



**ZONING DIVISION**  
200 S. Hamilton Road  
Gahanna, Ohio 43230  
614-342-4025  
zoning@gahanna.gov  
www.gahanna.gov

**CONDITIONAL USE APPLICATION**

PROPERTY INFORMATION			
Project/Property Address: <b>788 Taylor Station Road</b>		Project Name/Business Name: <b>Speed Way Towing</b>	
Parcel #: <b>025 -003942/025-003961/025-003959</b>	Zoning: (see <a href="#">Map</a> ) <b>OCT</b>	Acres:	<b>3.17</b>

USE SPECIFICATIONS
Proposed Use/Project Description: <b>Motor Vehicle Towing</b>
<b>STAFF USE ONLY:</b> Chapter 1155.03(a)(6) 48841 - Motor Vehicle Towing (Code Section):

APPLICANT INFORMATION	
Applicant Name (Primary Contact): <b>Mark Antonetz</b>	Applicant Address: <b>1495 Old Henderson Road, Columbus, 43220</b>
Applicant E-mail: <b>mantonetz@sandsdecker.com</b>	Applicant Phone: <b>614-459-6992</b>
Business Name (if applicable): <b>Sands Decker</b>	

ADDITIONAL CONTACTS	
*Please list all applicable contacts for correspondence*	
Name(s)	Contact Information (phone/email)
<b>Ahmed Shehata</b>	<b>614-747-6691/speedwaytrans@yahoo.com</b>
Property Owner Name: (if different from Applicant)	Property Owner Contact Information (phone no./email):

**ADDITIONAL INFORMATION ON NEXT PAGE....**

INTERNAL  
USE

Zoning File No. CU-0088-2023

RECEIVED: KAW  
DATE: 03-14-2023

PAID: 200.00  
DATE: 03-14-2023

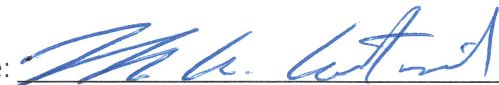
Updated  
Apr 2022

## CONDITIONAL USE APPLICATION - SUBMISSION REQUIREMENTS

TO BE COMPLETED/SUBMITTED BY THE APPLICANT:	
1. ✓	Review Gahanna Code Chapter <a href="#">1169</a> (visit <a href="#">Zoning Code</a> )
2.	Legal description of property certified by registered surveyor (11"x17")
3. ✓	Statement of the proposed use of the property
4. ✓	Statement of the necessity or desirability of the proposed use to the neighborhood or community
5. ✓	Statement of the relationship of the proposed use to adjacent property & land use
6. ✓	Plot Plan including the following: (11"x17" preferred) <ul style="list-style-type: none"> <li>- The boundaries and dimensions of the lot</li> <li>- The size and location of existing and proposed buildings and/or structures</li> <li>- The proposed use of all parts of the lot, buildings and/or structures, including access ways, walks, off-street parking and loading spaces, and landscaping</li> <li>- The relationship of the proposed development to the applicable development standards</li> <li>- The use of land and location of structures on adjacent property</li> </ul>
7. ✓	List of contiguous property owners & their mailing address
8. ✓	One set of pre-printed mailing labels for all contiguous property owners
9. ✓	Application fee (in accordance with the <a href="#">Building &amp; Zoning Fee Schedule</a> )
10. ✓	Application & all supporting documents submitted in digital format
11. ✓	Application & all supporting documents submitted in hardcopy format
12. ✓	Authorization Consent Form Complete & Notarized (see page 3)

### APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION REQUIREMENTS HAVE BEEN COMPLETED

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

Applicant Signature:  Date: 3-9-2023

### PLEASE NOTE:

- The Public Hearing will not occur until the City of Gahanna reviews the Application for Code Consistency. Applications that are not consistent with the code will not be scheduled for hearing.
- The application expires if no action is taken 6 months from the date of the last staff comment letter.

**AUTHORIZATION CONSENT FORM**

(must sign in the presence of a notary)

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

**PROPERTY OWNER**

**IF THE PROPERTY OWNER IS THE APPLICANT, SKIP TO NEXT SECTION**

As the property owner/authorized owner's representative of the subject property listed on this application, hereby authorize the applicant/representative to act in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all terms and agreements made by the applicant/representative.

Ahmed Shehata

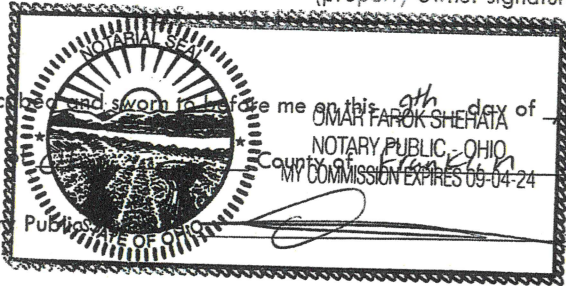
(property owner name printed)

[Signature]

(property owner signature)

3/9/23

(date)



Subscribed and sworn to before me on this 9th day of March, 2023.  
State of Ohio County of Franklin  
Notary Public, State of Ohio [Signature]

Notary Seal

**Applicant/Property Owner/Representative**

**AGREEMENT TO COMPLY AS APPROVED** As the applicant/representative/owner of the subject property listed on this application, I hereby agree that the project will be completed as approved with any conditions and terms of the approval, and any proposed changes to the approval shall be submitted for review and approval to City staff.

**AUTHORIZATION TO VISIT THE PROPERTY** I hereby authorize City representatives to visit, photograph and post notice (if applicable) on the subject property as described.

**APPLICATION SUBMISSION CERTIFICATION** I hereby certify that the information on this application is complete and accurate to the best of my knowledge.

MARK W. ANTONETZ

(applicant/representative/property owner name printed)

[Signature]

(applicant/representative/property owner signature)

3-9-2023

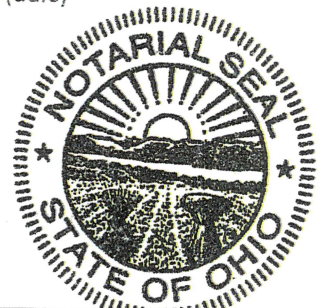
(date)

Subscribed and sworn to before me on this 9th day of March, 2023.

