

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Minutes

Monday, February 14, 2022

6:00 PM

Planning and Zoning Commission

*Joe Donahue - Chairman
Joe Wildenthaler – Vice-Chairman
Brad Richey – Secretary
Kevin Serna
Megha Sinha
Deborah McDonnell
Rick Deeds*

Call To Order

Time In: 6:00pm

Declaring A Quorum (Roll Call)

Brad Richey	Kevin Serna	Joe Wildenthaler	Joe Donahue
Megha Sinha		Deborah McDonnell	Rick Deeds

Election of Officers 2022

Chairman **A motion was made by Kevin Serna, seconded by Megha Sinha for Joe Donahue as Chairman.**

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

Vice Chairman **A motion was made by Kevin Serna, seconded by Megha Sinha for Joe Wildenthaler as Vice Chairman.**

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

Secretary **A motion was made by Kevin Serna, seconded by Megha Sinha for Brad Richey as Secretary.**

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

Approval of Minutes

December 13, 2021 Planning and Zoning Commission Meeting Minutes

A motion was made by Megha Sinha, seconded by Kevin Serna, that the December 13, 2021 Minutes be approved.

The motion carried by the following vote:

Yes: 5 – Donahue, Richey, Wildenthaler, Sinha & Serna

Abstain: 2 – McDonnell & Deeds

Public Comment

Michael Vasko spoke to the commission about the importance of their roll to the community. The Planning and Zoning board is a quasi-judicial board for the purpose of hearing zoning related regulations and land use. These hearings are to balance land owner rights and development standards set forth by the community. What the commission does affects the community for the next 20-40 years. Mr. Vasko warned the commission about the pressure they will face from developers, the Mayor, City Council and Staff. These pressures will be from

financial gain, political gain or simply peer pressure. The commission needs to exclude themselves from these topics. Every application should be treated equally to the standards of the community. Doing the right thing is the most important. Mr. Vasko thanked the commission for the service he provided in the past and wished the new members the best.

Kay Sargent spoke to the commission echoing Mr. Vasko comments, saying what this commission does is important. Sometimes saying no is more important than saying yes. Saying no can also build trust on all sides. The unanimous decision to vote no on the Northpoint project was specific based on transportation concerns and other safety concerns. Over the past 40 years traffic has become an issue with regular congestion. Mrs. Sargent stated that her hope is that everyone can live in Canal Winchester, not just the rich and retired.

Mrs. Sargent spoke briefly about the Sheetz proposal saying that a red flag to her is the number of variance requests.

Angie Hallstead gave a congratulations to the two new P&Z Commission members stating the job they have is incredibly important. Canal Winchester is at a turning point with residents that want things to slow down and have the area protected. Warehouse development is on the agenda tonight, but when is it not. Every citizen moved to this community for a reason and not one of them is for a warehouse. When looking at areas for development, infrastructure and safety need to be analyzed. A lot of the current development impacts the Gender Road and Winchester Pike intersection.

Public Oath

Public Hearings

CU-21-003

Property Owner: Canal Winchester Pike LLC, Ohio LLC

Applicant: Eric Elizondo – Skilken Gold Real Estate Development

Location: 729 Winchester Pike

Request: Conditional Use to Chapter 1167.03(c), to allow for an automobile convenience market and service station on the subject property.

Mr. Moore presented the Conditional Use application #CU-21-003 to the commission, noting that the request is for a Sheetz to be developed on the subject property. The proposal includes the demolition of the existing buildings on the site for a new 4,900 sq. ft. convenience market with 12 fueling stations located under a detached canopy.

Staff discussed that there are five criteria that need to be reviewed when looking at a Conditional Use application. Meeting the applicable development standards; compatibility with adjacent lane use, zoning and area plans; proposal does not adversely impact traffic or other public services; will not result in the

loss of scenic or historic features; and will not adversely affect the public health, safety, convenience, comfort, prosperity and general welfare of the community.

The applicant has put together a site plan showing the proposed layout for the property. The applicant has indicated that they have 7 variances they are requesting for the project. When reviewing the criteria for a conditional use approval for this project, staff is concerned about the access shown on Gender Road. The plans show a right-in and right-out that requires a variance due to the location being within 300 feet of the existing intersection.

The applicant submitted a traffic study for the project back in December and it was reviewed by EMH&T for the city. The initial review of the study recommended that the right-in deceleration lane be appropriately sized, the site plan takes into account for a potential Winchester Pike realignment with Gender Road and that the right-out be eliminated from the plans as it is located within the functional area of the intersection. The applicant responded to the TIS in January and EMH&T provided a supplemental review with the same comments, including removing the right-out on Gender Road.

The applicants traffic study also was reviewed by the City of Columbus as the intersection is located in their jurisdiction. Columbus asked the applicant to look at what improvements would be required for the intersection to be functional under present traffic conditions and associate a dollar figure to those improvements. The City of Columbus is recommending that the applicant provide a contribution towards those future improvements based on their proportional value of traffic they are adding to the area.

Staff is recommending that Conditional Use #CU-21-003 be denied as presented with the proposed right-out on Gender Road. The proposed conditional use as presented has the potential to adversely impact access, traffic flow, and other public facilities and services. The proposed inclusion of a right-out-access point also has the potential to adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare. Staff has no other concerns in regards to the use other than the issues presented in regards to access.

