



CITY OF GAHANNA

STAFF COMMENTS

Project Name: Reclamation, LLC
Project Address: 1000 Bricklawn Ave

Development Department

The applicant is requesting conditional use approval to allow for an additional two years to stockpile construction materials. Conditional use approval was previously granted in 2010 and 2012 for a period of two years. Types of materials that could be stored were limited to dirt, clay, asphalt, concrete and lumber. The 2014 request expired December 31, 2015. A condition of approval included that the applicant provide additional evidence of progress between approval and the expiration of this Conditional Use as to the ultimate goal of readying the property for No Further Action by the Environmental Protection Agency. The applicant's engineer has provided an update as to the steps involved in working through the Ohio Environmental Protection Agency Volunteer Action Program. Please see the letter from Weaver Consultants Group for details.

Planning Commission also considered conditions which included the following: no truck signs placed at Enterprise Drive, road maintenance, and dust control procedures. Staff recommends that if similar conditions are deemed necessary, that Planning Commission specifically include such condition in their motion to approve.

The site is not located within any subarea plan. It is, however, located within the Industrial Future Land Use and zoned Office, Commerce, and Technology (OCT). The land use plan encourages these types of activities within the Industrial future land use and the zoning allows for the use, stockpiling of materials, through a conditional use.

The site is included within the 2015 Economic Development Strategy as target site 4J. A specific target use, site layout, and architectural style was not identified. The strategy provides potential buildout based on use and acreage but not all uses are desirable on all sites. Given the sites proximity to heavy industrial uses, the City anticipates that future development of the site would be in keeping with developments in the area and be industrial in nature rather than office or retail. Please see the attached PDA site development capacity table for details. It should be noted that the requested conditional use, although not specifically for capping of the landfill, if granted, makes the effort financially feasible.

Conditional Use Criteria

Planning Commission shall approve an application for Conditional Use if the following conditions are met:



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

1. The proposed use is a conditional use of the zone district and the applicable development standards established in this zoning ordinance are met.

The proposed use, outside storage/stockpiling of construction materials is a conditional use within the Office, Commerce, and Technology zone district.

2. The proposed development is in accord with appropriate plans for the area.

The site is not located within any subarea plans, however, it is designated Industrial on the 2002 Future Land Use map. A supporting principle of the Industrial land use is to create separation between industrial and residential uses by locating industrial districts so that they will be buffered from non-industrial development. This site is located within an established industrial district.

The 2015 Economic Development Strategy includes the property within target site 4J. Specific uses and building layout were not determined, however, the strategy indicates the property is appropriate for industrial uses. Storage/stockpiling of materials is industrial in nature. The property is well situated to permit the use as it is well buffered from residential uses and located within an established industrial area.

3. The proposed development will not have undesirable effects on the surrounding area.

In previous years, staff has been aware of complaints related to truck traffic, dust, and mud. Planning Commission may choose to include as a condition of approval the road maintenance and dust control procedures that were submitted and discussed as part of the 2014 request.

4. The proposed development will be in keeping with the existing land use character and physical development potential of the area.

The proposed use is the same that has previously been granted. It is in keeping with the land use character of the area as the area is comprised of industrial activities. The site is well positioned for the use in that its location mitigates potential negative impacts associated with heavy truck traffic.

It is Development staff's opinion that the request meets the four conditions for approval. Staff suggests that the previously considered conditions be included in any motion to approve:

1. *If a timeframe is desired, staff supports the request for a period of two years.*
2. *The Road Maintenance and Dust Control Procedures document previously provided by the applicant be included in the motion. The document outlines measures to be taken that should ensure the use does not negatively impact neighboring properties or harm roadways.*



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

3. *No truck signs be placed on Enterprise Dr.*
4. *Future requests for conditional use approval for stockpiling of materials include a progress report which documents the progress, from the time of the most recent conditional use approval to its expiration, as to the ultimate goal of readying the site for No Further Action by the Environmental Protection Agency.*

Aerial



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

ED Strategy Capacity Table

PDA CAPACITY TABLES

The development capacity table is not a specific recommendation for uses on a particular site. Instead it describes a site's capacity for each use using industry accepted standards included in this table. It is intended to be used as a reference in determining a general idea of site capacities for various development types.