State of Ohio County of Franklin

Notary Public Signature: Kathy Zalmon

KATHY ZALMON  
Notary Public, State of Ohio  
My Commission Expires 06-08-2025



# Speed Way Towing

788 Taylor Station Road, Gahanna, OH 43230

P- 614-477-9952

E-mail- Speedwaytrans@yahoo.com

## Conditional Use Application:

### Statement of the proposed use of the property:

Speed Way Towing plans to use the property for the purpose of the storage of impounded vehicles as well as the expansion of the current towing operation.

### Statement of the necessity or desirability of the proposed use to the neighborhood or community:

It's necessary for Speed Way Towing to expand the impound lot by adding graveled surface as the results of having more space equals the expansion and growth of the business. Which means that, Speed Way Towing will then be able to help the community by providing much better and faster services.

### Statement of the relationship of the proposed use to adjacent property & land use:

There's no relationship between the proposed use of Speed Way Towing's property and the adjacent properties.

## **Adjacent Properties**

790 Cross Pointe LLC  
790 Cross Pointe Rd.  
Columbus, OH 43230

Ribbon Technology Corp  
PO Box 30758  
Columbus, OH 43230

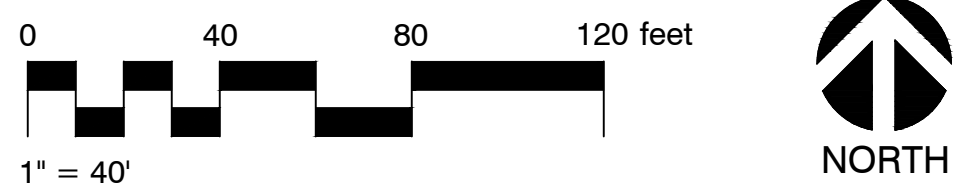
Cross Pointe Properties, LLC  
800 Cross Pointe Rd., Ste H  
Columbus, OH 43230

McGraw Hill Education  
1325 Avenue of the Americas  
New York, NY 10019-6026



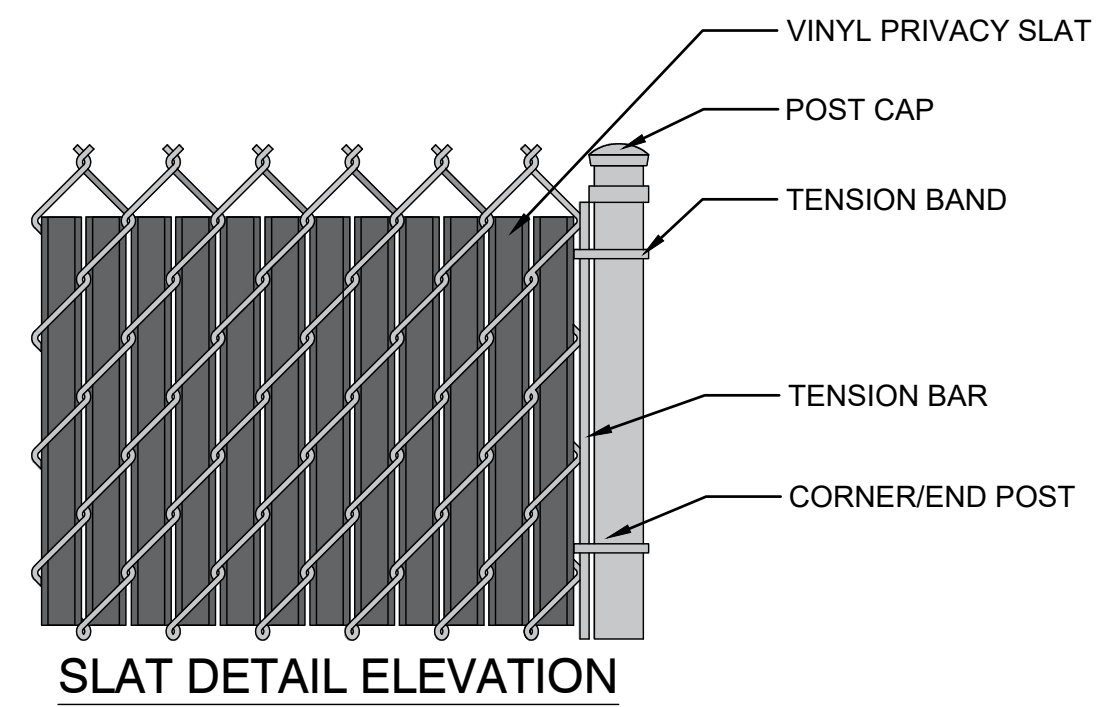
**SITE PLAN AND PRELIMINARY LANDSCAPE**

TOTAL PARKING AND STORAGE: 284 SPACES  
 LANDSCAPING INCLUDED: STREET TREES, PARKING LOT SCREENING AND SITE TREES BASED ON ADDED IMPERVIOUS SURFACES.



