

VARIANCE APPLICATION

PLEASE NOTE: This application is not to be considered complete until all documents are received and approved by the Planning & Zoning Administrator.

Project/Property Address or Location: 298 S Hamilton Road		Project Name/Business Name (if applicable): McDonald's	
Parcel ID No.(s): 025-013435-00	Current Zoning: PUD	Total Acreage:	
Description of Variance Requested: Requesting to replace drive thru menu boards and pre-menu boards with new digital menu boards.			
STAFF USE ONLY – Code Section(s) & Description of Variance: Chapter 1165.09(A)(4) – Electronic signs			
APPLICANT Name (primary contact) -do <u>not</u> use a business name: David Ratliff		Applicant Address: 6001 Nimitz Pkwy South Bend IN 46628	
Applicant E-mail: djr@siteenhancementservices.com		Applicant Phone No.: 574-485-1101	
BUSINESS Name (if applicable): Site Enhancement Services			
ATTORNEY/AGENT Name:		Attorney/Agent Address:	
Attorney/Agent E-Mail:		Attorney/Agent Phone No.:	
ADDITIONAL CONTACTS (please list all applicable contacts)			
Name(s):		Contact Information (phone no./email):	
Contractor			
Developer			
Architect			
PROPERTY OWNER Name: (if different from Applicant) McDonald's Corporation		Property Owner Contact Information (phone no./email): 574-232-2529	

APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED (see page 2)

I certify that the information on this application is complete and accurate to the best of my knowledge, and that the project as described, if approved, will be completed in accordance with the conditions and terms of that approval.

Applicant Signature: David Ratliff

Digitally signed by David Ratliff
Date: 2019.07.19 12:31:13 -04'00'

Date: 7/31/19

THIS FORM IS AVAILABLE TO BE SUBMITTED ONLINE: www.gahanna.gov

INTERNAL USE

Zoning File No.	<u>V-0211-2019</u>
PC Meeting Date:	_____
PC File No.	_____

RECEIVED:	<u>KAW</u>
DATE:	<u>8-5-19</u>

PAID:	<u>500.00</u>
DATE:	<u>8-5-19</u>
CHECK#:	<u>1813091</u>

VARIANCE APPLICATION – SUBMISSION REQUIREMENTS

PLEASE NOTE: This application is not to be considered complete until all documents are received and approved by the Planning & Zoning Administrator.

STAFF USE - INTAKE	TO BE COMPLETED/SUBMITTED BY THE APPLICANT:	APPLICANT		STAFF USE	
		YES	N/A	YES	N/A
	1. Review Gahanna Code Section 1131 (visit www.municode.com) (Sign Variances, refer to Section 1165.12 ; Fence Variances, 1171.05 ; Flood Plain Variances, 1191.18)	✓			
	2. Pre-application conference with staff				
	3. Survey of property certified by a registered surveyor (11"x17" copy)	✓			
	4. List of contiguous property owners & their mailing address	✓			
	5. Pre-printed mailing labels for all contiguous property owners	✓			
	6. A statement of the reason(s) for the variance request that address the following three conditions: (not applicable for Sign, Fence, or Flood Plain Variances) - Special circumstances or conditions - Necessary for preservation - Will not materially affect adversely the health or safety	✓ ✓			
	7. Application fee paid (in accordance with the Building & Zoning Fee Schedule)	✓			
	8. Application & all supporting documents submitted in digital format	✓			
	9. Application & all supporting documents submitted in hardcopy format	✓			
	10. Authorization Consent Form Complete & Notarized (see page 3)	✓			

THIS FORM IS AVAILABLE TO BE SUBMITTED ONLINE: www.gahanna.gov

APPLICATION ACCEPTANCE

INTERNAL USE

This application has been reviewed and is considered complete and is hereby accepted by the Zoning Division of the City of Gahanna and shall be forwarded to the City of Gahanna Planning Commission for consideration.

☐ Planning Commission must recommend to City Council for final approval

Planning & Zoning Administrator Signature: _____

Date: _____

8/29/19

034-1900

AUTHORIZATION CONSENT FORM

(must sign in the presence of a notary)

If you are filling out more than one application for the same project & address, you may submit a copy of this form with additional applications.

AUTHORIZATION FOR OWNER'S APPLICANT OR REPRESENTATIVE(S)

If the applicant is not the property owner, this section must be completed & notarized.

