reporter present, at the applicant's expense, if they wish to have a verbatim transcript of the meeting. Please notify the Council Office in advance at (614) 342-4090 if a court reporter is going to be present.
3. Any drawings submitted must include one copy that is no larger than 8½ x 11 inches. If an application is amended at any time during the process, new drawings must be submitted.
4. The meeting agenda will be mailed to the applicant on the Friday prior to the Planning Commission meeting. If the agenda is to be mailed to someone other than the applicant, please note that on your application.
5. If a list of contiguous property owners needs to be submitted with an application, it must be compiled on a separate sheet of paper. The list must include the name and mailing address of each property owner. Showing them only on one of the plan sheets is not acceptable.
6. For Design Review applications, a materials list must be submitted with the application unless otherwise instructed by the Planning & Zoning Administrator. If materials are changed during the process, a new materials list must be submitted.
7. For multi-tenant ground sign, freestanding sign and master sign plan applications, location must be shown on a site plan. Location for a wall sign should be shown on a building elevation drawing. Color renderings of all signs must be submitted with the application.
8. Please review "Submission Requirements" on the application form before submitting your application to the Planning & Zoning Division.
9. Copies of specific sections of the zoning code are available in the Zoning Office at no charge. The entire zoning code with a map is available in the Council Office at a cost of \$25.00. The Zoning Code is also available online and can be found at www.conwaygreene.com/gahanna.htm.
10. Planning Commission members and/or City staff may visit the property prior to the hearing to review the application.

Name	Address
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Commercial Neighbors:

	Advance Auto Parts	71 Agler Road
	School Days Uniform	73 Agler Road
	Stygies Tavern	77 Agler Road
	Tobacco Land	79 Agler Road
	Hertz	81 Agler Road
	Little Ceasars	87 Agler Road
	Barber Shop	89 Agler Road
	Body Image	93 Agler Road
	McDonalds	359 Agler Road
	Tim Hortons	365 Agler Road
	Heartland Bank	67 Stygler Road
	Signs by Tomorrow	76 Stygler Road
	CVS	60 Stlgler Road

Residential Neighbors:

	None	
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Variance Request Speedway 5118 Gahanna, Ohio

- 1) Speedway would like a variance for the installation of LED price panels
 - Employee safety from number panels injuring employee
 - LED price panels are more energy efficient
 - LED price panels are a retro fit – fit within existing frame
- 2) Speedway would like variance for enlarging walk-in cooler
 - Building located on property line
 - Reduce frequency of deliveries and trucks on lot – safety
 - Improve pack out conditions at store – customer variety
 - Cooler bump out will made of same material as building – brick
 - Property backs up to commercial properties
- 3) Speedway would like a variance for a walk-in cooler/ freezer
 - Building located on property line
 - Improve product efficiency - quality
 - Removes old energy eating freezers with improved energy efficient one
 - Walk-in cooler/ freezer will be made out of same material as building – brick
 - Property backs up to commercial properties



Everbrite

Date: July 29th, 2011

Re: LumiDigit II Sign Illumination

To Whom It May Concern:

Everbrite, LLC produces LED signs ranging from gas price signs to message centers. We design our products to meet or exceed our customer's expectations whether it's in its appearance, performance or specifications. Our dedicated Technical Center works constantly with municipalities to ensure our products adhere to the requirements set forth to ensure proper appearance along with public safety.

One of the areas of compliance interest is the illumination of our LumiDigit II gas price sign. This stems from the concern caused by companies producing LED signs that maintain the same brightness throughout the day and night. This not only wastes energy but also makes the sign difficult and dangerous to read at low light conditions such as during the evening hours.

Everbrite incorporates into its products, sensors that constantly evaluate the ambient light levels and automatically adjust accordingly based on the parameters assigned during the sign setup. With these sensors mounted on both sides of the sign, we can monitor and adjust the brightness levels on each side independently. The brighter the ambient light, the brighter the LED's must be to compensate for this higher light level otherwise the sign would be very dim or may even be perceived as being turned off during the day.