**GENERAL PLANTING NOTES:**

1. SURVEY INFORMATION OBTAINED ELECTRONICALLY. PLAN-IT STUDIOS CANNOT ATTEST TO THE ACCURACY OR RELIABILITY OF LEGAL BOUNDARIES, EASEMENTS OR FIELD GATHERED DATA.
2. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
3. ALL DIMENSIONS ARE TAKEN TO FACE OF CURB OR BUILDING WHERE APPLICABLE UNLESS OTHERWISE NOTED. USE DIMENSIONAL INFORMATION GIVEN. DO NOT SCALE DRAWINGS.
4. CONTRACTOR SHALL REFER QUESTIONS ON MATERIALS, FINISHES, LABOR, AND/OR PERFORMANCE STANDARDS NOT SPECIFIED HEREIN TO THE LANDSCAPE ARCHITECT.
5. ALL CHANGES TO DESIGN OR PLANT SUBSTITUTIONS ARE TO BE AUTHORIZED BY THE LANDSCAPE ARCHITECT.
6. CONSULT PLANT SCHEDULE FOR PLANT SIZES AND SPECIFICATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS DRAWN ON PLANS. PLANT LIST QUANTITIES ARE FOR CONVENIENCE ONLY.
7. ALL PLANTS TO CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI-Z60.1-2014) IN REGARDS TO SIZING, GROWING AND B&B SPECIFICATIONS.
8. ALL PROPOSED PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 6". ADDITIONAL AMENDMENTS TO BE ADDED PER SOILS REPORT.
9. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
10. PLANTING HOLES TO BE DUG A MINIMUM OF TWICE THE WIDTH AND 6-8 INCHES DEEPER THAN THE SIZE OF THE ROOT BALL OF BOTH SHRUBS AND TREE AND TO BE AMENDED WITH ORGANIC SOIL CONDITIONER.
11. IN AREAS WHERE BEDROCK OR HEAVILY COMPACTED ROCK FILL IS ENCOUNTERED, THE PLANTING HOLES ARE TO BE DUG TO A MINIMUM OF THREE TIMES THE WIDTH AND ONE FOOT DEEPER THAN THE SIZE OF THE ROOT BALL. NOTIFY LANDSCAPE ARCHITECT IF FIELD CONDITIONS WARRANT ADJUSTMENT OF PLANT LOCATIONS.
12. CONTRACTOR TO PROVIDE A FULL 1 YEAR GUARANTEE ON ALL PLANTS INSTALLED AND PROVIDE COMPLETE MAINTENANCE ON ALL WORK DONE BEGINNING ON THE DAY OF APPROVAL FROM OWNER'S REPRESENTATIVE AND CONTINUING FOR A THREE MONTH DURATION AT WHICH TIME OWNER'S REPRESENTATIVE WILL DECLARE JOB ACCEPTANCE.
13. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.
14. ALL SHRUBS AND GROUND COVER BEDS (EXISTING AND NEW), PLANTING BEDS, AND SHRUB MASSES SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
15. EXISTING GRASS TO BE REMOVED, IF PRESENT, AND TOPSOIL TO BE SPREAD SMOOTH AND HAND-RAKED TO REMOVE ALL ROCKS AND DEBRIS LARGER THAT 1 INCH IN DIAMETER PRIOR TO LAYING SOD OR SEEDING.
16. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED. (SEE LANDSCAPE PLANS) . SEEDING OR SODDING BY LANDSCAPE CONTRACTOR.
17. IF APPLICABLE LANDSCAPE CONTRACTOR TO COORDINATE WITH EXISTING OR PROPOSED IRRIGATION SYSTEM. IF PROPOSED IRRIGATION SYSTEM COORDINATE WITH IRRIGATION CONTRACTOR AND INSTALLATION OF SYSTEM.



**3 CHAINLINK VINYL PRIVACY SLATS**  
 1 1/2" = 1'-0"  
 P-CO-SAN-SPEE-03

**ZONING NOTES:**

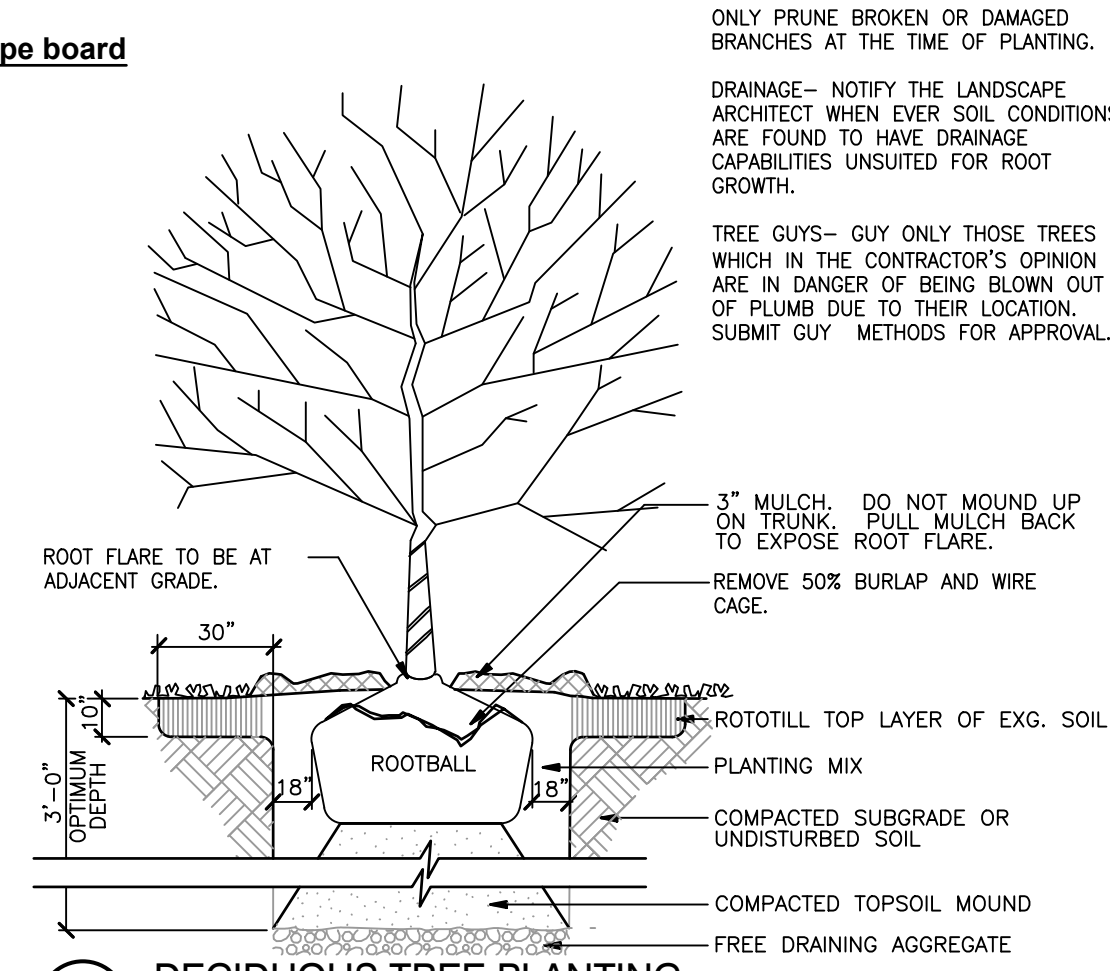
- 913.10 - STREET TREE PLANTING REQUIREMENTS**  
 -- Street trees provided on the plan are large trees spaced at 45 ft O.C. at the midpoint of the tree lawn.
- 914.05 - MINIMUM TREES REQUIRED**  
 a) Projects located within the OCT are required to plant a minimum of one shade tree caliper inch per 1,000 square feet of impervious surface.  
 -- Total impervious area measures 126,293 ft². Existing impervious surface measures 15,963 ft². Net gain of impervious surface measures 110,330 ft². 110,330 / 1,000 = 110.33 => 110.5 Tree caliper inches required for site. 45 deciduous trees (*Ulmus carpinifolia*, *Tilia americana*, and *Gleditsia triacanthos*) with 2.5" caliper DBH, planted in the perimeter exceed these requirements, yields 112.5" tree caliper inches.
- 1155.06 - LANDSCAPING AND SCREENING REQUIRED**  
 -- Parking Lot Screening: All parking and vehicular use areas adjacent to the public R.O.W. are screened from view with a 3' HT. min. evergreen shrub hedge.

