

**STAFF REPORT  
DEVELOPMENT COMMISSION  
ZONING MEETING  
CITY OF COLUMBUS, OHIO  
JUNE 9, 2016**

- 5. APPLICATION: Z16-006 (RECONSIDERATION)**  
**Location:** 3647 GENDER ROAD (43110), being 3.96± acres located on the west side of Gender Road, 202± feet south of Upperridge Drive (530-225024; Greater South East Area Commission).  
**Existing Zoning:** CPD, Commercial Planner Development District.  
**Request:** CPD, Commercial Planner Development District.  
**Proposed Use:** Monopole telecommunications antenna.  
**Applicant(s):** SBA Towers IX, LLC; c/o Stephen V. Cheatham, Atty.; Buckley King; 600 Superior Avenue East; Suite 1400; Cleveland, OH 44114.  
**Property Owner(s):** T&R Development, Inc.; 3895 Stoneridge Lane; Dublin, OH 43017.  
**Planner:** Tim Dietrich; 614-645-6665; [tedietrich@columbus.gov](mailto:tedietrich@columbus.gov)  
Shannon Pine; 614-645-2208; [spine@columbus.gov](mailto:spine@columbus.gov)

**BACKGROUND:**

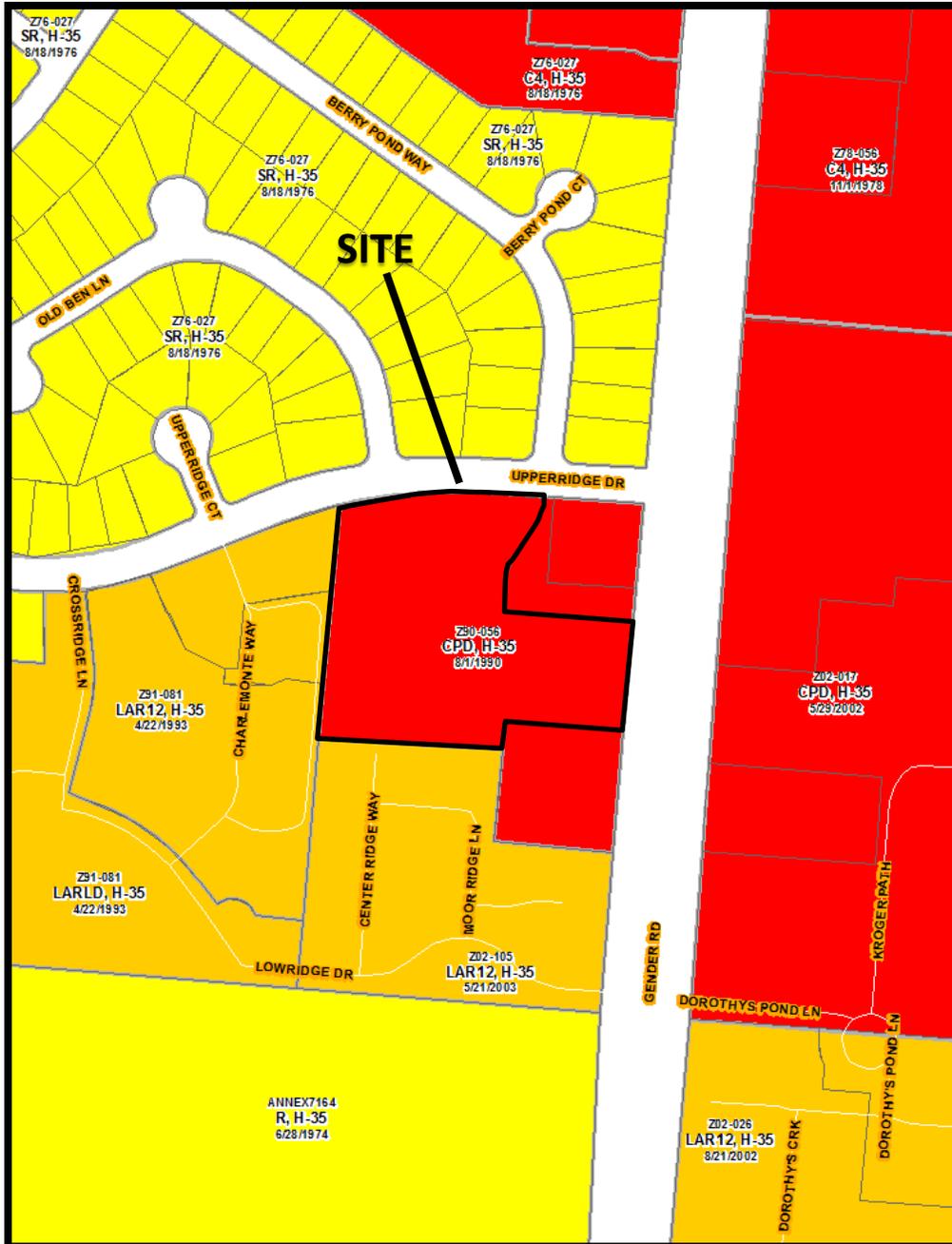
- This request was recommended for disapproval by the Development Commission at the May 2016 meeting. The revised proposal places the monopole telecommunications antenna to the north of the adjacent fire station, increasing the distance from the base of the antenna to the nearest residentially zoned property to 140 feet. The 3.96± acre site consists of a single undeveloped parcel zoned CPD, Commercial Planned Development District. The requested CPD, Commercial Planned Development District will permit the applicant to construct a monopole telecommunications antenna that is not shown on the current CPD site plan.
- North of the site is a bank zoned in the CPD, Commercial Planned Development District, and a single-unit subdivision zoned in the SR, Suburban Residential District across Upperridge Drive. To the south and west are apartment buildings zoned in the L-AR-12, Apartment Residential District, and a fire station zoned in the CPD, Commercial Planned Development District. To the east across Gender Road is a commercial shopping center zoned in the CPD, Commercial Planned Development District.
- The site is located within the planning area of the *Brice-Tussing Area Plan (1990)*, which recommends commercial and parks/open space land uses at this location. The requested land use is compatible to the Plan's commercial land use recommendation.
- The CPD text includes permitted uses in Chapters 3356, 3357, and 3361 of the Zoning Code with prohibited uses that are remaining from the current CPD district. The site plan depicts the proposed antenna location and landscaping. A variance to reduce the setback requirements for the proposed monopole telecommunications antenna is