I, Pebb Hunter's Ridge, LLC, the owner or authorized owner's representative of the subject property listed on this application, hereby authorize David Ratliff to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all terms and agreements made by the designated representative.

Property Owner Signature: [Signature] Date: July 25, 2019

AUTHORIZATION TO VISIT THE PROPERTY

I, Pebb Hunter's Ridge, LLC, the owner or authorized owner's representative of the subject property listed on this application, hereby authorize City representatives to visit, photograph and post notice (if applicable) on the property as described in this application.

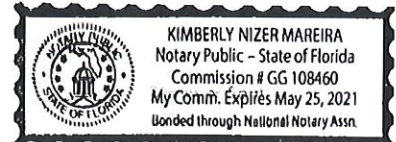
Property Owner Signature: [Signature] Date: July 25, 2019

NOTARY

Subscribed and sworn to before me on this 25th day of July, 20 19.

State of Florida County of Palm Beach

Notary Public Signature: [Signature]



AGREEMENT TO COMPLY AS APPROVED

I, David Ratliff, the applicant of the subject property listed on this application, hereby agree that the project will be completed as approved and any proposed changes to the approved plans shall be submitted for review and approval to the Zoning Division staff.

Applicant Signature: [Signature] Date: 7/31/19

NOTARY

Subscribed and sworn to before me on this 1st day of August, 20 19.

State of Indiana County of St. Joseph

Notary Public Signature: [Signature]





McDonald's Corporation
110 N Carpenter St
Chicago, IL 60607-2101
Monica.Wolfe@us.mcd.com

July 24, 2019

VIA FEDEX EXPRESS

Pebb Hunter's Ridge, LLC
7900 Glades Road, Suite 600,
Boca Raton, FL 33434

RE: 298 S. Hamilton Rd., GAHANNA, OH (the "Premise") (L/C: 034-1900)
Ground Lease dated November 8, 2010, between Pebb Hunter's Ridge, LLC, as successor of interest,
as Landlord, and McDonald's USA, LLC, as Tenant, as amended (collectively, the "Lease")

To Whom It May Concern:

Please be advised that McDonald's is planning to install an Outdoor Digital Menu board on the Premises (the 'Remodel Work'). McDonald's agrees that the Remodel Work, when accomplished, will be done in a good, workmanlike manner and further agrees to hold you harmless from any liens or claims attaching to the Premises by reason of the Remodel Work. The Remodel Work is to be done at the sole cost and expense of McDonald's.

We are currently assembling our materials and documents necessary for the permit application. As result, the Gahanna has requested that an Authorization Consent Form be executed by the property owner.

Accordingly please have the enclosed application completed, executed by a party authorized to sign on behalf of the property owner/Landlord, and return the executed original as soon as possible. I have enclosed a return Federal Express envelope for your convenience. If possible, please email me a scanned copy.

If you have any questions, please do not hesitate to call. Your immediate attention to this matter is greatly appreciated.

Sincerely,
McDONALD'S CORPORATION

A handwritten signature in black ink, appearing to read "Monica Wolfe".

Monica Wolfe,
Legal Assistant Consultant, US Legal Team

Statement of Justification

The McDonald's that is located at 298 S Hamilton Rd is respectfully relief from the code that will allow the property the ability to reflect the investment being made into the site and the community as well as improve the overall customer experience. As part of the investment into this location, McDonalds is seeking to replace its 2 existing menu boards and 2 existing pre-menu board with new menu boards using new digital technology.

The area that requires relief is as follows:

- Number of drive-through signs and size
 - Animated, electronic message or flashing signs are prohibited.
 - Requested: 4
 - 2 Menu Boards at approximately 20SF each
 - Replacing 2 existing menu boards at approximately 45SF
 - 2 Pre-Menu Boards at approximately 10SF each
 - Replacing 2 existing pre-menu boards.

The requested signs all serve a purpose that work together to create an overall aesthetic balance as well as help to improve the customer experience. These signs will also help to ensure that motorists can easily navigate the site, entering and exiting quickly, yet safely.