**PLANT SCHEDULE**

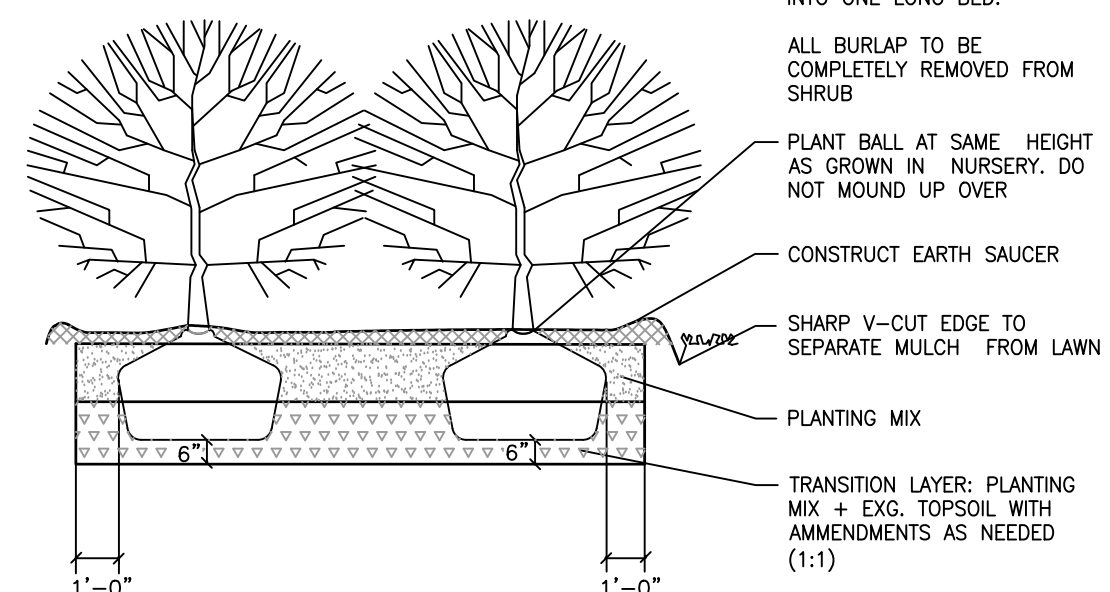
TREES	QTY	COMMON / BOTANICAL NAME	CONT	CAL
GS	25	Skyline Honey Locust / <i>Gleditsia triacanthos inermis</i> 'Skyline'	B & B	2.5" Cal
QB	5	Swamp White Oak / <i>Quercus bicolor</i>	B & B	2" Cal
TR	3	Redmond American Linden / <i>Tilia americana</i> 'Redmond'	B & B	2.5" Cal
UF	17	Frontier Elm / <i>Ulmus carpinifolia x parvifolia</i> 'Frontier'	B & B	2.5" Cal
SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT	
JF	57	Sea Green Juniper / <i>Juniperus chinensis</i> 'Sea Green'	B&B 24"	

**NOTES:**

- 12.1** Pruning should only occur at the time of planting if branches are broken or damaged
- 12.2** Root flare should be even with finished grade, root ball should not intentionally be planted high.
- 12.3** 3" Mulch should be pulled away from trunk to expose root flare.
- 15.** Street tree plans will be submitted to landscape board prior to installation.



**1 DECIDUOUS TREE PLANTING**  
 NTS  
 DETAIL-FILE



**2 SHRUB PLANTING GROUP**  
 NTS  
 P-CO-AND-GREE-09



**SPEEDWAY TOWING**  
 788 TAYLOR STATION RD,  
 COLUMBUS, OH 43230

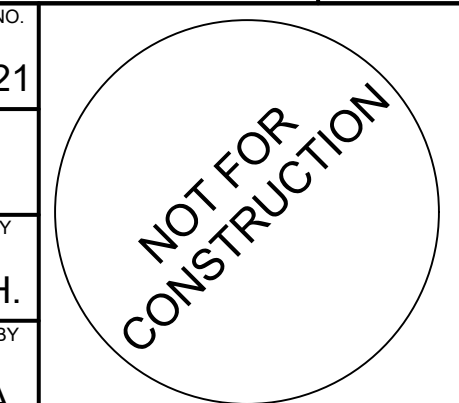
**ISSUANCES**

NO.	DESCRIPTION	DATE
A	ZONING REVIEW	05.05.22
B	ZONING REVIEW	05.25.22
C	ZONING REVIEW	07.21.22
D	ZONING REVIEW	08.09.22
E	ZONING REVIEW	10.27.22
F	ZONING REVIEW	05.04.23
G	ZONING REVIEW	06.01.23

PROJECT NO:  
**022-921**

DRAWN BY:  
**S.P.H.**

CHECKED BY:  
**K.A.A.**



**LANDSCAPE PLAN**

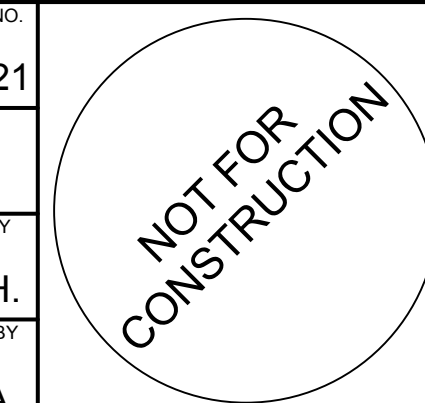
**L - 1.1**

**SPEED WAY TOWING**  
788 TAYLOR STATION RD,  
COLUMBUS, OH 43230

ISSUANCES

NO.	DESCRIPTION	DATE
A	ZONING REVIEW	05.05.22
B	ZONING REVIEW	05.25.22
C	ZONING REVIEW	04.10.23

PROJECT NO:  
022-921  
DRAWN BY:  
S.P.H.  
CHECKED BY:  
K.A.A.