included in the request.

- The site is located within the boundaries of the Greater South East Area Commission whose recommendation is for approval of the requested zoning district.
- The *Columbus Thoroughfare Plan* identifies Gender Road as a 4-2D arterial requiring a minimum of 60 feet of right-of-way from centerline.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

The requested CPD, Commercial Planned Development District will permit the construction of a monopole telecommunications antenna. Staff is sympathetic to the possibilities of future commercial development at this site, and also recognizes that placement of the antenna almost anywhere on this property will require a setback variance. Staff believes that the placement of the monopole telecommunications antenna to the north side of the fire station, therefore reducing the required setback from 270 feet to 140 feet, to be a reasonable and supportable request.



Z16-006  
 3647 Gender Road  
 Approximately 3.96 acres  
 CPD to CPD





Z16-006  
3647 Gender Road  
Approximately 3.96 acres  
CPD to CPD

**COMMERCIAL PLANNED DEVELOPMENT TEXT**

**Proposed Zoning District:** CPD, Commercial Planned Development District  
**Property Address:** 3647 Gender Road (43110)  
**Property Owner:** T&R Development, Inc.  
**Applicant:** SBA Towers IX, LLC  
**Application Number:** Z16-006  
**Date:** June 1, 2016

**INTRODUCTION:** Applicant SBA Towers IX, LLC seeks to rezone 3647 Gender Road, Canal Winchester, for those uses permitted below. The proposed CPD text herein provides applicable limitations for 3647 Gender Road. The purpose of this rezoning and development is the construction of a wireless communications facility, as permitted in a CPD district and meeting a public necessity. Please see the Property Owner's October 12, 2015, letter attached hereto as Exhibit 1, the content of which is incorporated herein. The Property Owner has contracted with Applicant SBA Towers IX, LLC to develop a cell phone tower on the property that is the subject of this Gender-Refugee Rezoning Application. The Property Owner owns the multifamily apartments adjacent to the site known as the Moors Apartments as well as the retail center directly east of Gender Road known as the Gender Towne Center. Both Applicant SBA Towers IX, LLC and the Property Owner believe the ideal location for the erection of a cell phone tower in the area is the southeast corner of the property as shown on Exhibit 2 referred to below. This location provides the least proximity impact to the residences. Moreover, the residential buildings closest in proximity to the site of this wireless communications facility are owned by a related entity to the Property Owner. Additionally, by locating this wireless communications facility where proposed herein, the free space available on the remaining balance of the site is maximized. Although the future use of the remaining balance of the site is undetermined at this point, the property is zoned for commercial use so any future use would not conflict with a cell phone tower.

**PERMITTED USES:** Those uses contained in Sections 3351, 3353, 3355, 3357 (a drive-thru carryout is the only C-5 use permitted under this Columbus City Code provision) and 3361 of the Columbus City Code, with the following prohibitions: Garage Repair; Poultry Shop; Facilities that utilize gasoline sales or pumps; Car Wash; Sale of Mobile Homes; Automobile Sales; Freestanding Fast Food; Sale, maintenance, and servicing of motor vehicles, off-premise graphics, and billboards.

**A. Density, Height, Lot and/or Setback Commitments:**

**SETBACKS:** Front setbacks shall be in accordance with the C-4 District. Side and rear setbacks, however, shall be ten feet (10').

**B. Access, Loading, Parking and/or Other Traffic-Related Commitment:** Applicant SBA Towers IX, LLC shall maintain for this site one full-service access point to Gender Road which is a right-in/right-out access point.

Further, in compliance with the Columbus City Code Section 4309.17, Applicant SBA Towers IX, LLC shall maintain a right-of-way dedication of sixty feet (60') from centerline along Gender Road.

**C. Buffering, Landscaping, Open Space and/or Screening Commitments:**

Applicant SBA Towers IX, LLC proposes that the entire site as shown on Exhibit 2, which is attached hereto as a Lease Survey, shall be landscaped in accordance with the following standards applicable:

1. A buffer on the west side of the property line will be maintained with arborvitae.
2. When any development occurs, except for the erection of a monopole telecommunications antenna, the west buffer shall be extended along the south property line.