These new signs, while being considered electronic message signs will have little to no impact on adjoining properties and the neighborhood. The signs are smaller and give off less illumination than the current signs. Included in this submission are statements showing the lumen output as well as a letter showing the adjustable nature of these signs. The default minimum brightness is 500 nits which is 20% of the maximum brightness, but it can be adjusted to by only 1% of maximum brightness. These signs also can be set to automatically dim in low light and nighttime environments. Whether its manual or automatic, the ability to adjust the brightness of the signs will make any impact on the adjoining properties or passing motorists will be negligible. The menu boards will only change content twice daily. Additionally, while the part of the menu boards that show a person's order and price change with each passing customer, it will only be visible to that customer. The customer will be in a vehicle which will shield this message center from being viewed by passing motorists or pedestrians.

The additions of these new signs will be beneficial to the site and will have no adverse effect to the site or the surrounding areas. These new signs do not change the use. The new signs serve the same purpose, but are smaller, more concise and easier for the consumer to use. The current menu boards are approximately 45SF. The proposed boards are approximately 20 SF and the proposed pre-menu boards are approximately 10SF. This is a significant decrease in overall sign square footage. Additionally, these signs do substantially not alter the appearance of the site. The new menu boards will be in the same location as the existing signs. The modification of the existing antiquated display with the new digital technology will only impact the direct user of the product. This user has made the choice to enter onto the commercial property and expects the transaction that they are seeking to be able to be accomplished in an expedited and concise manner. In addition, this corridor is primarily commercial in

nature and modifications that will allow for services offered at these types of properties should be supported and approved.

The digital displays that are requested provide the customer with 100% up-to-date messaging in a clear and readily legible manner. The existing messaging is manually controlled which, unfortunately, often leads to inconsistent and out-of-date offerings in the display rotation. These inconsistencies lead to elongated time for the customers in the drive thru lanes and decreases to the overall experience during the transaction phase of the experience. The goal of the digital displays is to make sure that the customers have clear and concise messages so that time on site is focused, controlled, and expedited. A focused and satisfied motorist is more aware of their surrounding and less likely to cause vehicular infractions.

*Labels submitted by applicant for Contiguous Property Owner Letters were not accurate. The corrected labels are below, and were sent on 8/30/2019.

Kroger

1014 Vine St.

Cincinnati, OH 45202

BMG CORP LLC

485 Metro PL S STE 270

Dublin, OH 43017

Provident- Hunters Ridge Two-LTD

384 Morrison Rd.

Gahanna, OH 43230

SMITH DAVID TTEEDRS ROTH 401K,
EQUITY TRUST COMPANY
670 BEAVERBROOK CT
GAHANNAOH43230

STOLLAR DANIEL A
263 S HAMILTON RD
GAHANNAOH43230

VANMETER LEWIS L
815 NORTON AVE
LOUISVILLEKY43230

JARAMILLO FAMILY LIMITED
PARTNERSHIP
3807 SIERRA HIGHWAY STE 6 PMB
4615

MIFFLIN TOWNSHIP BD OFTRS
155 Olde Ridenour Rd
GAHANNAOH43230

MIFFLIN TOWNSHIP
155 OLDE RIDENOUR RD
GAHANNAOH43230

KEYES THOMAS W
277 S HAMILTON RD
COLUMBUSOH43230

EQUITY TRUST COMPANYCUSTODIAN
FBO THOMAS W, KEYES IRA
103 N NOB HILL DR
GAHANNAOH43230

COFFMAN JOSEPH F
233 S HAMILTON RD
GAHANNAOH43230

PROVIDENT-HUNTERS RIDGETWO LTD
384 MORRISON RD
GAHANNAOH43230

EMRO MARKETING CO
539 South Main St
FindlayOH43230

BFS RETAIL &
COMMERCIALOPERATIONS LLC
333 E LAKE ST
BLOOMINGDALEIL43230

BARRICK DAVID J
7633 ELGIN TRAIL RD
BLACKLICKOH43230

EVANS RANDY LCIRINO JEFFREY
247 S HAMILTON RD
COLUMBUSOH43230

RF I LLCRF III LLC, RF II LLC
66010 JOSEPH ST
VANDALIAMI43230

BMG CORP LLC
485 METRO PL S STE 270
DUBLINOH43230

SOUTH HAMILTON BK LLC
PO BOX 460189
HOUSTONTX43230



Existing
Proposed
Pre-Menu
Boards

Existing
Proposed
Menu Boards



McDonald's Corporation Presentation

**298 South Hamilton Road
Gahanna, OH 43230**

July 29, 2019

Existing Signage

- A1 A2 Existing Tri-Fold Pre-Menu Boards
- B1 B2 Existing Tr-Fold Men Boards

Proposed Signage

- A1 A2 4'-1 3/4" x 2'-5 1/8" @ 5'-11 1/2" OAH S/F Menu Boards
- B1 B2 4'-1 5/8" x 4'-10" @ 5'-11 5/8" OAH D/F Menu Boards