SITE PLAN

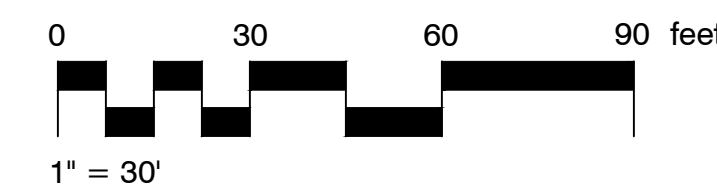
L - 1.2

# KEY NOTES

1. PROPOSED FENCE TO BE 6' HIGH CHAIN LINK WITH SCREEN
2. DRIVE ENTRANCE PER CITY OF COLUMBUS DRAWING 2202
3. STONE AREA TO BE USED FOR VEHICLE STORAGE ONLY, INCLUDING HEAVY DUTY EQUIPMENT AND SEMI-TRUCKS/ TRAILERS.
4. 8' ASPHALT MULTIPURPOSE PATH.

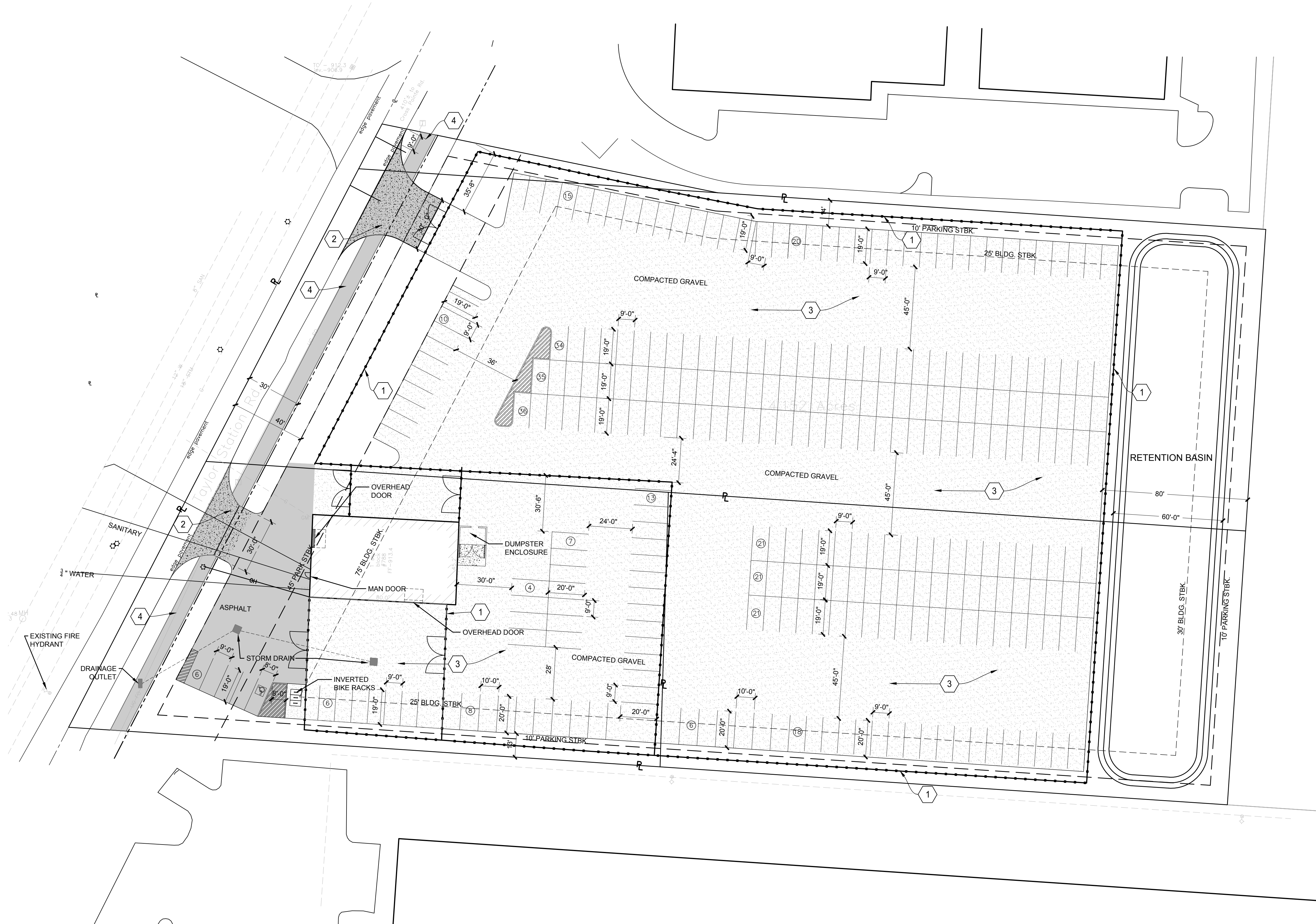
LEGEND

	BUILDING SET BACK LIMITS
	SET BACK LIMITS
	PROPOSED FENCE
	EXISTING FENCE (TO BE REMOVED)
	COMPACTED GRAVEL
	ASPHALT PAVEMENT
	CONCRETE PAVEMENT



**SITE PLAN AND PRELIMINARY LANDSCAPE**

TOTAL PARKING: 284 SPACES  
LANDSCAPING INCLUDED: PARKING LOT SCREENING, INTERIOR LOT LANDSCAPING, AND PARKING LOT SCREENING.





Toll Free: 866-277-0600  
www.sandsdecker.com

1495 Old Henderson Road  
Columbus, OH 43220  
614-459-6992

422 North Broad Street  
Lancaster, OH 43130  
740-385-2140

507 Main Street, Suite 203  
Zanesville, OH 43701  
740-450-1640

April 10, 2023

Kelly Wicker

Planning and Zoning Coordinator

City of Gahanna

200 S. Hamilton Road

Gahanna, OH 43230

**RE: 788 TAYLOR STATION ROAD CONDITIONAL USE**

Dear Kelly:

Regarding your review of the referenced Conditional Use application, we offer the following.

**Building**

1. Any parking area shall comply with the Ohio Building Code and ICC A117.1 requirement for accessible parking and provide an accessible route to the building. Sufficient detailed construction documents shall be submitted to verify compliance with these requirements.

**RESPONSE: All ADA parking spots will be paved, striped and graded pursuant to OBC and ICC A117.1.**

**Fire District**

2. The fire division has no objection to the resubmittal of Speedway Towing 788 Taylor Station Road, Conditional Use, Design Review, or Variance.

**Engineering Project Administrator**

3. No comments.

**Transportation & Mobility Engineer**

4. No comments.

SITE CIVIL ENGINEERING  
LAND SURVEYING  
CONSTRUCTION SURVEYING  
MUNICIPAL ENGINEERING  
LAND PLANNING  
WATER SYSTEMS  
WASTEWATER  
STORMWATER  
FLOOD STUDY  
TRANSPORTATION ENGINEERING  
CONSTRUCTION ADMINISTRATION





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740-450-1640

## Planning

5. Please provide additional details as to the nature of the use to help determine how it meets the conditions of approval in CH 1169.04(a).