D. Building Design and/or Interior-Exterior Treatment Commitments:

Buildings shall be constructed with a combination of the following materials: glass and associated metal work, brick and brick paving, split-faced concrete block, wood siding, asphalt shingles, wood shingles, stone, asphalt parking lot, stucco, metal canopies, precast concrete, fabric awnings, concrete paving and curbs, ceramic tile and porcelain tile, as accent points.

The materials which are not approved and shall not be used in the construction of this development are as follows: concrete block (facing streets), aluminum siding, gravel parking lots and plywood on vertical surfaces.

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments:

N/A

F. Graphic and Signage Commitments:

All signage and graphics shall conform to Article 15 of the City of Columbus Graphics Code as it applies to C-4, Commercial District.

G. Miscellaneous:

The development of a wireless telecommunications facility shall be permitted, including a monopole tower of a height not to exceed 135 feet and associated support structures and facilities as depicted on Exhibit 3 attached hereto and titled "Location Plan," "Enlarged Site Plan," "Fence Details," and "Site Elevation." Collectively, the "Location Plan," "Enlarged Site Plan," "Fence Details," and "Site Elevation" are the Site Plan, and the distance of the base of the monopole tower will be approximately 140 feet from the boundary of the nearest residentially-zoned district.

The wireless telecommunications facility shall be developed in accordance with the Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his or her designee upon submission of the appropriate data regarding the proposed adjustment. Applicant SBA Towers IX, LLC requests that a variance to the following apply to it:

1. Under City of Columbus Zoning Code 3353.05-C-2 (D)(4), "[t]he base of all monopole telecommunication antenna sites and associated support structures shall be set back 200 percent of the total height of the antenna from all residentially zoned districts. All support structures shall meet district setbacks."

The sufficient ground for this request for a variance to the foregoing City of Columbus Zoning Code provision is that (i) the owner of the commercial property affected by the erection of the cell tower is also the owner of the residential property located on the southwest side of the property line.

2. CPD CRITERIA:

1. Natural Environment:

The property is not flat (significant grade elevation changes currently exist) with no natural features and no vegetation other than grass in some areas. The Developer (previous Applicant) intended to regrade site so that grade elevation changes were minimized and the site became functional. That proposed development added landscaping in the form of trees and low shrubs to meet city standards and to improve the curb appeal of the property. The site disposed of rain through absorption into the soil and through runoff to the adjacent streets. Drainage was installed.

2. Existing Land Use:

The existing land use is presently zoned CPD, Commercial Planned Development. To the north is a single family residential development. To the west and to the southwest are AR-12 developments. The Developer (previous Applicant)/Owner is the developer for both the single family residential and the AR-12 developments, as well as the development immediately across the street at 3550 Gender Road.

3. Transportation and Circulation:

Curb cuts and the internal circulation patterns are shown on the Site Plan.

4. View and Visibility:

The development of the subject site and the location of the building and access point considerations will not adversely impact on the visibility and safety of the motorists and pedestrians.

5. Emissions:

No adverse effect from the proposed development.

6. Behavior Patterns:

The proposed development will enhance the commercial and residential development which already exists in this area.

7. Fencing:

Applicant SBA Towers IX, LLC intends to use a six feet chain link fence (inclusive of a 5 feet fence with 1 foot barbed wire at the top) to enclose the monopole telecommunications antenna.

Applicant SBA Towers IX, LLC agrees for itself, successors, and assigns to abide by the above restrictions, conditions, and commitments regarding the development of the subject property and for such purpose states that it fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provisions of the Columbus City Code.

SBA Towers IX, LLC

By: Kevin Gallagher  
Kevin Gallagher  
Title: VP New Tower Development  
Date: June 1, 2016

