

#### **ZONING DIVISION**

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

# VARIANCE APPLICATION

	PROPERTY II	IFORMATION			
Project/Property Address:		Project Name/Business Name:			
1379-1391 Johnstown Rd.		Roger's Market Limited			
Parcel #: 025-009559-00	Zoning: (see <u>Map</u> ) NC	Acreage:	2.967		

## **VARIANCE SPECIFICATIONS**

Description of Variance Request:

Requesting variances to allow parking spaces that are 9ft in width, a front yard and parking setbacks as shown on the site plan and a variance so that 10' wide landscape islands are not required. Please see attached.

STAFF USE ONLY: (Code Section):

Chapter 1163.01(a) - Parking space size; Chapter 1163.08(h) - Interior landscaping; Chapter

1167.15(b) - Parking setback

(Primary Contact): Roger's Market Ltd c/o Eric Leibowitz					
(Finally contact).	250 S Civic Center Dr. Columbus, OH 43215				
Applicant E-mail:	Applicant Phone:				
Eleibowitz@castoinfo.com	614)744-2027				

	TIONAL CONTACTS able contacts for correspondence*			
Name(s)	Contact Information (phone/email)			
Matt Whitney	(614)744-2054 mwhitney@castoinfo.com			
Property Owner Name: (if different from Applicant)	Property Owner Contact Information (phone no./email):  (same as applicant)			

ADDITIONAL INFORMATION ON NEXT PAGE....

INTERNAL USE

Zoning File No. <u>V-0044-202</u>3

RECEIVED: AU

PAID: 00-00
DATE: 2/32

Updated Apr 2022



# **VARIANCE APPLICATION - SUBMISSION REQUIREMENTS**

# TO BE COMPLETED/SUBMITTED BY THE APPLICANT:

- 1. Review Gahanna Code <u>Chapter 1131 (visit www.municode.com)</u> (Sign Variances, refer to Chapter <u>1165.12</u>; Fence Variances, <u>1171.05</u>; Flood Plain Variances, <u>1191.18</u>)
- 2. Survey of property certified by a registered surveyor (11"x17" copy) if Applicable
  - Site Plan, drawings, or survey that depicts where the Variance is requested.
- 3. Renderings, drawings, and/or pictures of the proposed project
- 4. A statement of the reason(s) for the variance request that address the following three conditions: (not applicable for Sign, Fence, or Flood Plain Variances; see code referenced in #1 above for applicable criteria)
  - Special circumstances or conditions
  - Necessary for preservation and enjoyment of property rights
  - Will not adversely affect the health or safety
- 5. List of contiguous property owners & their mailing address
- 6. One set of pre-printed mailing labels for all contiguous property owners
- 7. Application fee (in accordance with the <u>Building & Zoning Fee Schedule</u>)
- 8. Application & all supporting documents submitted in digital format
- 9. Application & all supporting documents submitted in hardcopy format
- 10. 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:

# **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.

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

PROPERTY OWNER	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.  (property owner name printed)					
	(property owner signature)	(date)				
	ibed and sworn to before me on this day of, 20					
State o	of County of	Stamp or Seal				
pplicant/Property Owner/Representative	AGREEMENT TO COMPLY AS APPROVED As the applicant/representative/owner this application, I hereby agree that the project will be completed as approved with any contant any proposed changes to the approval shall be submitted for review and approval to C AUTHORIZATION TO VISIT THE PROPERTY I hereby authorize City representative	ditions and terms of the approval, ity staff.				
Owner/R	notice (if applicable) on the subject property as described.  APPLICATION SUBMISSION CERTIFICATION I hereby certify that the information of the control of the least of the le	on this application is complete				
Property	and accurate to the best of my knowledge.					
Applicant/F	(applicant/representative/property owner name printed)  (applicant/representative/property owner signature)	y all terms and agreements made by the applicant/representative.  Iname printed)  Ity of				
	of Ohio County of Franklin	SIDES - NO TOPA				
Notary	y Public Signature:					

Updated Apr 2022

# **Contiguous Property Owner Information**

Parcel No: 025-011226-00 Owner: NEW ALBANY CO LLC

Mailing Address: PO BOX 490, NEW ALBANY, OH 43054

# <u>Variance Application for Roger's Market Limited – Statement of Reason for Variance Request</u>

In an effort to support the property owner's desire to address an existing parking and safety concern, the property owner is requesting four separate variances. The existing parking situation at the site and the resulting congestion have created safety concerns for tenants, customers, and the property owner. Without these variances being granted, the property owner's enjoyment of the property, along with the tenants of the property will be negatively impacted.

The site currently contains three existing nonconforming uses, and the property owner requests that variances be granted so that these existing nonconforming uses may continue to be permitted within the expanded and reconfigured parking lot. First, Gahanna's code requires a 60' front yard setback and a 36' parking setback, and the property owner requests that the setbacks as shown on the site plan be permitted within the redeveloped parking lot. Secondly, Gahanna's code permits a maximum fence height of 42", but the property owner requests that a variance be granted so that it may continue to utilize the 54" fence that exists around the perimeter of the redeveloped parking lot to maintain consistency among the site aesthetics. Third, Gahanna's code requires a 10' wide landscape island between two rows of parking, but the existing site has not and does not currently contain these landscape islands. The proposed site design solutions to the parking and safety issues only functions with this existing nonconforming element being permitted. The property owner requests that a variance be granted so that these landscape islands shall not be required within the redeveloped parking lot. The property owner is also seeking a variance to allow for parking spaces that are 9 feet in width as opposed to the 10-foot width specified in Gahanna's code.