Mr. Donahue asked if there were any questions for staff.

Mr. Richey spoke saying that the right-out on Gender Road keeps being brought up as a safety concern and the application has been tabled several times for the applicant to have the opportunity to redesign the site. Staff noted that is correct and during each review with P&Z the comments are mainly directed towards traffic impacts.

Mr. Serna added that the traffic study submitted talks specifically about the right-in and right-out should be included based on the horizon year conditions and EMH&T still notes it should be removed. Mr. Haire noted that is a question that the applicants traffic engineer should be able to answer on why they are

recommending the right-out. The city engineer is stating that the right-out is not safe to include based on their review of the study.

Mr. Donahue discussed that the big item that is not being met with this conditional use application is traffic access related. Staff noted that they have recommended to the applicant that the right-out be removed from the plans prior to the first submittal in October.

Staff noted that the applicant has gone through several design iterations for this site plan with different access point locations. The right-in and right-out access is a standard site layout design for their operations and the applicant did submit video to the commission showing how a right-in and right-out functions at a different facility. The concern is with peak traffic volumes and traffic trying to go west bound on Winchester Pike from the right-out.

Mr. Donahue noted that there may also be internal stacking issues during peak times.

Mrs. McDonnell asked staff and the chairman if it makes sense to discuss the variance application first for site access then the conditional use application. Jesse Shamp representing Canal Winchester noted that one of the criteria for a conditional use is related to traffic. This gets discussed first to determine if a conditional use moves forward to the other pending applications. McDonnell asked if the variances get discussed if the conditional use does not get approved. Staff indicated that the variance applications can be discussed or tabled by the applicant, it is their choice. However, the variance is valid for the life of the property not the project.

Eric Elizondo representing the project passed around a handout to the commission noting each request being discussed this evening.

Mr. Donahue asked if the applicant could elaborate on the right-out. Mr. Elizondo discussed that they have looked at many different layouts for this site and have done a traffic impact study and revised it based on feedback from the multiple jurisdictions. The City of Columbus and Franklin County do not have any concerns with the right-out on Gender Road and the study shows that while it does not meet zoning regulations it is not a safety issue.

Mr. Wildenthaler noted that the traffic study shows the intersection is at a grade level F and this right-out is adding more traffic to it. Mr. Elizondo stated that the traffic study shows they are not adding traffic to the area as it is already there. Additionally, they are willing to contribute about \$173,000 to improving the intersection based on the improvements recommended by the City of Columbus.

Mr. Richey responded saying that the concern is that the proposed improvements have not been made yet. This intersection has been discussed for a number of projects over the past several months and it keeps going back to

Columbus is planning on doing something, but nothing has been finalized. Mr. Elizondo noted that they are not in control of this intersection but the traffic study shows down the line the access is a non-issue.

Mr. Haire notes to Mr. Richey that any project that gets approved that impacts this intersection will be required to contribute some funds towards a future project to this intersection. Canal Winchester will hold those funds until Columbus is ready to perform the project. Canal Crossing Phase 2 has agreed with City Council to contribute \$500,000 towards the Gender and Winchester Pike improvement. This City of Columbus has plans for a large mixed use development immediately adjacent to the intersection that will be contributing. Columbus has asked Sheetz to contribute along with the next application for the Stotan project. These funds would allow Canal Winchester to help fund that project as it moves further along. Canal Winchester controls all of Gender Road south of Winchester Pike, including these access points.

Mr. Donahue discussed that the plans being presented still do not meet Canal Winchester code.

Mrs. Sinha brought up with the moving pieces to this discussion, the intersection is a set distance now, but if it gets relocated and realigned with Gender Road the right-out becomes that much closer to the intersection. Mr. Elizondo addressed Mrs. Sinha's comments stating that the realignment of Winchester Pike is not going to happen as Columbus is looking at widening the existing roadways. The current condition does not add any additional traffic or danger to the intersection.

Mrs. Sinha said that without a clear understanding of what will be happening with the improvements or if any will be made, it seems premature to assume they are going to be done and the proposed egress is not a problem. This is an important sight and intersection.

Mr. Wildenthaler asked if there was a right-out, what would be the distance between that right out and the left turn onto Winchester Pike. Staff indicated that the right-out is 230 feet from the intersection stop bar. Wildenthaler responded saying 230 feet to get across two lanes. Mr. Elizondo stated that there is access from this site onto Winchester Pike that can get you to the intersection to go straight so you don't need to use the right-out. Mr. Wildenthaler affirmed saying that the site has a right-out by using Winchester Pike. The same could be said for traveling northbound on Gender Road.

Mr. Wildenthaler asked if the trucks leaving the site would use the right-out to go north on Gender Road. Mr. Elizondo responded saying the right-out is to alleviate the stacking of cars within the site itself if the right-out does not exist. The proposed plans for the Sheetz layout reduce the total number of access points on this site from what exists currently, making it better. The stacking concern without the second egress is on Winchester Pike.