1922589-2

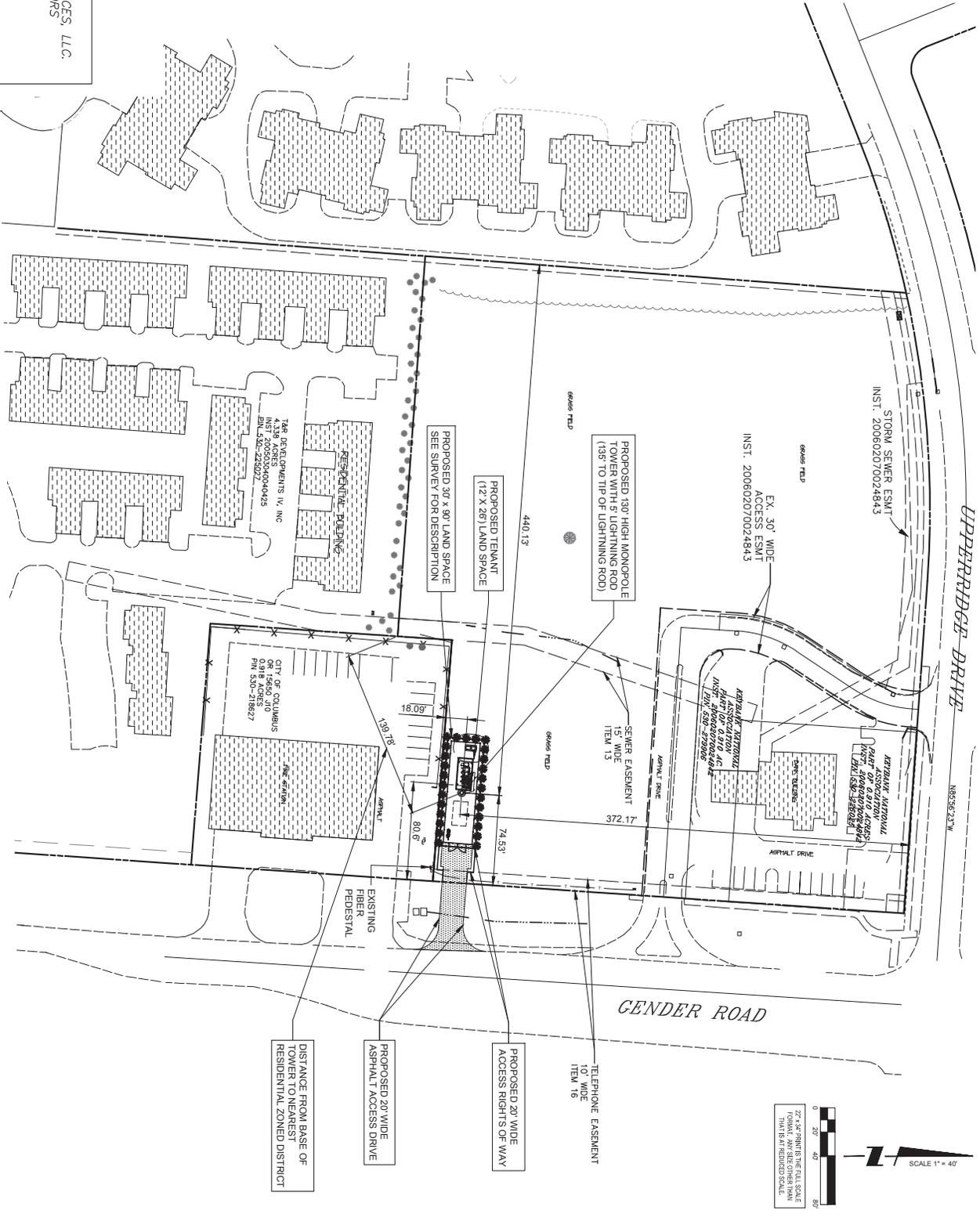
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SERVICE

Call Before You Dig

CALL BEFORE YOU DIG  
1-800-362-2764 AT  
LEAST 48 HOURS  
PRIOR TO EXCAVATING

SURVEY PREPARED BY  
PRECISION SURVEYING SERVICES, LLC.  
CONSULTING SURVEYORS

9055 S.R. 36 S.E.  
M.T. STERLING, OH 43143  
OFFICE: (740) 845-1412



REVISIONS				
NO.	DESCRIPTION	DATE	BY	
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3.	ISSUED FOR FINAL	12/11/15	JAY	
4.	UPDATE LANGUAGE	1/22/16	JAY	
5.	RELOCATE TOWER & EASEMENTS	4/19/16	JAY	
6.	RELOCATE LAND SPACE	5/26/16	JAY	