Aerial



Approx. 59673.88 Sq.ft.
of Property

Red Dotted Line =
Approx. Property Lines



Scale: NTS

Existing Pre-Menu Boards

A1

A2

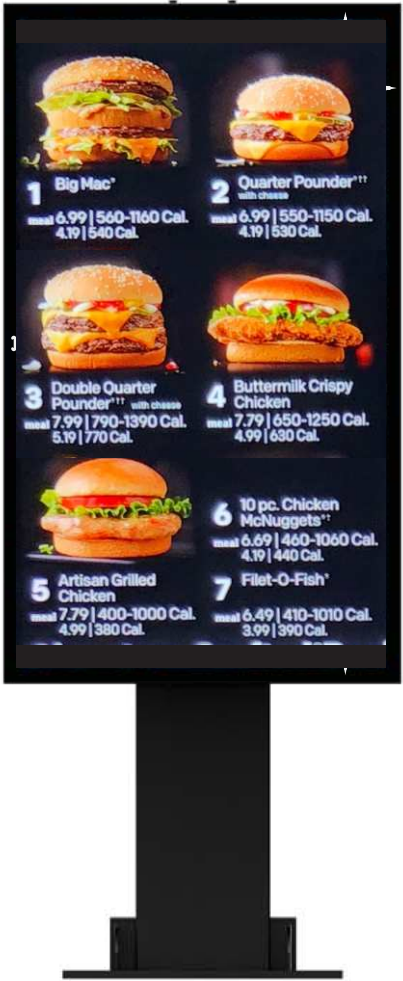


Proposed Pre-Menu Boards

A1

A2

Typical Proposed Pre-Menu Board



Path of Travel



Existing Menu Boards



Day Time (Typical)



Night Time (Typical)





View from South Hamilton Road (North Side)





View from South Hamilton Road (North Side)





View from South Hamilton Road (South Side)