**The entire property will continue to operate as it currently does as a vehicle towing company.**

6. It would be helpful if the following could be addressed.
- o How long do vehicles stay in the impound lot?  
**Vehicles owners have 60 days to claim their vehicle.**
  - o What happens if no one picks up the vehicle?  
**After 60 days Speed Way will retain title.**
  - o Do you sell parts off cars that are stored onsite?  
**No parts are sold from cars stored on site.**
  - o Do you store inoperable vehicles? If so, how long are they onsite?  
**Yes inoperable vehicles may be towed to the lot.  
Maximum stay is 60 days.**

If you should have any questions, please do not hesitate to contact me.

Sincerely,

SANDS DECKER

Mark W. Antonetz, PE

Vice President

Copy: Speed Way Towing

SITE CIVIL ENGINEERING  
LAND SURVEYING  
CONSTRUCTION SURVEYING  
MUNICIPAL ENGINEERING  
LAND PLANNING  
WATER SYSTEMS  
WASTEWATER  
STORMWATER  
FLOOD STUDY  
TRANSPORTATION ENGINEERING  
CONSTRUCTION ADMINISTRATION



May 4, 2023

Kelly Wicker  
Planning and Zoning Coordinator  
City of Gahanna  
200 S. Hamilton Road  
Gahanna, OH 43230

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www.sandsdecker.com

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740-450-1640

RE: 788 TAYLOR STATION ROAD CONDITIONAL USE

Dear Kelly:

Regarding your review of the referenced Conditional Use application, we offer the following.

Building

1. Any parking area shall comply with the Ohio Building Code and ICC A117.1 requirement for accessible parking and provide an accessible route to the building. Sufficient detailed construction documents shall be submitted to verify compliance with these requirements.

RESPONSE: All ADA parking spots will be paved, striped and graded pursuant to OBC and ICC A117.1.

Fire District

2. The fire division has no objection to the resubmittal of Speedway Towing 788 Taylor Station Road, Conditional Use, Design Review, or Variance.

Engineering Project Administrator

3. No comments.

Transportation & Mobility Engineer

RESPONSE:

4. Applicant has agreed to remove this variance and provide ADA PROWAG compliant sidewalk.
5. Parking has been removed from the right-of-way.
6. The proposed 40' ROW is shown on the plans.
7. Variance request is removed and public ADA compliant public sidewalk will be provided per City standards.

SITE CIVIL ENGINEERING  
LAND SURVEYING  
CONSTRUCTION SURVEYING  
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## Planning

8. Please provide additional details as to the nature of the use to help determine how it meets the conditions of approval in CH 1169.04(a).

RESPONSE: The entire property will continue to operate as it currently does as a vehicle towing company.

9. It would be helpful if the following could be addressed.
- o How long do vehicles stay in the impound lot?  
Vehicles owners have 60 days to claim their vehicle.
  - o What happens if no one picks up the vehicle?  
After 60 days Speed Way will retain title.
  - o Do you sell parts off cars that are stored onsite?  
No parts are sold from cars stored on site.
  - o Do you store inoperable vehicles? If so, how long are they onsite?  
Yes inoperable vehicles may be towed to the lot.  
Maximum stay is 60 days.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

SANDS DECKER

Mark W. Antonetz, PE  
Vice President

Copy: Speed Way Towing

SITE CIVIL ENGINEERING  
LAND SURVEYING  
CONSTRUCTION SURVEYING  
MUNICIPAL ENGINEERING  
LAND PLANNING  
WATER SYSTEMS  
WASTEWATER  
STORMWATER  
FLOOD STUDY  
TRANSPORTATION ENGINEERING  
CONSTRUCTION ADMINISTRATION



June 29, 2023

Mark Antonetz  
1495 Old Henderson  
Columbus, OH 43220

RE: Project 788 Taylor Station Rd Conditional Use

Dear Mark Antonetz:

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

**Building (614) 342-4010**

1. Any parking area shall comply with the Ohio Building Code and ICC A117.1 requirements for accessible parking and provide an accessible route to the building. Sufficient detailed construction documents shall be submitted to verify compliance with these requirements. Also, the requirements for the accessible parking, accessible route to the building from the public sidewalk/path can only be appealed to the Ohio Board of Building Appeals. Those requirements are in the Ohio Building Code, and can't be appealed to any Gahanna appeals board.

**Fire District (welshp@mifflin-oh.gov)**

2. The fire division has no objection to the resubmittal of Speedway Towing 788 Taylor Station Road, Conditional Use, Design Review, or Variance.

**Engineering Project Administrator (614) 342-4056**

3. No comments.

**Transportation & Mobility Engineer (614) 342-4050**

4. No comments.

**Planning (614) 342-4025**

1. Please provide additional details as to the nature of the use to help determine how it meets the conditions of approval in CH 1169.04(a). It would be helpful if the following could be addressed.
  - o How long do vehicles stay in the impound lot?
  - o What happens if no one picks up the vehicle?
  - o Do you sell parts off cars that are stored onsite?
  - o Do you store inoperable vehicles? If so, how long are they onsite?

**Page 2 of 2**  
**June 29, 2023**  
**Re: Project 788 Taylor Station Rd**  
**788 Taylor Station Rd**

Staff can better assess the appropriateness of the request after additional details are provided. Clarification of these questions may also occur at the upcoming workshop with Planning Commission.

4/14/23 - Response to comments noted. Please be aware that staff will likely suggest your responses be included as conditions as part of a motion to approve the conditional use (e.g., limit on duration, no selling of parts, etc).

At the workshop, it was discussed that parts are sold off vehicles. This conflicts with the response. Please be aware that junk yards are expressly prohibited in any area of the City. The definition of junk yard includes "dismantling of vehicles for parts". This activity is not permitted, regardless of the outcome of the conditional use request.

If you have general comments or questions, please contact me at [kelly.wicker@gahanna.gov](mailto:kelly.wicker@gahanna.gov) or (614) 342-4025. If your questions are specific to a certain department's comments, please reach out to that department using the contact information provided with their comments above.

Sincerely,

Kelly Wicker  
Planning and Zoning Coordinator



## STAFF REPORT

### Request Summary

Three applications have been submitted seeking approval to expand the existing towing operations for Speedway Towing which is located at 788 Taylor Station Rd. The subject property is 4.1 acres and is zoned Office, Commerce, and Technology (OCT). OCT requires conditional use approval to permit vehicle towing. Please see “Project History” below for details regarding previous requests.