**TERRA**  
CONSULTING ENGINEERS, L.L.C.  
1600 WEST THIRD AVE, SUITE 226  
COLUMBUS, OH 43212  
PH: (614)-764-9166

**SBA**

SBA TOWERS K, LLC  
801 CONGRESS AVE  
BOCA RATON, FL 33487  
PHONE: 1-800-487-7483

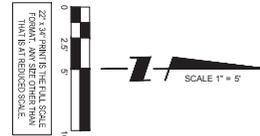
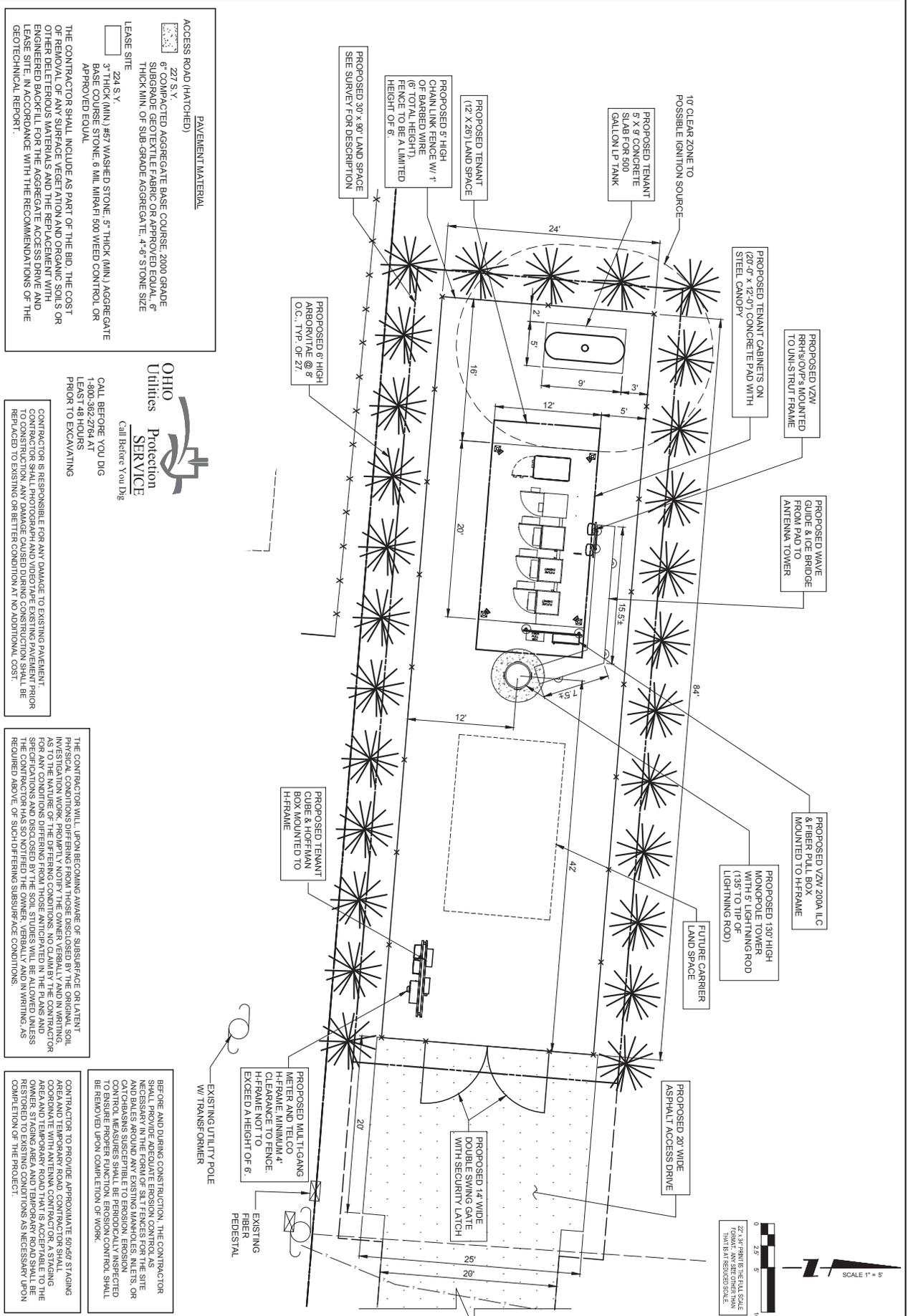
OH-16-258  
GENDER  
REFUGEE

GENDER ROAD  
CANAL WINCHESTER, OH 43071

DRAWN BY: JAY  
CHECKED BY: TZC  
DATE: 3/3/14  
PROJECT #: 7530

SHEET TITLE  
LOCATION PLAN

SHEET NUMBER  
**LP**



**ACCESS ROAD (HATCHED)**  
PAVEMENT MATERIAL

227 S.Y.  
6" COMPACTED AGGREGATE BASE COURSE, 2000 GRADE  
SUBGRADE GEOTEXTILE FABRIC OR APPROVED EQUAL, 6"  
THICK MIN. OF SUB-GRADE AGGREGATE, 4"-6" STONE SIZE

LEASE SITE  
224 S.Y.  
3" THICK (MIN.) #57 WASHED STONE, 5" THICK (MIN.) AGGREGATE  
BASE COURSE STONE, 8 MIL MIRAFI 500 WEED CONTROL OR  
APPROVED EQUAL

THE CONTRACTOR SHALL INCLUDE AS PART OF THE BID, THE COST OF REMOVAL OF ANY SURFACE VEGETATION AND ORGANIC SOILS OR OTHER DELETERIOUS MATERIALS AND THE REPLACEMENT WITH ENGINEERED BACKFILL FOR THE AGGREGATE ACCESS DRIVE AND LEASE SITE, IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT.

**OHIO**  
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CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT TO CONSTRUCTION. ANY DAMAGE CAUSED DURING CONSTRUCTION SHALL BE REPAIRED TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST.

THE CONTRACTOR SHALL, UPON BECOMING AWARE OF SUBSURFACE QUALITY PHYSICAL CONDITIONS DIFFERING FROM THOSE DISCLOSED BY THE ORIGINAL SOIL INVESTIGATION WORK, PROMPTLY NOTIFY THE OWNER VERBALLY AND IN WRITING, AS TO THE NATURE OF THE DIFFERING CONDITIONS. NO CLAIM BY THE CONTRACTOR FOR ANY CONDITIONS DIFFERING FROM THOSE ANTICIPATED IN THE PLANS AND SPECIFICATIONS SHALL BE VALID UNLESS THE CONTRACTOR HAS SO NOTICED THE OWNER VERBALLY AND IN WRITING, AS REQUIRED ABOVE, OF SUCH DIFFERING SUBSURFACE CONDITIONS.

CONTRACTOR TO PROVIDE APPROXIMATE 50X50 STAGING AREA AND TEMPORARY ROAD. CONTRACTOR SHALL COORDINATE WITH ANTENNA CONTRACTOR, A STAGING AREA AND TEMPORARY ROAD THAT IS CERTAINLY TO BE RESTORED TO EXISTING CONDITIONS AS NECESSARY UPON COMPLETION OF THE PROJECT.