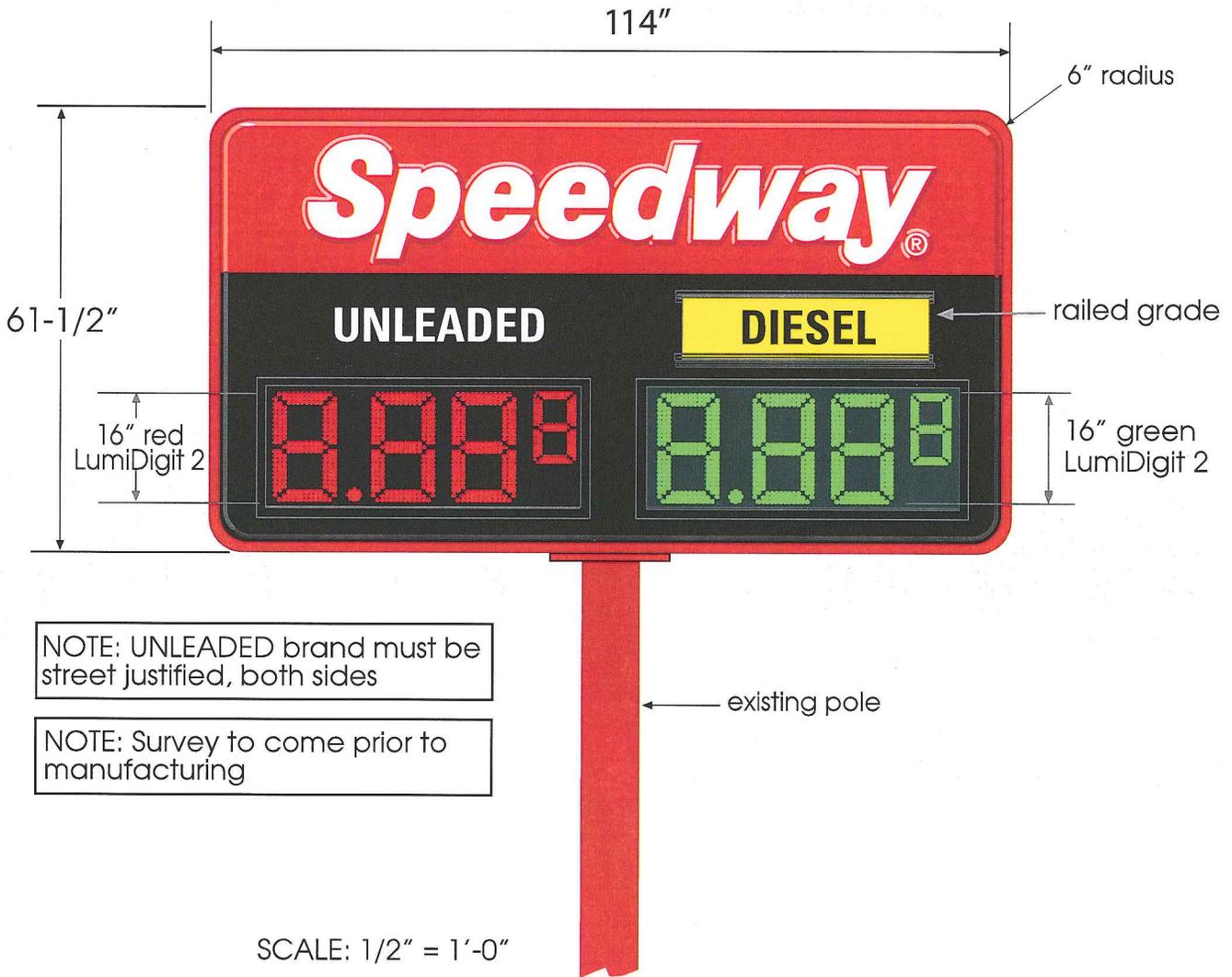
Our signs are designed not to exceed 5000 nits (cd/m^2) during the brightest part of the day and are shipped out from our factory defaulted at the lowest nighttime setting to ensure we are adequately below requirements. To explain this further, our smallest digit emits only 300 nits (cd/m^2) and our largest digit emits 400 nits at night with no ambient light present. Our installers review all settings and adjust accordingly before leaving the site to make certain the sign conforms to the local jurisdictions necessities.

Further information may be reviewed on page 8 of our operation manual.

Sincerely,

Mark Erickson
Product Development Manager

401 South Main Street, Pardeeville, WI 53954 Phone: 608-429-2121



DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.