PDA Site Critical Data	4A	4B	4C	4D	4E	4J	4K	4L	4M	4Q	4R	4T
Acres	78.5	9.4	13.9	12.8	10.3	39.6	16.9	4.2	5.9	4.1	3.0	5.3
# of Parcels	1	5	2	2	1	5	2	1	1	1	1	1
# of Owners	1	2	2	2	1	3	1	1	1	1	1	1

Use	Development SF or Units/Acre		PDA Site Development Capacity											
			4A	4B	4C	4D	4E	4J	4K	4L	4M	4Q	4R	4T
Retail	Retail / Commercial	10,000 SF	785,000	94,000	139,000	128,000	103,000	396,000	169,000	42,000	59,000	41,000	30,000	53,000
	Large Format Retail	10,000 SF	785,000	94,000	139,000	128,000	103,000	396,000	169,000	42,000	59,000	41,000	30,000	53,000
Office	Office A / B	10,000 SF	785,000	94,000	139,000	128,000	103,000	396,000	169,000	42,000	59,000	41,000	30,000	53,000
	Signature Office	12,000 SF	942,000	112,800	166,800	153,600	123,600	475,200	202,800	50,400	70,800	49,200	36,000	63,600
	Office / Showroom	11,000 SF	863,500	103,400	152,900	140,800	113,300	435,600	185,900	46,200	64,900	45,100	33,000	58,300
Ind.	Flex Office	12,000 SF	942,000	112,800	166,800	153,600	123,600	475,200	202,800	50,400	70,800	49,200	36,000	63,600
	Industrial	15,000 SF	1,177,500	141,000	208,500	192,000	154,500	594,000	253,500	63,000	88,500	61,500	45,000	79,500
Hotel	Hotel	40 Keys	3,140	376	556	512	412	1,584	676	168	236	164	120	212
	Hotel Conference	10,000 SF	785,000	94,000	139,000	128,000	103,000	396,000	169,000	42,000	59,000	41,000	30,000	53,000
Residential	Med. Density Res.	6 DU	--	--	--	--	--	--	--	--	--	--	--	--
	Med-High Density Res.	10 DU	--	--	--	--	--	--	--	--	--	--	--	--
	High Density Res.	14 DU	--	--	--	--	--	--	--	--	--	--	--	--
	Townhomes	8 DU	--	--	--	--	--	--	--	--	--	--	--	--

-- Indicates use is not appropriate for a particular site



"HERB CAPITAL OF OHIO"



CITY OF GAHANNA

2014 Conditional Use Road Maintenance and Haul Road Procedures

Geiger Excavating, Inc.

Road Maintenance and Dust Control Procedures

Road maintenance should emphasize preventive measures. These include:

The yard foreman shall once a week check drainage provisions and ensuring that roadside ditches and culverts are effective in minimizing the effects of water on the road surface and foundation;

All loader operators shall take measures to prevent trucks from being overloaded, which leads to spillage on the roadway;

The yard foreman shall be responsible for controlling dust so that visibility is not significantly reduced;

The yard foreman shall be responsible for regrading road surfaces to remove small ruts and potholes before they cause serious problems;

Concerning dust control on haul roads, the following measures shall be taken by the yard foreman:

the haul roads in use shall be inspected and watered twice daily at 8am and noon, subject to weather conditions;

periodically milled asphalt will be added to the road surface to reduce dust;

traffic on haul roads shall be restricted to 15mph;

Respectfully Submitted By:

Michael Blackford, AICP

Deputy Director of Development



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



January 27, 2016

Mr. Steven M. Geiger
Reclamation, LLC
1000 Bricklawn Avenue
Gahanna, Ohio 43230
Via email: geigerexcavating.steve@aol.com