BEFORE AND DURING CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE ADEQUATE EROSION CONTROL AS NECESSARY IN THE FORM OF SILT FENCES FOR THE SITE AND BARRIERS AROUND ANY EXISTING MANHOLES, KILNS, OR OTHER STRUCTURES. EROSION CONTROL MEASURES SHALL BE PERIODICALLY INSPECTED TO ENSURE PROPER FUNCTION. EROSION CONTROL SHALL BE REMOVED UPON COMPLETION OF WORK.

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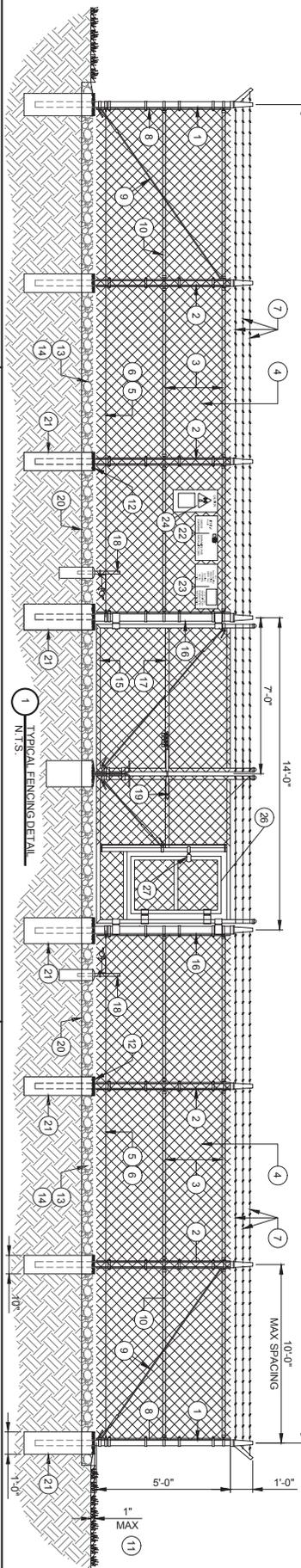
GENDER ROAD  
CANAL WINCHESTER, OH 43071

OH-16-258  
GENDER  
REFUGEE

SHEET NUMBER  
**C-1**

ENLARGED SITE PLAN

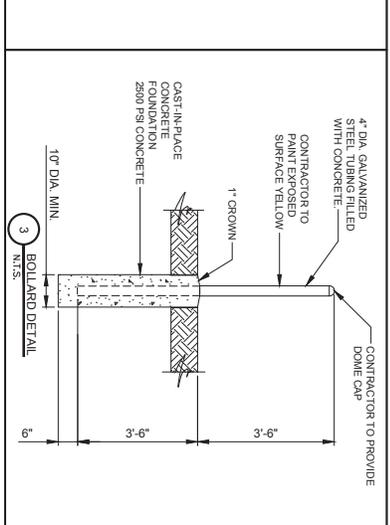
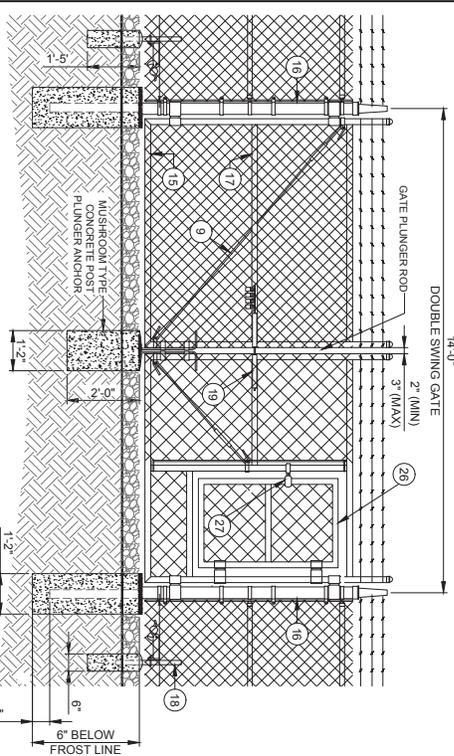
VERIFY WITH SITE PLAN



**GENERAL NOTES:**

1. INSTALL FENCING PER ASTM F-567
2. INSTALL SWING GATES PER ASTM F- 900
3. LOCAL JURISDICTION OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED IF REQUIRED
4. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE GALVANIZED (HOT DIP, ASTM A192 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COATED WITH 9 COATS OF COOL GALT V (OR EQUAL).
5. ALL OPEN POSTS SHALL HAVE END-CAPS.
6. USE GALVANIZED HOG-RING WIRE TO MOUNT ALL SIGNS.
7. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC.
8. MASHROOM ANCHOR & PLUNGER REQUIRED FOR GATE.
9. G.C. RESPONSIBLE FOR SBA GATE LOCK