This request seeks approval to expand towing operations onto 3 additional acres. Additional parking for impounded vehicles is the main use of the additional land. The design review application and variance, if approved, adopt site layout, landscaping, lighting, etc. The conditional use application is to permit vehicle towing on the approximately 3 acres of additional property.

The code requires all parcels to be combined into one parcel. Staff has made a comment about the need to combine parcels and is requesting a condition of approval be that evidence of parcel combination is required prior to commencement of construction activities.

### Project History

- 2016 – A conditional use was approved to permit a vehicle towing business and auto repair. At that time, the project consisted of one parcel on one acre. Application approved with condition that the office trailer be removed after one year.
  - The 2023 request includes 3 additional parcels and 3 additional acres.
- 2017 – Conditional use granted extending condition to remove the office trailer to one year from date of occupancy.
- 2018 – Conditional use requesting an additional year to remove office trailer denied.
- 2020 - Tree removal permit approved.
- 2020 – Conditional use and variance applications submitted for staff review. Applications expired due to inactivity.
- 2022/2023 – Variance and Design Review applications postponed indefinitely due to open/unresolved comments.
- 2023 – Workshop to discuss project details.
- 2023 – Conditional Use, Design Review and Variance applications to permit expansion of motor vehicle towing operations.

### Design Review

Developments within OCT are subject to the standards of Design Review District 4 (DRD-4) and Chapter 1155. Many of the standards of DRD-4 aren’t applicable to this request as no new buildings or changes to the existing building are proposed.



General review criteria for Design Review applications include the following:

- Are stylistically compatible with other new, renovated, and existing structures in the applicable Design Review District in order to maintain design continuity and provide protection of existing design environment.
- Contribute to the improvement and upgrading of the architectural and design character of the Design Review District.
- Contribute to the continuing economic and community vitality of the Design Review District
- Maintain, protect and enhance the physical surroundings of the Design Review District.

### Variance

The following variances have been requested:

1. Chapter 1155.04(c)(1)(A) – Parking setback
  - a. Code requires a 45’ setback along the right-of-way of Taylor Station Rd. The proposed setback distance isn’t depicted on the site plan or discussed in the variance application.
  - b. Minor improvements to public parking are proposed in the required setback. Most site improvements are to the side or rear of the existing building. These areas are outside of the required setback.
2. Chapter 1155.04(d)(1) – Sidewalk
  - a. OCT code requires a minimum 4’ wide sidewalk from the main and secondary building entries to parking areas. This code provision only applies to properties zoned OCT.
  - b. ADA spaces will be paved from the space to the building, however, no additional paving in parking areas is proposed.
3. Chapter 1163.05 – Parking lot surface
  - a. All parking areas (spaces, aisles, driveways, etc) are required to be hard surfaced (cement, concrete, etc).
  - b. The zoning code classifies any area where vehicles are to be parked as parking. The approximately 280 spaces for vehicle storage is classified as parking and therefore must be paved. The applicant is requesting to only pave the five public parking spaces that are located in front of the building. The variance applies to parking areas that are not meant for the public and enclosed by fencing.
4. Chapter 1163.06(a) – Parking lot lighting
  - a. Parking areas of ten or more spaces are required to be adequately lit with a maximum illumination of 1.0 foot candles at the property line. The applicant requests not to light the parking area as it is not intended to be used by the public.
  - b. Staff has some concerns about no providing any lighting. Although not intended to be utilized by the public, lighting for safety and security of the new 280 spaces is a concern. Staff believes that some lighting should be provided in the new parking area.
5. Chapter 1163.07 – ADA parking



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- a. By zoning code definition, the site has 284 parking spaces, which requires seven accessible parking spaces. A variance has been requested to provide only one accessible parking space. The vast majority of parking spaces aren't intended to be used by the public. They are intended to store vehicles long term.
6. Chapter 1163.08(a)/(c)/(d)/(e)/(h) – Interior landscaping
  - a. The applicant requests not to provide landscaping in the fenced off portion of the parking lot that is not intended for the public.
  - b. Code requires all parking areas to have landscape islands, trees, and shrubs incorporated into the design. No objections from staff as the new parking area is intended solely for vehicle storage and is not meant as a public parking area.

Planning Commission shall not grant a variance unless it finds that all the following conditions apply:

- a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

Conditional Use

A conditional use to permit the expansion of towing operations onto additional parcels has been requested. If granted, the conditional use allows the towing operations to expand from 1 acre to 4.1 acres.

Conditional use applications may be approved, approved with modification, or denied. The Code states that conditional uses may be conditioned to prevent undesirable effects. Limitations may include additional landscaping, time limits, access or other conditions as may be required.

Planning Commission may want to attach conditions to an approval to ensure the proposed use does not create negative impacts.

Requests for a conditional use shall be approved 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 the 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.





### Land Use Plan

The subject property and the surrounding properties are all designated Industrial, Research, and Innovation (IRI) on the future land use map. IRI doesn't recommend specific uses but rather has recommendations in broad use categories. Recommended uses include industrial, research and development, laboratory, design, and technology uses with retail uses permissible to support the workforce. Other recommendations include interconnectivity through green spaces and pathways to create a campus like atmosphere.

The property also lies within the South Gateway Focus Area. The overview discusses the opportunity for infill development to intensify land uses to help grow the local tax base and how this is the primary function of this focus area. Recommendations of this focus area includes heavy screening of parking areas from major roadways and encouraging a mix of office and light industrial uses mixed together to create a corporate campus setting.

It should be noted that the land use plan makes recommendations for large areas of land. It does not mandate a specific use or development style on a particular piece of property. Deviations from any of the above referenced recommendations does not require variance or any other approvals. While strict adherence is not required, the intent of the plan may be considered when evaluating the conditional use request.

### Staff Comments

Planning staff does not recommend approval of the conditional use application as submitted. Staff has concerns that the proposed use, vehicle towing, will evolve into other uses, specifically a junk yard. Junk yards are specifically prohibited anywhere in Gahanna by Chapter 1159.03(n).

At the April 12, 2023 workshop, the applicants described the activities onsite and stated that inoperable vehicles are towed and remain onsite. The definitions of junk yards and vehicle towing do not include a time period for vehicles to remain onsite. Staff cannot state that after a certain period of time, say six months, vehicles onsite will be classified as junk and therefore not permitted, but as time passes and vehicles remain onsite, they will become permanent fixtures on the property and the property will slowly transform into a junk yard. Staff recommends any motion to approve the conditional use include a maximum length of time that a vehicle can remain onsite.