Re: **Voluntary Action Program Summary Status
Southpark Development
Gahanna, Franklin County, Ohio 43230
WCG Project No. 3870-351-01-02**

Dear Mr. Geiger:

Weaver Consultants Group, LLC (WCG) is preparing this letter to lay out the steps involved in working through the Ohio Environmental Protection Agency (EPA) Voluntary Action Program (VAP). As the program name states this is a voluntary program for use by non-responsible parties to address contamination present at a property. The program can be used to clean up a piece of property following specific standards developed by the Ohio EPA. Once cleanup requirements are met, the VAP Certified Professional issues a "No Further Action" (NFA) letter to the Ohio EPA and the director of the Ohio EPA issues a covenant not to sue (CNS). In order to satisfy the VAP standards, a multi-phased approach is undertaken to assess, remediate and close any potential identified areas at the property. This process typically takes multiple years to complete if funding is secured and readily available at the beginning of the project.

In addition to the multi-phased approach for the VAP program, there is also an intricate web of funding options available for these voluntary clean-up projects by non-responsible parties. Identifying and securing funding on projects such as the Southpark Development can take years to develop and secure as there are many different options available depending on the plans for the development, ownership structure of the project, and level of local government involvement.

Reclamation, LLC (Reclamation), the developer for the Southpark Development project, has spent the past few years identifying and acquiring some of these sources of funding for the project. Reclamation also spent that time attempting to locate a viable end user for the property once the development was completed. During that time, Reclamation paid for and commissioned assessment work without funding to complete Phase I ESAs in 2013 on the two adjoining parcels consisting of 3.7 acres and 1.9 acres located to the west of the main landfill 23-acre parcel. Following the Phase I ESAs, the developer commissioned and paid for a Phase II PA on the two adjoining parcels with a report issued in December 2013. In summer of 2014, a draft Remedial Action Plan (RAP) was prepared for Reclamation and issued to the Ohio Development

Services Agency (ODSA) for a potential funding source through the Ohio Water Development Authority (OWDA). Following issuance, those funds were secured to provide a low interest revolving line of credit/loan for cleanup related tasks for the development. A potential end user was identified in 2015 by Reclamation. With the identification of a potential end user, Reclamation able to secure funding through JobsOhio for assessment, and was able to perform the updated Phase II Property Assessment (PA) for the main 23 acre landfill parcel. The assessment phase on the main 23-acre landfill parcel was initiated in July of 2015. The Phase II PA was completed in draft form and submitted to JobsOhio for funding on December 30, 2015. The recent assessment included over 90 sampling probes and three groundwater wells to collect soil, water, and soil gas samples for analysis.

Also, in addition to the Phase I ESAs and Phase II PAs performed, Reclamation has commissioned an environmental consultant to monitor the explosive gas monitoring wells around the landfill for the past 5 years. WCG is the current consultant completing this monitoring and we have performed semi-annual monitoring since January 2015. Prior to WCG's involvement, Professional Service Industries, Inc. (PSI) performed the monitoring on a semi-annual basis from the end of 2011 through the end of 2014.

This is a complicated process that involves many steps. We are currently toward the end of the assessment stage of this project, although additional assessment is still likely to be completed. The next step in the process would be to develop a RAP for the entire project. Following development of a RAP, remediation of impacted areas would be performed. These can be addressed through many different potential processes such as removal, risk assessment, remediation in place, engineering controls, Institutional controls, etc. Once the impacted areas are addressed to the satisfaction of Ohio EPA, a NFA can be issued for the project to obtain a CNS from the Ohio EPA.

We appreciate the opportunity to help you on this project. If you should have any questions or comments concerning this letter, please do not hesitate to contact me at 614-389-4134 or 614-787-1297. If requested, WCG would be happy to discuss our findings, conclusions and recommendations further as needed.