Customer: SPEEDWAY SUPER AMERICA		Description: 5' x 9' radius retrofit w/ 2 product R/G 16" LED digits	Customer Approval: NOTE: Unless specified by customer, all depth of embossing will be determined by Everbrite Engineering or existing customer specifications on file. Colors and graphics on file will be used unless otherwise specified by customer. Please read carefully, check appropriate box and fax back to Everbrite:
Project No: 311059	Scale: 1/2"=1'-0"		
Date: 4/09/14	Drawn By: CH	Revised:	<input type="checkbox"/> New sketch required
Location & Site No: Gahanna, OH #5118		Revised:	SIGNATURE _____ DATE _____

Quotation



Quote #: 219934
 Quote Date: 04/11/2014
 Revision: 04/11/2014(#0)

Box description: Cooler/Freezer Combo

Dimensions:

External (O.D.): 8' 8 1/2" x 13' 3" x 8' 5" - w x d x h
 Internal (I.D.): 8' 1 3/4" x 12' 6 5/8" x 8' 0" - w x d x h
 Volume: 818 ft³

Finishes

Walls: Galvanized/Embossed - 26 Ga. - interior & exterior
 Floors: Aluminum/Smooth - .050 - interior
 Galvanized/Embossed - 26 Ga. - exterior
 Ceilings: Galvanized/Embossed - 26 Ga. - interior & exterior

Panel Thickness

Walls: 3.5" & 5" UL Listed Class 1 Foam
 Floors: 5" UL Listed Class 1 Foam standard floor 1000 lb/ft² equally distributed (single layer of underlayment in floor)
 Ceilings: 5" UL Listed Class 1 Foam

Doors

- D01:
 1 Finished opening 36" x 78" hinged flush freezer door, 5" sill
 1 Door- Flush Mount
 1 Heated Jamb (4 Sided) W/ Threshold
 1 Door Closer - Kason 1094 SureClose™ Hydraulic (Concealed mounting)
 1 Gasket- Magnetic
- D02:
 1 Finished opening 36" x 78" hinged flush cooler door
 1 Door- Flush Mount
 1 Door Closer - Kason 1094 SureClose™ Hydraulic (Concealed mounting)
 1 Gasket- Magnetic

Qty	Description	Qty	Description
Accessories			
2	Thermometer 2 1/2" Dial with Standard Lead	2	Pilot Light Switch 120v w/cover(loose), for 2x4 flush handy box (stub conduit to box on interior)
1	Vent - 115v Hi-Flow Heated Pressure Relief Port (Kason 1832)	14	Lock Wall Panels to Floor Panels
18	Screed - Non-Lockable - Vinyl (U-Shaped)	4	Trim Metal - Wall Closure/Vertical - (Standard 1" x 6" x Height) (match panel finish)
28	Lock Wall Panels to Ceiling Panels (Factory Ceiling Caps - Standard)	2	Blocking For Strip Curtain
1	Outdoor RIH050M44-D/ASLA25-61-AE Sierra Unit 208/230/1 phase with matching evap coil EC motor 115V. For holding temp only no tubing or refrigerant included in price. (Cooler) - Freight allowed	1	Outdoor RIH165L44-D/ASLE35-70-DE Sierra Unit 208/230/1 phase with matching evap coil EC motor 230V. For holding temp only no tubing or refrigerant included in price. (Freezer) - Freight allowed
1	Strip Curtain 36"x78" - Freight allowed	1	Strip Curtain 36"x78" - Freight allowed

Quotation



Quote #: 219934
 Quote Date: 04/11/2014
 Revision: 04/11/2014(#0)

Box description: Beer Cave Bump Out

Dimensions:

External (O.D.): 24' 5" x 15' 4 1/2" x 8' 5" - w x d x h
 Internal (I.D.): 23' 10 1/4" x 14' 9 3/4" x 8' 0" - w x d x h
 Volume: 2827 ft³

Finishes

Walls: Galvanized/Embossed - 26 Ga. - interior & exterior
 Ceilings: Galvanized/Embossed - 26 Ga. - interior & exterior

Panel Thickness

Walls: 3.5" UL Listed Class 1 Foam
 Ceilings: 5" UL Listed Class 1 Foam

Doors

- D01:
- 1 Finished opening 36" x 78" hinged flush cooler door
 - 1 Latch- Kason 58CL Cylinder Locking - W/59 Roller Strike (Self Closing)
 - 1 Inside Release Handle-Kason 487A Saftey-Glow™(Low Temp)
 - 2 Hinge- Kason 1248 Spring Assisted
 - 1 Door- Flush Mount
 - 1 Door Closer - Kason 1094 SureClose™ Hydraulic (Concealed mounting)
 - 1 Gasket- Magnetic