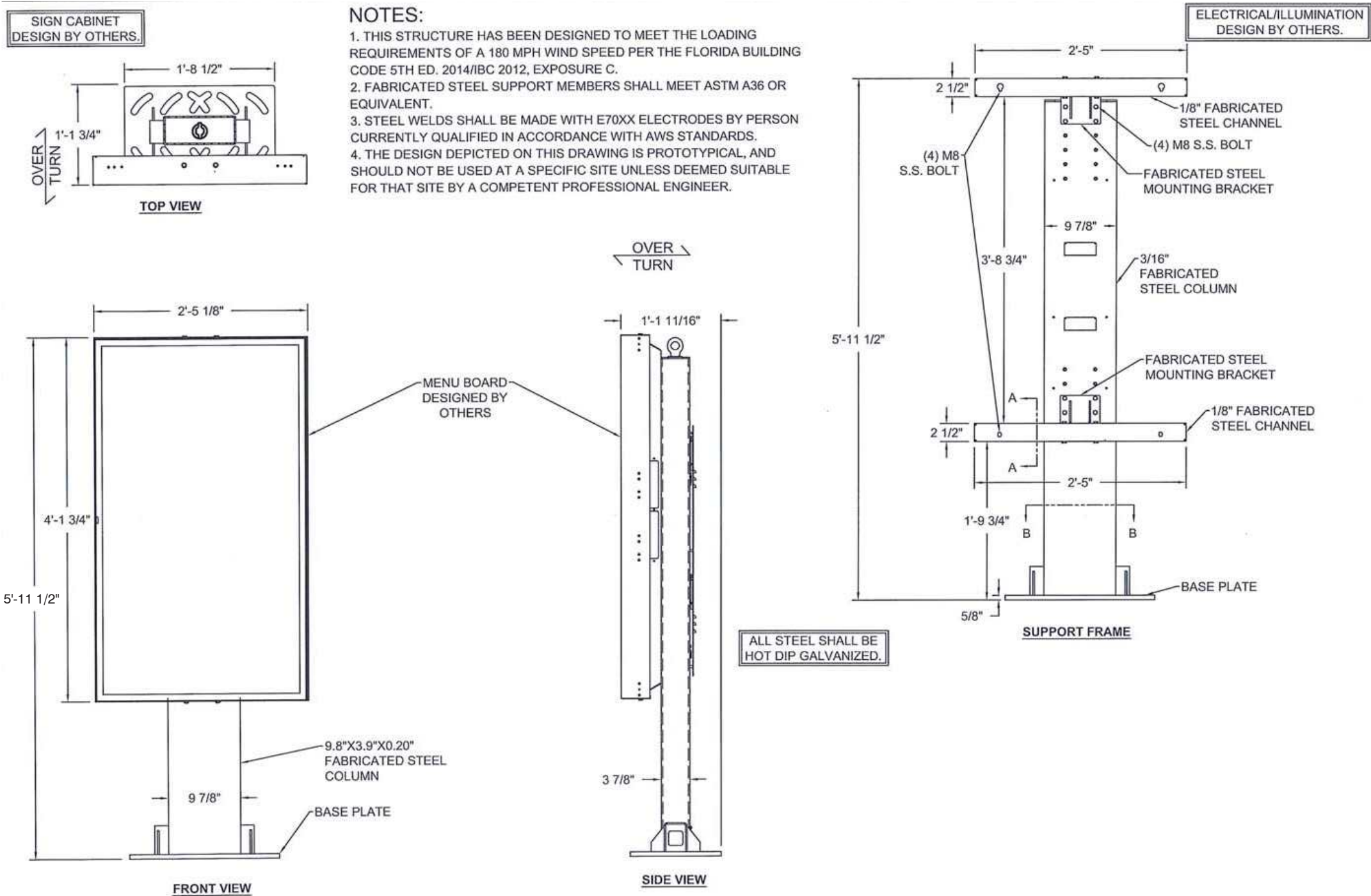


View from South Hamilton Road (South Side)