Erden Hensley with Sheetz introduced himself to the commission. Mr. Hensley noted that what he is hearing is a concern with traffic trying to go west bound on Winchester Pike from the right-out. A recent project in Columbus had a similar concern and they ended up installing delineators between the turn lane and the through lane to act as a traffic deterrent. Mrs. Sinha discussed these types of alternatives need to go through city staff and their professional engineers, then come before the commission.

Mr. Hensley discussed that a variance requests requires showing a hardship. If the frontage requirements for the building were not required, then the access on Gender Road could be moved to the south side of the site.

Mrs. McDonnell asked staff who controls the timing of the intersection. Staff indicated Columbus controls the intersection timing. In the past Columbus added a left turn arrow to the intersection for COTA when they built the park and ride. Canal Winchester also recently amended the corridor timing with coordination with Columbus and ODOT.

Mrs. McDonnell asked the applicant why they are adamant on the right-out. The applicant indicated that it is important for the internal stacking of the site. The traffic study shows the support for the egress on Gender Road and they are asking for a variance for the spacing. McDonnell added that the plans show a wider access on Winchester Pike with multiple turning options available and it looks much more safe for traffic to queue at the intersection.

Drew Laurent spoke to the commission about the traffic study that was prepared for the project. There are currently two right-in and right-outs north of this site and they looked at the traffic incident reports of those two intersections from 2017 to 2021. They found 1 incident within that timeframe and it was someone trying to make an illegal turn movement.

Mr. Laurent stated that if no improvements are done for the next 10 years, the longest queuing for on site traffic looking to exit onto Gender Road would be 4 vehicles. This parcel has an unusual shape but there is plenty of site distance on Gender Road given the elevation of the interchange. The right-in and right-out does also not effect any improvements in the corridor.

Mrs. McDonnell notes that it was mentioned the largest stacking internally would be 4 vehicles. Winchester Pike has enough stacking distance between this site and Gender Road signal to accommodate that many vehicles.

Mr. Donahue opened up the application for the Public Hearing.

Srini Kombha spoke in opposition to the proposed Sheetz development. Mr. Kombha noted that there are three factors to his opposition that thinks the commission should take into consideration. Impact on traffic, oversaturation in the market with the number of existing and proposed convenience stores, and the impact of big corporations on small and minority businesses. A company like

Sheetz can eliminate competition in the area. There is already a gas station nearby under construction; Columbus is reviewing another across the street from this site, there does not need to be a third. When looking at the gas prices on surrounding Sheetz stores they just opened, they are selling gas 30 – 40 cents below the general market price. For Sheetz it is easy to take the loss when you look at the company as a whole. Generally speaking, gasoline profits are only 8 cents per gallon. This puts pressure on local small business locations.

Mike Vasko spoke to the commission in regards to the proposed Sheetz development. Vasko stated that Gender Road and Winchester Pike is going to get busier as time goes on. The applicant has admitted that the site is below their standards from what they typically build on. The structure is going to be smaller with fewer pumps. Everything is being miniaturized to fit the property and it doesn't work. They are requesting 7 variances to get their project to fit on the property and that raises a red flag.

Kathy Jensen spoke to the commission saying that after listening to the dialog it seems like the proposed Sheetz project is trying to squeeze 10lbs of potatoes into a 5lb bag. Vehicle stacking was brought up during this discussion but none of the conversation talked about semi-truck stacking. Mrs. Jensen notes that all of the traffic studies that have been done within the last two years are inaccurate in the data that is being used as covid has created unusual traffic patterns.

Kay Sargant talked to the commission how her father-in-law spent his career purchases real estate for Marathon Petroleum. This is not a sight he would ever have selected. The Sheetz real estate agent was incorrect in selecting this property.

Mr. Wildenthaler asked if this request is a recommendation to City Council. Mr. Shamp responded saying that a Conditional Use request is a determination that is made by the Planning and Zoning Commission if the request is permissible as presented, with modifications or not to be approved based on its review.

A motion was made by Kevin Serna, seconded by Brad Richey to close this Public Hearing.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

A motion was made by Brad Richey, seconded by Kevin Serna that Conditional Use application #CU-21-003 be approved as presented.

The motion failed by the following vote:

No: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

VA-21-020

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Variance from 1185.05(3) for access drive within 300 feet from an intersection.

A motion was made by Brad Richey, seconded by Kevin Serna that Variance Application #VA-21-020 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

VA-21-021

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Variance from Chapter 1185.05(a) to increase the max 25' driveway width.

A motion was made by Joe Wildenthaler, seconded by Megha Sinha that Variance Application #VA-21-021 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

VA-21-022

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Variance from Chapter 1191.08(a)(1) to have a trash enclosure be between the building and the right-of-way.

A motion was made by Joe Wildenthaler, seconded by Kevin Serna that Variance Application #VA-21-022 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

VA-21-023

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Variance from Chapter 1199.04(a) to have relief from the build-to lines.

A motion was made by Megha Sinha, seconded by Kevin Serna that Variance Application #VA-21-023 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

VA-21-024

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Variance from Chapter 1199.04(3) to have uncovered seating between the build-to line and the right-of-way.