Qty	Description	Qty	Description
Openings			
1	D02: Gemtron Pass Thru glass door, NCPO 37 3/4"W x 84 3/8"H (1 x 36"Wx84"H), 4 1/2" sill	1	D03: Gemtron Continuous glass door, NCPO 28 1/4"W x 79 1/4"H (1 x 26"Wx79"H), 5 1/8" sill
1	D04: Gemtron Continuous glass door, NCPO 28 1/4"W x 79 1/4"H (1 x 26"Wx79"H), 5 1/8" sill		
Accessories			
1	Thermometer 2 1/2" Dial with Standard Lead	3	Light- 1806 (120v) Vapor-Proof Compact Fluorescent Globe fixture w/bulb (Ship Loose)
1	Pilot Light Switch 120v w/cover(loose), for 2x4 flush handy box (stub conduit to box on interior)	76	Screed - Non-Lockable - Vinyl (U-Shaped)
41	Lock Wall Panels to Ceiling Panels (Factory Ceiling Caps - Standard)		
Miscellaneous			
4	Trim Metal - Fixed Closure Flashing - Embossed Galv 26 Ga 1" x 4" x 100		

Disclosure:

- All quotations and order shall be subject to CrownTonka, division of Crown Fixtures, Inc. standard terms and conditions notwithstanding any additional or contrary terms and conditions of Buyer. Such additional or contrary terms shall not bind Crown Fixtures unless accepted in writing even though such terms do not materially alter the terms hereof. No oral statements, warranties, stipulations, representations or terms shall have binding effect or be any part of the contract whatsoever. All orders must be in writing and will be binding when our order acknowledgement is mailed, faxed or emailed. If customer does not have a copy of these terms and conditions, please contact the customer service department.
- Price quotations are valid for 30 days from quote date shown on printout.
- Terms: subject to credit approval.
- Quoted price DOES NOT include any applicable sales tax. Ask your customer service representative for a list of states in which sales tax is collected. If item is resale, a copy of your resale exemption certificate must be on file with CrownTonka prior to shipping, otherwise sales tax may be charged.
- All shipments to IA are subject to use tax per the Iowa code. Resale certificates do not apply.
- Lead Times vary depending on the production schedule. Please consult you customer service representative for an actual lead-time.

WEST SIDE (WALK-IN COOLER/FREEZER LOCATION)



WEST SIDE (WALK-IN COOLER FILTER LOC) AFTER GAS MAIN



LOOKING WEST (WEST SIDE OF BUILDING)



WEST - BEHIND EXISTING TRASH ENCLOSURE



EXISTING PRICE SIGN

Speedway
UNLEADED REGULAR PREMIUM SMART FUEL
325¢ 429¢ 99



EAST SIDE OF BUILDING (MOORE BUMP-OUT)



EAST SIDE (COOLER BUMP/OUT LOCATION)





CITY OF GAHANNA
STAFF COMMENTS

FILE: DR-14-2014, V-11 -2014
SUNGARD: 14060011, 14060012
PROJECT: Speedway, LLC
ADDRESS: 376 Agler Road
APPLICANT: John Saranzak, Speedway LLC

ZONING COMMENTS

The applicant requests approval of a variance to:

- Install LED panels in two existing signs
- Allow the existing building to encroach into the 10' rear yard setback
- Allow two cooler/freezer additions to be constructed with a 0' rear yard setback

Precedent has been set to allow electronic gas price signs in other areas of the city.

1165.12 VARIANCES AND APPEALS.

(a) Variance Procedure. This section shall not apply to temporary signs as defined in Section 1165.07 of this chapter.

(1) The standard for granting a variance which relates solely to area requirements is a lesser standard than that applied to variances which relate to use. An application for an area variance need not establish unnecessary hardship; it is sufficient that the application show practical difficulties.

In determining whether a property owner seeking an area variance has encountered practical difficulties, Planning Commission shall consider and weight the following factors.

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- B. Whether the variance is substantial;
- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse);
- E. Whether the property owner purchased the property with the knowledge of



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CITY OF GAHANNA

the zoning restriction;

F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;

H. Whether the sign is sufficiently compatible with the architectural and design character of the immediate neighborhood and all graphic design standards established for the district; and

I. Whether the sign will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.

(2) In granting such variance, the Planning Commission may specify the size, type and location of the sign, and impose such other reasonable terms, restrictions and conditions as it may deem to be in the public interest.