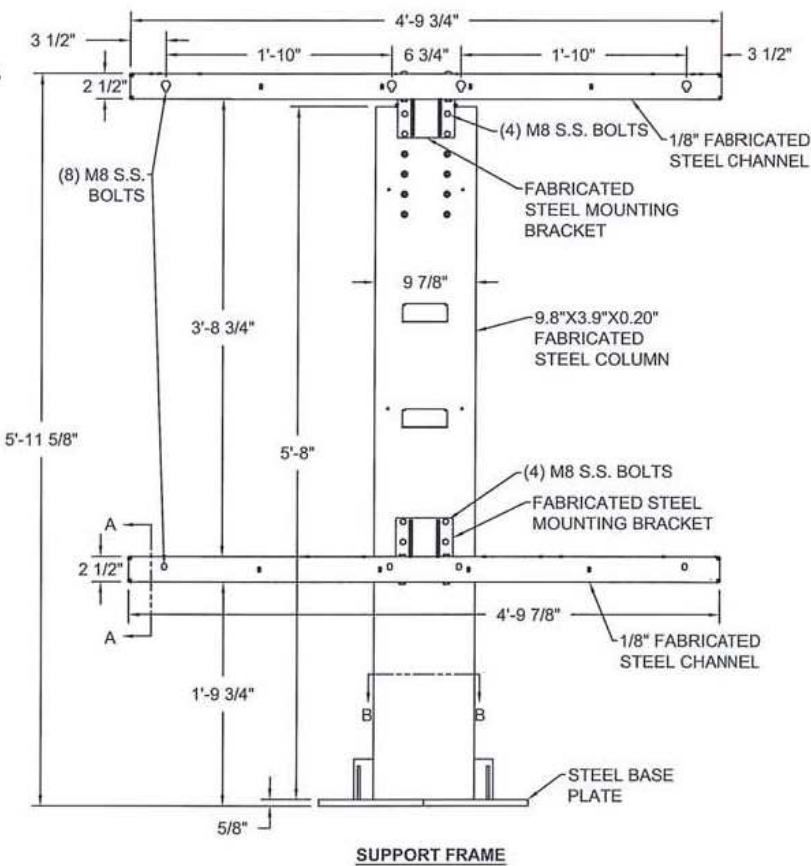
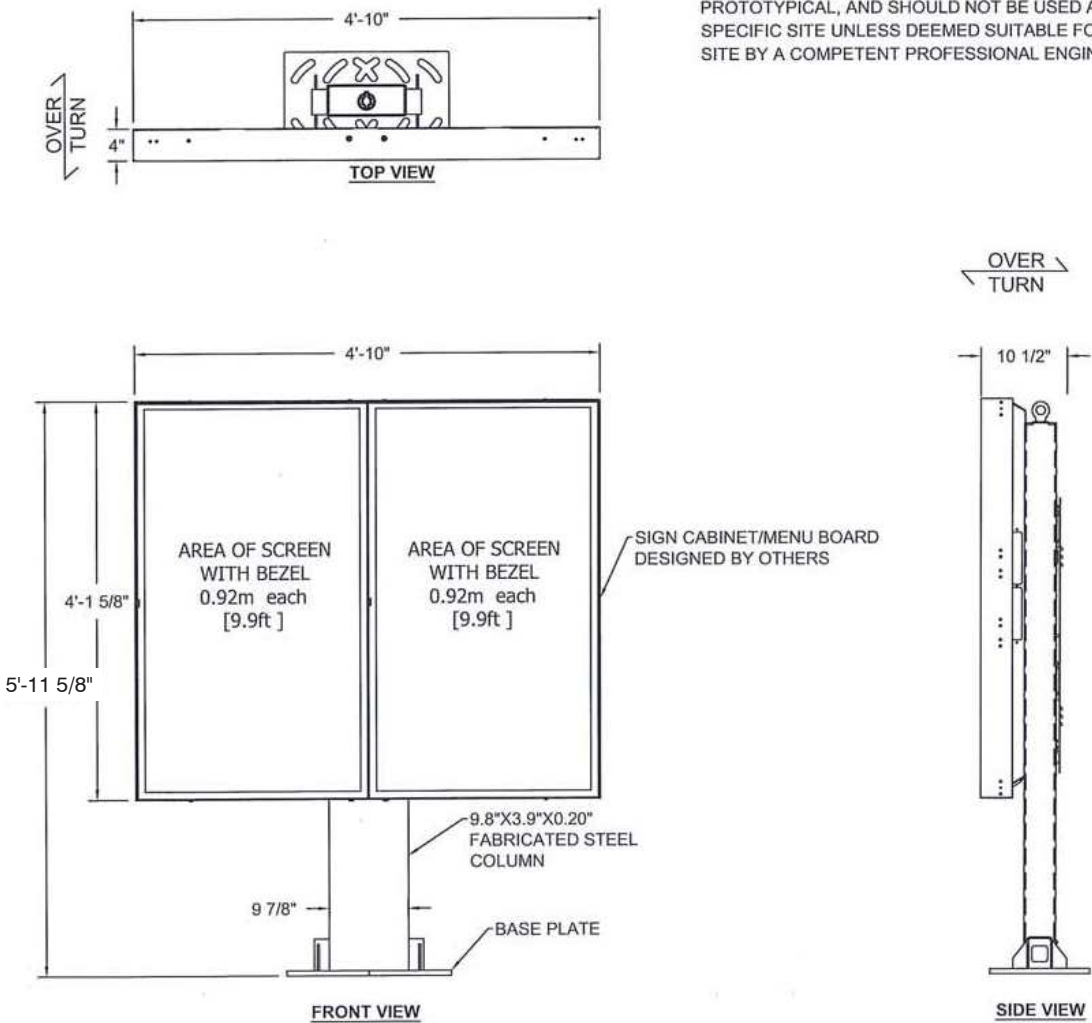


Proposed Signage Specifications

A1 A2



NOTES:
1. THIS STRUCTURE HAS BEEN DESIGNED TO MEET THE LOADING REQUIREMENTS OF A 180 MPH WIND SPEED PER THE FLORIDA BUILDING CODE 5TH ED. 2014/IBC 2012, EXPOSURE C.
2. FABRICATED STEEL SUPPORT MEMBERS SHALL MEET ASTM A36 OR EQUIVALENT.
3. STEEL WELDS SHALL BE MADE WITH E70XX ELECTRODES BY PERSON CURRENTLY QUALIFIED IN ACCORDANCE WITH AWS STANDARDS.
4. THE DESIGN DEPICTED ON THIS DRAWING IS PROTOTYPICAL, AND SHOULD NOT BE USED AT A SPECIFIC SITE UNLESS DEEMED SUITABLE FOR THAT SITE BY A COMPETENT PROFESSIONAL ENGINEER.





August 20, 2019

Site Enhancement Services
6001 Nimtz Pkwy
South Bend, IN 46628

RE: Project 298 S Hamilton Variance Comments

Dear Site Enhancement Services:

The following comments were generated from the review of the submitted plans and documents for the referenced project.