A motion was made by Megha Sinha, seconded by Deborah McDonnell that Variance Application #VA-21-024 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

VA-21-025

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Variance from Chapter 1199.05(a) for parking to be located in the front of the building.

A motion was made by Megha Sinha, seconded by Joe Wildenthaler that Variance Application #VA-21-025 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

VA-22-002

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Variance from Chapter 1199.06(b) to increase the lighting intensity under the fuel canopy.

A motion was made by Joe Wildenthaler, seconded by Kevin Serna that Variance Application #VA-22-002 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

SDP-21-014

Property Owner: Canal Winchester Pike LLC, Ohio LLC
Applicant: Eric Elizondo – Skilken Gold Real Estate Development
Location: 729 Winchester Pike
Request: Site Development Plan for 4,906 sq. ft. Sheetz building and detached gas pumps.

A motion was made by Joe Wildenthaler, seconded by Megha Sinha that Site Development Plan #SDP-21-014 be tabled.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

ZM-21-006

Property Owner: Harriet S. Baker Levin

Applicant: Stotan Industrial

Location: 80.402 acres located at PID 181-000134 & 181-000143

Request: Property be zoned LM (Limited Manufacturing).

Mr. Moore presented the application for Stotan Industrial for property located at 80.402 acres located at Parcel ID 181-000134 & 181-000143. The applicant is requesting that the site be zoned Limited Manufacturing with the pending annexation. Staff discussed that this site is located to the north of the completed phase 1 of the Canal Crossing Industrial Park and to the east of pending phase 2. The rezoning for phase 2 was recently approved by City Council.

In October 2021, Council authorized a pre-annexation agreement and pre-development agreement with the applicant that this site would be zoned Limited Manufacturing with the annexation and provided the applicant the ability to detach from the corporation limits if the zoning request was not met. This would allow for the property to seek annexation to the City of Columbus or remain in Madison Township.

A brief history for the creation of the Canal Crossing industrial park was shared with the commission. Back in 2018 City Council authorized the purchase of 110 acres of property that is now phase 1 of the Canal Crossing Industrial Park. Plans were developed to determine how to best serve the site with utilities and 1.5 million dollars were spent to extend sanitary sewer and water to the area to have the ability to serve this area. The 110 acres was then sold to Northpoint Development which constructed phase 1 that can be seen today.

A future zoning map and proposed site plan layouts were shared showing how phase 1 through 3 of the Canal Crossing industrial park would look. Staff discussed that the site plan component is for context for intended use only. The request this evening is for the zoning of the property and the zoning dictates what types of uses would be permitted on the site. Details for the building design, setbacks, landscaping, traffic, etc. would be reviewed during a site development application, which would be the next stage after the zoning for the property has been established.

The applicant has presented a preliminary traffic study for review. This TIS includes preliminary improvements that have been identified for the site along with looking at the Gender Road and Winchester Pike intersection. The TIS is currently being reviewed by the municipal engineer.

Staff noted that as part of the City Council discussion for the pre-development agreement the applicant has had some initial discussions to create specific landscape elements to screen the site that are beyond zoning requirements. The applicant is showing what initial landscaping looks like at planting and what the planting will look like at maturity.

Staff recommends the applicant's request to rezone 80.402 acres from R (Rural) in Madison Township to Limited Manufacturing be recommended to City Council for approval. City Council has already entered into a pre-annexation agreement for the site for it to be developed with industrial type uses. This site is adjacent to Phase 1 of the existing Canal Crossing Industrial Site and adjacent to the pending Phase 2 of the Canal Crossing Industrial Site. The public water and sanitary sewer that has been extended to this area was designed with capacity in mind for these types of projects and is limited to the just the Canal Crossing Industrial Park Limits.

Staff is recommending that the request to rezone the 80.402 acres to limited manufacturing with the annexation be approved with the condition that the applicant complies with the recommendations of the Municipal Engineer and County Engineer in regards to any traffic improvements required.

Mr. Haire discussed the traffic agreements that have already been made with the commission. Canal Crossing Phase 2 rezoning was approved by council with a number of conditions in that ordinance to improvements that will be made, including widening Bixby Road; adding a right-hand turn lane on US 33 onto Bixby Road; working the Franklin County and ODOT to close Rager Road access at US 33; adding right-hand turn lane from Bixby Road onto Winchester Pike; and contributing \$500,000 towards the improvements to Winchester Pike and Gender Road. The developer for this project has a presentation for the commission this evening that discusses the improvements that they are looking to do that will be in addition to what Northpoint has already agreed to with Phase 2. These traffic coordination's are being done with the county, Columbus and ODOT.

Mrs. Sinha asked where the Columbus residential projects are located. Staff indicated that there are 142 units located to the east of this proposed project, 300+ units approved on Brice Road, 1,100 units on Shannon Road. There are a number of other residential projects in the City of Columbus that have either already been approved or are in the pipeline.

Mr. Deeds commented that it was his understanding that newly annexed property is zoned Exceptional Use. Staff indicated that the EU category is a holding category and allows for a property to be used in its current format. Rezoning in tandem with an annexation allows for a property owner to use the property in a different way with the annexation.