Wholesale of used auto parts is also considered activities of a junk yard. The applicant indicated at the workshop that they sell parts off vehicles stored on the property. This activity would not be permitted as it is classified as a junk yard activity ([NAICS Code 423140](#)). Staff requests that any motion to approve the conditional use expressly state that the sale of used auto parts is prohibited.

Planning staff finds that the conditional use request does not meet conditions #2 - #4. While the land use plan doesn't recommend specific uses, the recommended types of uses and the goals of the IRI land use and South Gateway focus area are not met by the proposed use. The project does not significantly improve the tax base and



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the proposed use isn't a recommended use. Staff does not believe the application is in accord with the appropriate plans for the area or in keeping with the existing land use character or development potential of the area.

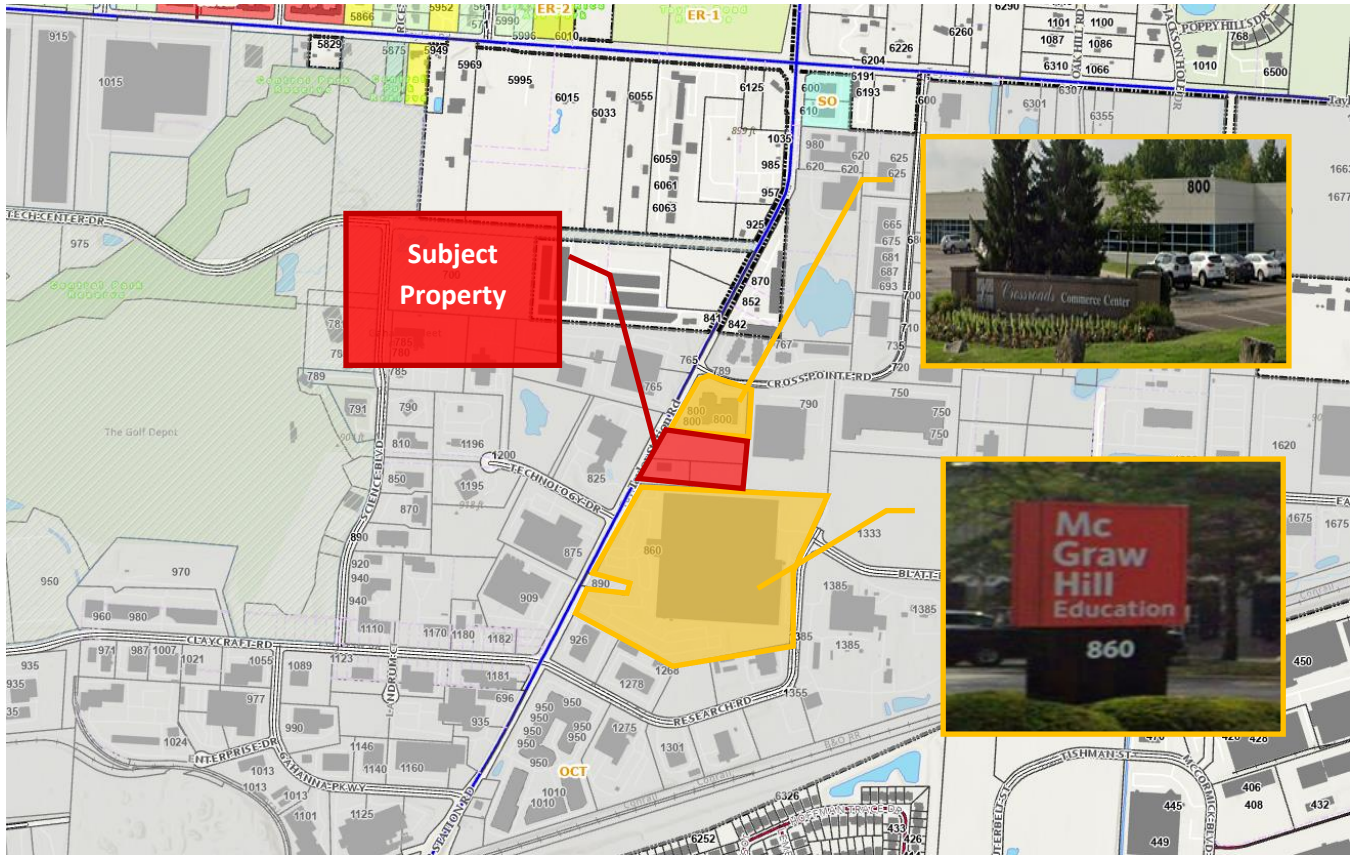
Planning staff also has concerns that granting the conditional use may have undesirable effects on the property and on surrounding properties. At workshop, the applicant discussed how vehicles that were in accidents and that have leaking fluids are towed and remain onsite for long periods. They were not able to provide many details as to how they currently address leaking fluids. Staff has serious concerns about permitting 280 spaces for towed vehicles on surfaces that aren't paved and with no documented procedures for capturing, containing and disposing of oil, gas, and other fluids from vehicles.

Generally speaking, planning staff does not object to the requested variances. Most are necessary as the zoning code defines the area where vehicles are to be stored as parking. All parking areas are to be paved, landscaped, and lighted. These variances would not be necessary if the code defined these areas as storage. For safety and security, staff does believe that some lighting should be provided in the fenced off area of the site and therefore, we object to the variance to not provide any lighting in the parking lot.

Staff recommends conditions be added if Planning Commission chooses to approve the applications. While not a complete list of possible conditions, staff suggests the following conditions be considered:

1. No construction activity may occur until evidence the parcels are combined are provided to the Department of Planning.
2. The scope of operations be reduced from 4.1 acres and 284 spaces to a lesser intensity. A smaller scale project would, in theory, reduce negative impacts associated with the project.
3. Expressly prohibit the sale of used auto parts as it is not a permitted activity.
4. Limit the duration for which a vehicle may remain onsite to prevent vehicles from finding a forever home on the property. Limiting the duration of vehicles is necessary to prevent the use from evolving into a junk yard.
5. Require the applicant to provide specific details as to how oil, gas, and other fluids from vehicles will be properly handled and disposed of and incorporate those details into an approval.

Location/Zoning Map



Site Images



# Gahanna

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Respectfully Submitted By:  
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