Building

1. Plan review and permits are required by the Building Division.

Parks

2. No Comment per Julie Hussey

Public Service & Engineering

3. No comments.

Fire District

4. No Comment Received.

Public Safety

5. No Comment Received.

Soil & Water Conservation District

6. No Comment Received.

Community Development

7. The requested variance appears warranted based on the information provided. Please see forthcoming staff report for more details.

If you have any comments or questions, please contact me at kelly.wicker@gahanna.gov or (614) 342-4025.

Sincerely,

Kelly Wicker
Administrative Assistant



PLANNING AND DEVELOPMENT STAFF REPORT

Request Summary

The McDonald's located at 298 S. Hamilton Road is requesting approval to allow for four electronic message signs. All four signs are located internal to the site with the purpose of expediting the ordering process of drive through traffic. The property is zoned Planned Unit Development (PUD). PUDs often have unique requirements pertaining to development of properties within these districts but there are not unique requirements related to signage. Requests related to signage are subject to the same standards as other commercially zoned properties.

The zoning code was recently revised to permit electronic signs if they meet very specific requirements related to percentage of sign electronic, frequency of scrolling, and number of colors. The nature of this sign does not lend itself to the guidelines of the code, therefore a variance to these provisions is necessary. It should be noted that the standards in place are geared towards monument signs along the right-of-way and not for signs that aid motorists who are already onsite.

The signs in question are new digital menu boards that are replacing the existing menu boards. The requested signs are a lesser square footage than the existing signs. Approval would decrease signage by about 50 square feet. The location of the signs are internal to the site and are only visible to vehicular traffic in the drive through lanes. The signs change throughout the day in order to inform customers of the relevant menu choices available at that time.

It should be noted that McDonald's previously received variance approval to allow for an electronic sign along Hamilton Road in 2013. Additional electronic sign permission was granted to the Speedway gas station just north of McDonald's.

Variance

- 1165.09(A)(4) Electronic signs
 - The application is essentially asking for a variance from all of the specific standards associated with permitting an electronic sign through a design review application. The request is not consistent with the standards related to percentage of a sign that may be electronic, the frequency of display change, and the number of colors.

Requests to vary the requirements of the code related to signage are subject to Chapter 1165.12. It should be noted that variances related to area requirements are held to a lesser standard than those related to use. Criteria related to an area variance includes the following:

- 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 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.

Recommendation

Staff recommends approval of the requested variance. Granting the variance would not appear to affect any adjacent properties or cause any vehicular safety concerns. The signs purpose is to expedite the ordering process of those customers already onsite and in the drive through.

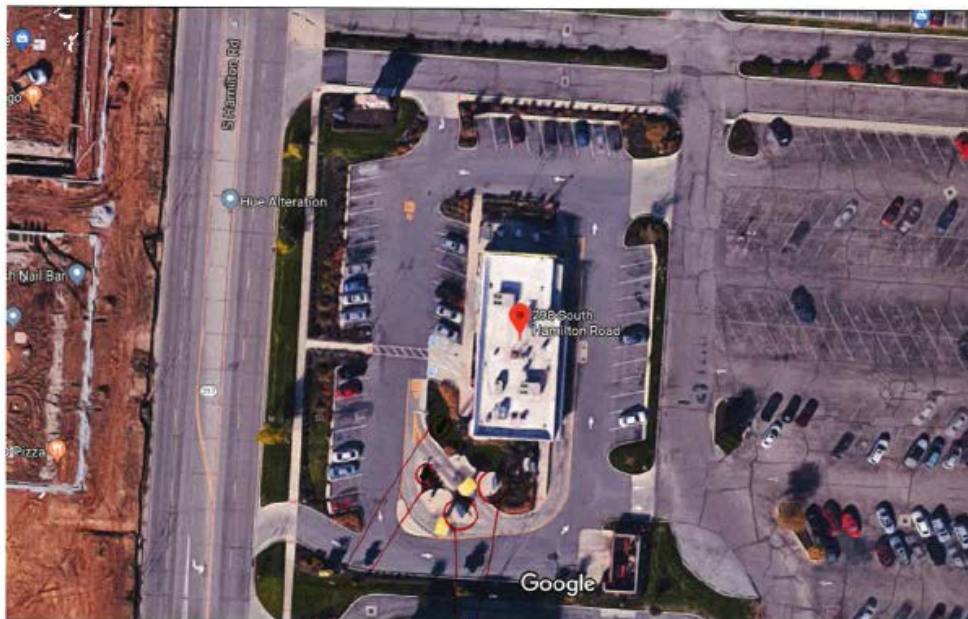
Proposed Signs (x2)