Mr. Deeds asked for clarification on the proposed modifications to Rager Road. Staff indicated that ODOT acquired the right-of-way to cul-de-sac Rager Road at the church driveway. The closure would be at the north side of US 33 at this site, not the south side of Rager Road.

Mr. Deeds asked if there are any restrictions for truck traffic from turning left from US 33 onto Bixby Road. Staff indicated that ODOT does not have any restrictions from that turn movement from being made.

Mr. Haire discussed that Canal Winchester met with ODOT late January to get on the TRAC process for a Bixby Road interchange. The TRAC process is for any project in the State of Ohio that costs over 12 million dollars. ODOT has agreed to support a TRAC process for this project. First is design, environmental and right-of-way. Northpoint has agreed to contribute \$100,000 towards the environmental component and has 7 acres of land set aside for right-of-way. This interchange was fully designed in 2012 by ODOT and was planned in 2018 but was removed at the time. These items should help accelerate this project.

Mr. Donahue asked at what point should the 1999 comprehensive plan be the basis for a rezoning rather than relying on waiting for the upcoming plan to be completed in the next 18 – 24 months. Staff indicated that when looking at the planning of this area, City Council made the determination that this should be an industrial area with the purchase of the 110 acres and selling it to Northpoint for Phase 1 of the industrial park. At that time Planning and Zoning Commission approved the rezoning for this site with the knowledge that this was the plan for this corridor. The 1999 plan did not anticipate this area being within the corporation limits for development. That plan was very general in nature noting that the community should reserve land for industrial development to lessen the burden on taxes on the residents.

Mr. Haire noted that specifically with this project and the plans for this area is a defensive strategy. The initial 110 acres that the city ended up purchasing was being explored by developers for a multi-family site to house 700+ units. This site was zoned LM to limit the entire corridor from being developed with multi-family in the City of Columbus.

Mr. Donahue asked how this area gets rolled into the comprehensive plan. Staff indicated that the RFP discusses looking at all of the existing plans the city has and incorporate them into the overall document. This includes everything within the corporate limits and any future service areas that have been identified.

Mr. Deeds asked what school district this property is located in. Staff indicated that it is located in the Canal Winchester School District. Mr. Deeds noted that the 1999 plan was developed to protect the school district as well. Columbus had a plan at the time that showed multi-family and town centers to supplement those apartments. They have done a really good job with developing the apartments but not so much on the town centers. Haire added

that this property is located in the win-win area so if it was annexed to the City of Columbus the school district would change to Columbus.

Mrs. Sinha discussed this is a difficult discussion between the existing Comp Plan not covering this area and local plans council already started. Mr. Haire discussed the Columbus zoning for the site adjacent to the west.

Mr. Moore discussed that there are planning documents that were created by City Council that show in 2018 when this area was being contemplated for development, it looked at zoning this property for industrial land uses and that basis is how the utilities were constructed. Mrs. Sinha asked if the plans included this site and staff affirmed that utility capacity was analyzed.

Mr. Donahue asked at a high level, is there interest or the possibility to annex north of Winchester Pike. Staff indicated that the way that the utilities were designed and with current capacities it would be a challenge to serve sites north of Winchester Pike. There only other location that has been planned for is an additional 35 acres north of Bixby Road at 33 that we have the capacity to serve. It is the city's understanding that the parcel north on Winchester Pike is under contract with a residential developer that is looking to annex to the City of Columbus.

Mr. Richey asked if the TIS included Gender Road and Winchester Pike. Staff indicated that the Northpoint Development TIS included the Stotan Development numbers and that is looking at Winchester Pike.

Mr. Donahue asked if the applicant had anything they wanted to discuss with the commission.

Jim McGill with Stotan Industrial introduced himself to the commission and went over a presentation prepared for the project. Mr. McGill discussed the context of the site and the proposed land use and anticipated development patterns. When looking at the traffic impacts, the traffic generated by this type of development is significantly less than the surrounding projects that have been anticipated in the traffic study, going over date for both peak hours and traffic impacts based on types of land uses. Stotan is prepared to invest \$940,000 towards traffic improvements for the area, including physical improvements to Bixby Road and Winchester Pike and contributing monetary funds towards future improvements with a Bixby Road interchange and Winchester Pike and Gender Road redesign.

Mr. Deeds asked the applicant about the wetlands delineated on the site plan. The applicant indicated that the Army Corp. has indicated that they are non-jurisdictional and they would need to get final approvals through the OEPA.

Mr. Donahue asked about the timing of the improvements to Bixby Road. Staff indicated that Northpoint has indicated they will do some improvements with

Canal Crossing Phase 2. This project is Phase 3 and will be doing additional improvements on top of that of Northpoint.

Mr. Richey asked when the Bixby and US 33 improvements would be completed. Staff indicated that those improvements are part of Northpoint Phase 2 and they would be required to be completed prior to occupancy on the building. Both Northpoint and Stotan have agreed to contributing funds towards studies required by ODOT to help accelerate the TRAC process for the interchange.

Mr. Richey noted that the commission keeps asking about a development plan and this information is helpful with that discussion. It is not perfect but it is getting better. Mr. Haire indicated that the most recent Thoroughfare Plan was completed in December 2021, prior to that was 2009. This plan looks at a Bixby Road interchange and how that interchange would reduce traffic on Gender Road by 18%. This 18% reduction keeps the volume of traffic on Gender in the 30 year horizon the same as it is today. Traffic in the next 30 years is going to grow 18%. More alternatives and safe access helps distribute that traffic growth.

