

**SUBURBAN LODGES OF AMERICA, INC., APPELLANT, v. COLUMBUS GRAPHICS  
COMMISSION, APPELLEE.**

[Cite as *Suburban Lodges of Am., Inc. v. Columbus Graphics Comm.* (2002), 94  
Ohio St.3d 1205.]

*Appeal dismissed as improvidently allowed.*

(No. 00-2140 — Submitted November 13, 2001 — Decided January 9, 2002.)

APPEAL from the Court of Appeals for Franklin County, No. 99AP-1065.

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The cause is dismissed, *sua sponte*, as having been improvidently allowed.

MOYER, C.J., RESNICK, F.E. SWEENEY and LUNDBERG STRATTON, JJ., concur.

DOUGLAS, J., dissents.

PFEIFER and COOK, JJ., dissent.

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**COOK, J., dissenting.** I respectfully dissent. Instead of dismissing this case  
as improvidently allowed, I would affirm the judgment of the court of appeals.

PFEIFER, J., concurs in the foregoing dissenting opinion.

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*Squire, Sanders & Dempsey, L.L.P., David J. Young and Greg R. Wehrer*, for  
appellant.

*Janet Jackson*, City Attorney, *Daniel W. Drake*, Chief Counsel, and *Deborah  
F. Hoffman*, Assistant City Attorney, for appellee.

*Altick & Corwin Co., L.P.A., Stephen M. McHugh, Matthew D. Stokely and  
Matthew R. Steinke*, urging affirmance for *amicus curiae*, American Planning  
Association.