2 DOUBLE SWING GATE DETAIL  
N.T.S.



**BALLOON REFERENCE NOTES:**

- 1 CORNER, END OR PULL POST: 3" O.D. SCHEDULE 40 PIPE.
- 2 LINE POST: 2 1/2" NOMINAL SCHEDULE E 40 PIPE, PER ASTM-F-1083. LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 10'-0" O.C.
- 3 TOP RAIL & BRACE RAIL: 1.58" O.D. STANDARD ROUND PIPE PER ASTM-F-1083.
- 4 FABRIC: 9 GA CORN WIRE SIZE 2" MESH, CONFORMING TO ASTM-A592.
- 5 THE WIRE 9 GA ALUMINUM, A SINGLE WRAP OF FABRIC TIE AND AT TENSION WIRE BY HOG RINGS SPACED 12" O.C. POST GATES AND 24" RAIL WIRE.
- 6 TENSION WIRE: 9 GA ALUMINUM.
- 7 BARBED WIRE: DOUBLE STRAND 13-1/2" O.D. TWISTED WIRE TO MATCH WITH FABRIC. 14 GA. 4 FT. BARBS SPACED ON APPROXIMATELY 5" CENTERS.
- 8 3/16" x 3/4" (MIN) FULL HEIGHT STRECHER BAR.
- 9 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
- 10 FENCE CORNER POST BRACE: 1.58" NOMINAL PIPE.
- 11 1" MAXIMUM CLEARANCE FROM FINISH GRADE.
- 12 FENCE POST FOUNDATION TO BE 1" FINISH ABOVE FINISHED GRADE.
- 13 6" COMPACTED BASE MATERIAL.
- 14 FINISH GRADE SHALL BE UNIFORM AND LEVEL.
- 15 WELDED GATE FRAME: 2" O.D. SCHEDULE 40 PIPE PER ASTM-F-1083.
- 16 GATE POST: 4" O.D. SCHEDULE 40 PIPE PER ASTM-F-1083.
- 17 GATE FRAME BRACE RAIL: 1 1/2" NOMINAL PIPE PER ASTM-F-1083.
- 18 DUCK BILL OPEN GATE HOLDER. VERIFY LOCATION IN FIELD PRIOR TO INSTALLATION.
- 19 STYME LOCK MILD TITENANT LOOKING DEVICE.
- 20 GEO-TEXTILE FABRIC.
- 21 CONCRETE FOUNDATION (MIN. 3000 PSI) MINIMUM DEPTH: 6" BELOW FROST LINE.
- 22 12" x 24" SBA SITE INFORMATION SIGN.
- 23 12" x 24" NO TRESPASSING SIGN.
- 24 12" x 24" RF CAUTION SIGN.
- 25 18" x 12" KEEP GATE CLOSED SIGN.
- 26 4" WIDE SNOW GATE WITH DOUBLE SWING GATE FRAME FORK LATCH WITH COMBINATION LOCK.
- 27

PROPOSED CHAIN LINK FENCE TO BE LIMITED TO 6' HEIGHT OF 6'

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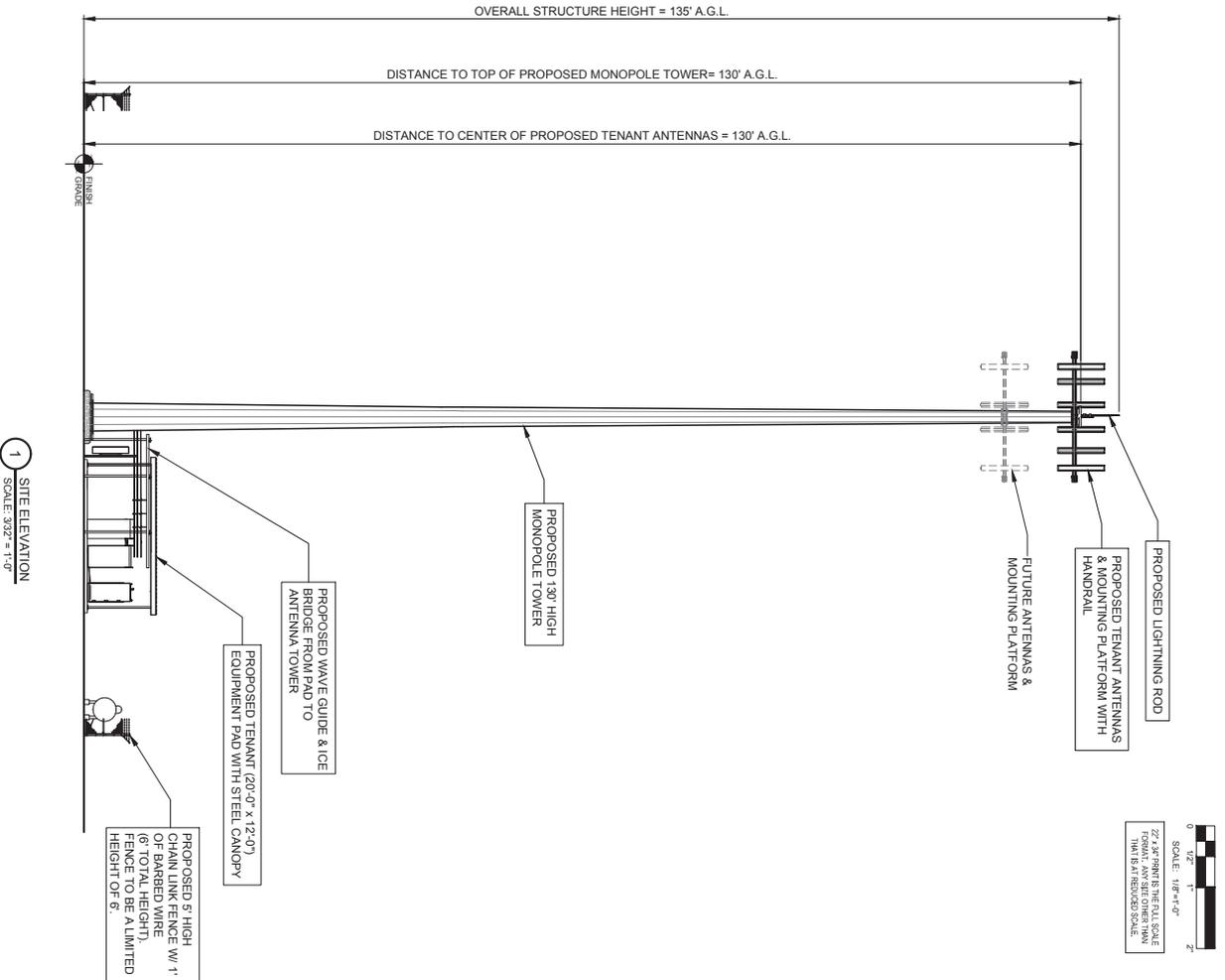
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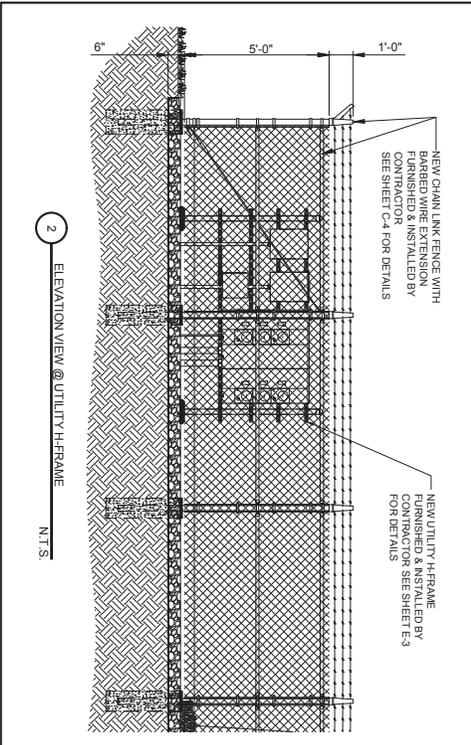
OH-16-258  
GENDER REFUGEE  
GENDER ROAD  
CANAL WINCHESTER, OH 43011