Mr. Richey commented that the biggest item for the community is the Gender Road and Winchester Pike improvements. Staff indicated that Columbus is planning what to do but in the meantime Canal Winchester is going to be collecting funds from these projects to contribute towards that future improvement. Between Northpoint, Stotan and Sheetz there would be \$850,000 in a funding pool. The projects in Columbus would be contributing towards their funding mechanism as well.

Mr. Donahue opened up the application for the Public Hearing.

Mike Vasko spoke to the commission about his passion for the community. US 33 is one of the primary entryways into this community and these projects are proposing to straddle the entry to the community with ugly 30' concrete walls. Mr. Vasko notified the commission that there is a referendum petition being circulated in Canal Winchester, contesting the approval of the rezoning for Phase 2 that includes buildings 3 and 4. Mr. Vasko encouraged the commission to visit the buildings that are completed and look at how close to the roadway they are and see if that is the character for Canal Winchester they want.

Mr. Vasko discussed that with Council already making a determination for how this property should be zoned with the various agreements the commissions should be relieved. They now have the ability to vote how they want as they are not bound to any of those agreements. The commission is for the benefit of the community bounded by zoning and planning documents. Canal Winchester now has warehouses on the northeast corner, north west corner, and behind Kroger's. Is this where the citizens of Canal Winchester will want to live. The government should not be involved with buying and selling of land.

Mr. Vasko noted that this project is not right for the community. The referendum will get the signatures necessary and will be on the ballot. It is time to send a message that this is not a project the community wants.

Vaughan Radde spoke to the commission stating that he is not opposed to development. Development is inevitable. The concern is relying on ODOT for any of the construction to take place. Mr. Radde stated that he does not like the comparison of industrial traffic to residential traffic. The community is not in a job deficit but a housing deficit. More housing opportunities is worth the traffic increase.

Angie Hallstead discussed that in 2019 Canal Winchester purchased the land on Bixby Road and in 2020 it was transferred to the CWICC and in the same month sold to Northpoint and the ordinance was declared as an emergency. Canal Winchester has 14% industrial zoned property, Cleveland 12%, Cincinnati 6%. City Council and staff has said Canal Winchester is an industrial town when we are a farm community. There are empty warehouses in Groveport because abatements have run out.

Mrs. Hallstead challenged the commission to think about water runoff, emissions, truck traffic, accidents. Bixby Road interchange is supposed to happen in 2035. ODOT had a lot of projects in Ohio that need fixed.

Mrs. Hallstead spoke on the circulating referendum petition saying that they have over 600 signatures and they did not need that many. People are reaching out constantly to sign the document because they do not want this development. Destination Canal Winchester is not bringing in businesses and they are not providing new opportunities for the kids.

Mrs. Hallstead spoke how a new council member stated he does not care for opinions of people who live outside the community when these decisions affect them too. Bob Clark on council noted that phase 2 was one of the most important decisions he had to make on Council. Council even decided to approve the rezoning for Canal Crossing Phase 2 even though it was recommended for disapproval by P&Z. Same thing will happen here.

Mrs. Hallstead ended by saying that she hears how downtown Canal is protected but what about the rest of the community.

Casey Smith spoke on how Gender Road traffic is becoming like Sawmill Road in Dublin and 256 in Pickerington. Growing up in a rural environment he has gotten to appreciate nature and that is why he purchased a home on Winchester Pike so he can appreciate the farming. Old Town Canal is a good feeling. Development will happen and its sad. More parks and green space needs to be added to the community. With everything going on, it is time to move further away to Baltimore and beyond. Mr. Smith noted his neighbors are here this evening to understand more about what is happening in the area.

Kathy Jensen spoke that she is a resident of Violet Township and she is also affected by development that happens in Canal Winchester. The traffic studies that are submitted understated because the existing warehouses in the community are not fully occupied and any traffic study during Covid does not represent the populace working from home. There are 15 warehouses proposed between Canal Winchester, Madison Township and Violet Township. This rezoning will only exasperate traffic. Canal Winchester residents or non-residents are both affected by these warehouse developments. Semi-trucks will take any road they see fit if they think they have a better route than US 33. Gender, Diley, Refugee and 256 are all routes these trucks have been using creating congestion in our neighborhoods. Where will trucks park to overnight. Streets will crumble under the strain of so many trucks and tax payers are left paying for the bill.

Mrs. Jensen spoke about how industrial jobs are being taken over by robotics. This is not prosperous for future Canal Winchester employees. Who will want to move to Canal Winchester the village of warehouses. The comprehensive plan needs updated and citizens needed to be listened too. Smart industry and businesses that promote the general welfare of the community and diversity is needed. Think of the future of the children. Mrs. Jensen asks that this rezoning be voted with a no.