Existing Electronic Sign



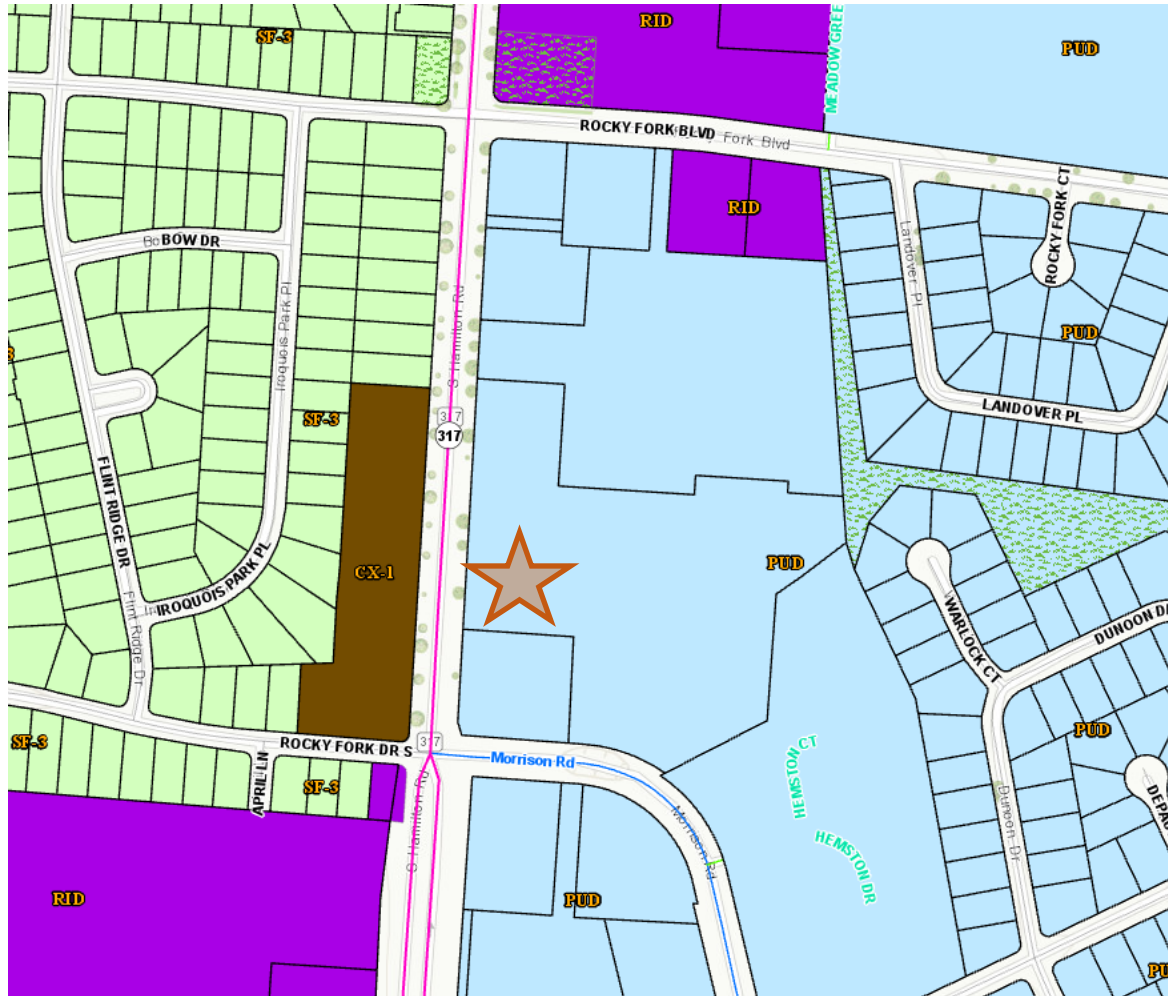
Location of Signs



Existing
Proposed
Pre-Menu
Boards

Existing
Proposed
Menu Boards

Location/Zoning Map



Respectfully Submitted By:
Michael Blackford, AICP
Deputy Director