DRAWN BY: JAY  
CHECKED BY: TAZ  
DATE: 3/3/14  
PROJECT #: 7530

SHEET TITLE: FENCE DETAILS  
SHEET NUMBER: C-4



1 SITE ELEVATION  
SCALE: 3/32" = 1'-0"



2 ELEVATION VIEW @ UTILITY H-FRAME  
N.T.S.

- NOTE:
1. VERIFY EACH COAXIAL CABLE LENGTH, ROUTING AND ALL MOUNTING APPURTENANCES WITH OWNER PRIOR TO ORDERING.
  2. ACTUAL ANTENNA CABLE LENGTHS MAY VARY FROM ESTIMATED CABLE LENGTH AND MUST BE VERIFIED.
  3. ANTENNA CABLE LENGTHS MAY VARY FROM ESTIMATED CABLE LENGTH AND MUST BE VERIFIED.
  4. VERIFY ALL COAXIAL CABLE LENGTHS WITH PROJECT MANAGER AT (3) LOCATIONS:
    - A. TOP OF TOWER ANTENNAS
    - B. INSIDE EQUIPMENT SHELTER NEAR ENTRY PORT
    - C. OUTSIDE EQUIPMENT SHELTER NEAR ENTRY PORT
  5. COAXIAL CABLES TO BE SUPPORTED EVERY 18" WITH STAINLESS STEEL HANGERS.
  6. COAXIAL CABLES TO BE SUPPORTED EVERY 18" WITH STAINLESS STEEL HANGERS.

<p><b>ANT-1</b></p>	<p>SHEET NUMBER</p>	<p>SHEET TITLE</p> <p>SITE ELEVATION</p>	<p>PROJECT #</p> <p>7530</p>	<p>CHECKED BY:</p> <p>TWZ</p> <p>DATE:</p> <p>3/31/4</p>	<p>DRAWN BY:</p> <p>JAY</p>																												
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# THE GREATER SOUTHEAST AREA COMMISSION

## ZONING RECOMMENDATION AND VOTE

Application # 216-004

Address 3647 Jendew Rd. Canal Winchester

Description

### Zoning Committee Recommendation

APPROVE       DISAPPROVE

### Commission vote

Commissioner Johnson	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner Brown	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner Bunting	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner Chambers	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner Harris	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner E. Kempner <i>absent</i>	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner M.M. Kempner <i>absent</i>	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner Palmer	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
Commissioner Schacht	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN
<i>10</i> <del>Chris Andrews</del>	<input checked="" type="checkbox"/>		
" <i>Jamie Allen</i>	<input checked="" type="checkbox"/>		
" <i>Carl Chastain</i>	<input checked="" type="checkbox"/>		
GSEAC Chair <i>Alan Johnson</i>			Date <u>4/26/16</u>
GSEAC Secretary <i>Marian Harris</i>	5 - 13		Date <u>4/26/16</u>