Sara Owens spoke to the commission emphasized the importance of developing a well-rounded plan before more warehouse development is added to Winchester Pike and Basil Western Road. Getting onto the highway from Bowen Road is not safe and there is always traffic. Same can be said for Bixby Road. Adding more warehouse development will cause high traffic and truck traffic. The truck traffic on Winchester Pike will not be safe and needs more than just a turn lane. The planning and zoning mission says it is to help guide future development and growth while maintaining the charm of Canal Winchester. Blending the old with the new are important aspects for moving the community forward in a healthy and well-planned direction. New development can be more than warehouses. It can be new businesses, places for children, build on the character and charm of Canal Winchester. Mrs. Owens asks that this proposal be voted with a no.

A motion was made by Kevin Serna, seconded by Joe Wildenthaler to close this Public Hearing.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

Mr. Richey noted that he is still stuck on the traffic component. The request of the community is to slow down and make sure the right decision is being made. Warehouses may be the best use for the property but traffic needs to be finalized to ensure the safety of the community.

Mrs. Sinha stated her concern is with land use compatibility. This may be the correct land use but there has been no data to support it.

Mrs. McDonnell shared that right now the topic is on annexation and do we want the property located in Canal Winchester so we can guide that development. When looking at this as just an annexation request it should be supported. As a small community, it is important to balance all growth from taxing purposes. When looking at industrial development in the community, it does make sense for this corridor, especially with this being at the limits of what we would have the ability to control with the surrounding boarder of Columbus. There is another industrial area on Diley Road around the hospital that is appropriate. Those roadways have been expanded to handle that type of development over time.

Mrs. McDonnell discussed that when thinking about housing, there is a lot of land in the Township that can allow for a high-quality residential development. Canal Winchester has an opportunity to maintain the integrity of housing and provide job opportunities. It makes sense for this to be an industrial area. The comments from the board and citizens on traffic are valid and should be revisited. However, these are types of discussions that can be had as development plans are brought forward for review after the property is located within the community.

Mr. Donahue discussed that the annexation is something Council is already in the process of doing. This application is for a zoning change. Mrs. McDonnell affirmed but noted that she does not feel that the property should be a different use than limited manufacturing.

Mrs. Sinha states she does not know if the Planning and Zoning Commission should be making the call on what to zone the site. There has not been a study done to show that this is the appropriate land use for the site. Mr. Deeds responding saying that City Council has already done that. They are telling P&Z what their plan is.

Mr. Shamp stated that Council has telegraphed their view on the property with the pre-annexation agreement, which has requested that the zoning run concurrent with the annexation. There have been some public comments this evening that have said what the commission decides is not important, and that is not the case. The plans to be considered are ones that staff has already reviewed and provided their professional feedback on. The review should be limited to those criteria listed under a rezoning application under the zoning code. The staff report does not mention the referendum because that is the job of the citizens and their right. It is the P&Z job to filter out the political noise and focus on code alone. The applicants have filed a valid application and are titled to their review.

Mr. Wildenthaler asked if they are able to attach conditions to the recommendation for the zoning change. Staff affirmed that there can be

conditions on the rezoning to be approved and also conditions that require certain aspects to go under review when final plans are developed and presented to the P&Z Commission.

Mr. Haire noted that the plans provided by the applicant are conceptual only. The commission is reviewing a request to rezone the property to the limited manufacturing zoning district. This zoning district has a wide variety of uses that are permitted. An updated traffic study would be required if the use or types of buildings were to change.

Mrs. Sinha discussed that she is not convinced that the applicant has shown that the proposed zoning change is compatible with adjacent land use, adjacent zoning or appropriate plans for the area.

A motion was made by Joe Wildenthaler, seconded by Kevin Serna that Zoning Map Amendment #ZM-21-006 be approved with the following conditions:

- 1) The applicant complies with the recommendations of the Municipal Engineer and County Engineer in regards to traffic improvements required due to the impacts future proposed development.**

The motion failed by the following vote:

Yes: 3 – Joe Wildenthaler, Deborah McDonnell, Rick Deeds

No: 4 – Brad Richey, Kevin Serna, Joe Donahue, Megha Sinha

VA-22-003

Property Owner: Waterloo Crossing OP LLC

Applicant: Joe Youst – Beradi+ Partners

Location: Proposed 1.68 acre split from PID 184-003084

Request: Variance from Chapter 1199.04(a) to provide relief from the 25-foot build-to line on West Waterloo Street

Mr. Moore presented the application for Joe Youst with Beradi+ Partners for property located at a proposed 1.68 acre split from PID 184-003084. The applicant is requesting for a variance from Chapter 1199.04(a) to provide relief from the 25 foot build-to line on West Waterloo Street.

Staff shared plans of the proposed project with the commission. The applicant is requesting to construct a new commercial bank on the proposed outlot on the northeast corner in front of Walmart. The plans show that the building will sit between 52.3 feet and 62.9 feet from West Waterloo Street. Staff discussed that this variance request is supported by staff. There are special circumstances that exist that are not applicable to other lands and structures in the same zoning district. The Waterloo Crossing Development Text was created prior to the Commercial Development Standards build-to line. This allowed the first several buildings to be constructed at the maximum 50 foot building setback. Additionally, surrounding properties have been granted relief from the current 25 foot build-to line so they can match surrounding properties. Staff shared a

rendition that shows the proposed building on the site in comparison to surrounding businesses.