Extensive research has been done to determine how/why the north façade of the building is at a 0' setback from the property line. While many variances were located, none dealt with the rear setback. In order to give this building a "clean slate", the applicant is asking for a variance to the existing setback. The request is being made also for the two cooler/freezer additions on the north east and north west corners of the existing building that they too are permitted to have a 0' rear setback to be in line with the north façade of the existing building.

1131.04 PUBLIC HEARING.

At such hearing the applicant shall present a statement and adequate evidence, in such form as the Planning Commission may require and the Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

(a) There are special circumstances or conditions applying to the land, building or use referred to in the application.

(b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.

(c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

The additions are dimensioned on the plan, and will be constructed of brick to match the existing building.



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200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230

614-342-4000 PHONE 614-342-4117 FAX WWW.GAHANNA.GOV



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STAFF COMMENTS

FILE: DR-14-2014, V-11 -2014
SUNGARD: 14060011, 14060012
PROJECT: Speedway, LLC
ADDRESS: 376 Agler Road
APPLICANT: John Saranzak, Speedway LLC

We have no comments as related to stormwater management, water distribution,
or sanitary sewer collection.

Respectfully Submitted By: Jeff Feltz



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614-342-4000 PHONE 614-342-4117 FAX WWW.GAHANNA.GOV



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STAFF COMMENTS

FILE: DR-14-2014, V-11 -2014
SUNGARD: 14060011, 14060012
PROJECT: Speedway, LLC
ADDRESS: 376 Agler Road
APPLICANT: John Saranzak, Speedway LLC

No comments on general concept for the plans.

Respectfully Submitted By:

*Kenneth W. Fultz, P.E.
Chief Building Official*



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STAFF COMMENTS

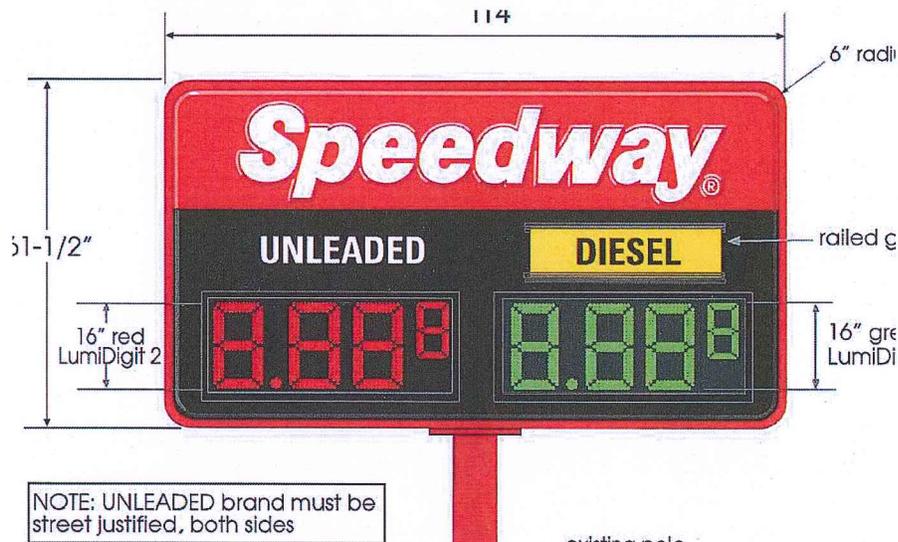
FILE: DR-14-2014, V-11 -2014
SUNGARD: 14060011, 14060012
PROJECT: Speedway, LLC
ADDRESS: 376 Agler Road
APPLICANT: John Saranzak, Speedway LLC

Planning and Development

The applicant is proposing interior and exterior renovations to the Speedway located at 376 Agler Road. Exterior renovations include new signage and freezers. The request for LED price panels requires variance approval pursuant to Chapter 1165. Additional variances to setbacks are required for the coolers and existing building.

The site is located within the West Gahanna Study area boundary. As such, development proposals are guided by the Study. The Study makes recommendations regarding type, size, and location of signs. Low-profile ground signs are encouraged but not required. The applicant proposes the LED sign on an existing pole.

Proposed Sign



It is staff's opinion that the proposed sign and variance, while not in-line with the recommendation of the Study, is consistent with other signage within the general area.



CITY OF GAHANNA

The exterior elements of the coolers will consist of Olde Marlborough colored bricks which will match the existing building façade. Please refer to the application materials for building façade pictures.

Michael Blackford
Deputy Director of Planning and Development