Sincerely,

Weaver Consultants Group, LLC



Robert M. Freda, P.E., VAP CP
Senior Project Manager



CITY OF GAHANNA

STAFF COMMENTS

Project Name: Reclamation, LLC
Project Address: 1000 Bricklawn Ave

In 2014, the applicant requested another 2 year extension of a Conditional Use previously approved in 2012. The first request to temporarily stockpile materials to close the landfill was made in 2010. The request was granted for a period of two years. The second request was made in 2012, and was granted for a period of two years. The third request, again was for a period of two years. Planning Commission granted the Conditional Use until December 31, 2015. This approval was conditioned upon the applicant providing additional evidence of progress between then and the expiration of the Conditional Use as to the ultimate goal of readying the property for No Further Action by the OEPA.

The No Truck signs at Enterprise Drive were removed:

Friday, May 1, 2015

Bonnie,

Since it was established (and agreed upon by Anthony Jones) in our March on site meeting that the Enterprise Drive ingress/egress is our legal entry as per our deed our attorney instructed us that we no longer needed to continue to post no access signs to our customers. That coupled with the city's complications with the Bricklawn road easements and lack of maintenance or pavement has left us little option but to remove the signs. However, we have left the caution rail crossing signs up that we installed for safety. If there are any further questions please feel free to contact me.

Thank you,

Steve Geiger

A copy of aforementioned deed has not been provided to the Zoning Division.

The current application request does not contain any reference to a time frame.

No progress reports have been submitted to Zoning from September 24, 2014 to date (1-13-2016).*

***A letter from an environmental engineer was received January 28, 2016, and has been included in the packet.**



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV



CITY OF GAHANNA

I spoke to Erin Hazelton in November, who indicated to me that she was stalled on the loan for Reclamation, until the company applied for a permit with Ohio Water Development Authority to clean up the water on the site. I confirmed this with Ken Heigel at OWDA, who said that no application had been filed with his office at that time.

1169.04 ACTIONS OF THE PLANNING COMMISSION.

The Planning Commission shall hold a public hearing and act on a conditional use in one of the following ways:

(a) Approval. The Planning Commission shall approve an application for a conditional use if the following four conditions are met:

- (1) The proposed use is a conditional use of the zoning district and the applicable development standards established in this Zoning Ordinance are met.
- (2) The proposed development is in accord with appropriate plans for the area.
- (3) The proposed development will not have undesirable effects on the surrounding area.
- (4) The proposed development will be in keeping with the existing land use character and physical development potential of the area.

(b) Approval with Modification. The Commission may approve, with modification, an application for a conditional use if the proposed use is a conditional use of the zoning district and the applicable development standards are met, but plot plan modification is required:

- (1) To be in accord with the appropriate plans for the area; and
- (2) To prevent undesirable effects on adjacent property and the surrounding area.

Such modification may include but not be limited to a limitation on the extent or intensity of development, a requirement for additional screening by fence or landscaping, a change in the method or plan for lighting, time limits as to the length of time the use may be permitted to exist, control of access or other conditions of development as may be required. Requirements regarding the modification of plans or other appropriate actions shall be stated with the reasons for each requirement.

(c) Disapproval. The Commission shall only disapprove an application for a conditional use for any one of the following reasons:

- (1) The proposed use is not a conditional use of the zoning district, or the applicable development standards are not and cannot be met.
- (2) The proposed development is not in accord with appropriate plans of the area.
- (3) The proposed development will have undesirable effects on the surrounding area.
- (4) The proposed development is not in keeping with the existing land use character and physical development potential of the area.



"HERB CAPITAL OF OHIO"



CITY OF GAHANNA

Respectfully Submitted By:

Bonnie Gard

BONNIE GARD

Planning & Zoning Administrator

Department of Public Service

Division of Building & Zoning



"HERB CAPITAL OF OHIO"

200 SOUTH HAMILTON ROAD, GAHANNA, OH 43230
614-342-4000 PHONE 614-342-4100 FAX WWW.GAHANNA.GOV