Staff recommends that Variance Application #VA-22-003 be approved as presented. The plans for the site tie into the Waterloo Crossing development text and allow for the building to be located in a similar fashion to surrounding businesses.

Mr. Donahue asked the applicant if there was anything they would like to add.

Mr. Youst indicated that he is available for comments.

Mr. Donahue opened up the application for Public Hearing.

A motion was made by Brad Richey, seconded by Kevin Serna that this Public Hearing be closed.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

A motion was made by Brad Richey, seconded by Megha Sinha that Variance Application #VA-22-003 be approved as presented.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

SDP-22-001

Property Owner: Waterloo Crossing OP LLC

Applicant: Joe Youst – Beradi+ Partners

Location: Proposed 1.68 acre split from PID 184-003084

Request: Site Development Plan for a new 3,169 sq. ft. Wright-Patt Credit Union w/ drive up ATM service

Mr. Moore presented the application for Joe Youst with Beradi+ Partners for property located at a proposed 1.68 acre split from PID 184-003084. The applicant is requesting a Site Development Plan approval for a new 3,169 sq. ft. Wright-Patt Credit Union with a drive-up ATM service.

Staff discussed that the property is a proposed 1.68 acre split on the south side of West Waterloo Street, located in the Waterloo Crossing shopping center. The site will be access by vehicle from the existing service road to the south of the site. The site plan shows extending the service drive that access the outparcels to the property limits and constructing a 24' wide access curb cut. The access to the site is consistent with plans for the area. The proposed site plan provides 20 parking spaces with the proposed project.

Utilities are located along West Waterloo Street with a public water and sewer line and storm sewer is collected with a regional detention basin located behind Walmart.

Staff shared the proposed landscaping plan that shows screening the parking along West Waterloo Street and the access drive to the east with a mix of shrub plantings. The applicant has provided ten trees to be planted on site to meet the building and parking requirements.

The parking lot lighting plan shows eleven parking lot lights are to be installed around the site. The parking lot lights will be 17 foot tall on 4 inch concrete risers and feature a historic bell head fixture with LED lighting. The plan shows maximum lighting intensity at 18.1 foot candles.

The applicant's plan for the dumpster enclosure features a three-sided brick enclosure with a gate on the face. The plans note the gate to be a pre-finished metal. The dumpster enclosure is consistent with the primary elevation materials.

The building has been designed to meet the 80% natural material requirement for the Commercial Development Standards and the 80% red brick requirement for the Waterloo Crossing Development Text. The front of the building complies with the window glass requirement on West Waterloo Street and the design features a corner entry on the northeast side. The drive-up ATM area in the southwest corner is designed with similar elements to the building.

The Waterloo Shopping Center allows monument signs to be a maximum of 50 sq. Ft. of copy area per face. The plans submitted show a monument sign that is 49.3 sq. ft. per face on a stone base set at 6.5 foot tall. The development text for the Waterloo Shopping Center allows for a maximum total of 175 sq ft of total wall signage. Wall signs are permitted on up to four elevations, with a maximum area per elevation of 100 sq. ft. The maximum length of any wall sign shall not exceed 80% of the building face on which the sign is located. Details on the signage depicted on the elevations has not been provided for review.

Staff is recommending that Site Development Plan #SDP-22-001 be approved as presented.

Mrs. Sinha discussed that it was brought up that the entry into the sight was shifted. Staff affirmed and noted that the entry has been shifted to the west to line up with the adjoining property line to match the other outparcel development along West Waterloo Street.

Mr. Deeds asked if this is the first time the application has been in front of P&Z for review. Staff affirmed.

Mr. Deeds asked why the drive-thru is located on the left side of the site rather than the right side of the site, it seems to be counterintuitive to a standard

traffic flow. Staff indicated that it was their understanding that it provided more screening from the street by moving it to the west side of the site. The applicant indicated that they relocated the drive-thru to help screen it and also so that the traffic exiting was separated from staff working in the building. This is a fairly large site for this building design so moving the ATM area helps spread things out.

Mr. Serna asked how much spaces is between the west property line and the drive-thru. Staff indicated the plans show 15 feet. Mr. Serna asked if there is any landscaping to be located in this area to screen the drive-thru from the adjacent property. Staff indicated that there are no landscaping requirements for the area between the access drive and property line and that zoning indicates that a drive-thru is an integral part of the building and since this is free standing it is a drive up area, making it functionally different. Serna stated that the ATM layout looks like a large runway in its current configuration.

A motion was made by Brad Richey, seconded by Joe Wildenthaler that Site Development Plan #SDP-22-001 be approved as presented.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

Old Business

New Business

Mr. Moore welcomed Rick Deeds and Deborah McDonnell to the P&Z Commission and thanked Megha Sinha on her final meeting with the commission.

Adjournment

Time Out: 9:28 pm

A motion was made by Kevin Serna, seconded by Brad Richey, that this Meeting be adjourned.

The motion carried by the following vote:

Yes: 7 – Donahue, Richey, Wildenthaler, Sinha, McDonnell, Deeds & Serna

Date

Chairman – Joe Donahue

Secretary – Brad Richey