Based on existing conditions at the site, there is only one option for an expanded and reconfigured parking lot, and the variances described above, in conjunction with the ability to expand the parking lot would enable the property owner to increase the parking capacity further to provide the safest and most efficient parking layout and flow of traffic. These variances will not adversely affect the heath or safety at the site or for the surrounding community. Rather, they will improve the traffic flow and provide for safer ingress, egress and lessen the potential for vehicular conflict if approved.

# CITY OF GAHANNA, FRANKLIN COUNTY, OHIO DESIGN REVIEW PLAN FOR

# THE MARKET AT ROGER'S CORNERS PARKING EXPANSION

2023

# PROJECT INFORMATION Address: Tax Parcel No.: Zoning Classification/District:

Existing Lot Coverage

Zoning Classification/District:

NC-Neighborhood Commercial

#

9' Parking Space Width, Front

9' Parking Space Width, Front Yard and Parking
Variances:
Setback Encroachments, 54" Fence Height, No 10'
Landscape Islands Between Parking Spaces
Flood Insurance Rate Map Number (FIRM):
39049C0212K

1391 E. Johnstown Rd, Gahanna, OH 43230

025-009559

Existing Parcel Area 2.799 Acres

Maximum Lot Coverage per 1153.02 75% Maximum

=Existing Impervious/Existing Lot 2.14 Acres/2.80 Acres

Proposed Lot Coverage 81%

=Proposed Impervious/Proposed Lot 2.27 Acres/2.80 Acres

Commercial Square Footage 20,460

Existing Parking Required (Retail Strip Shopping 86 Spaces

Center — up to 40,000 SF)

Existing Parking Provided

Proposed Parking Required:

Proposed Parking Provided

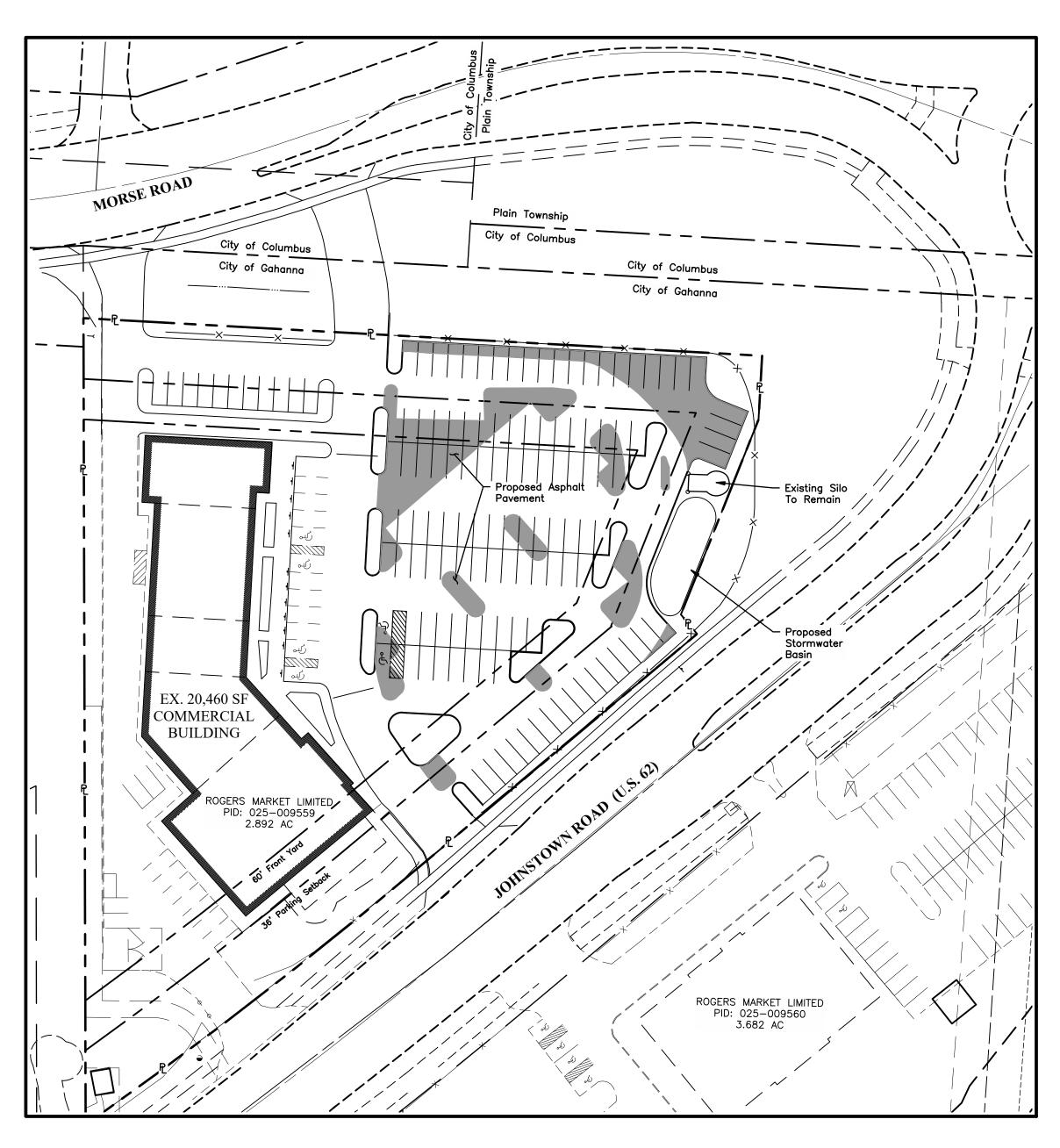
156

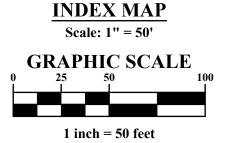
Handicap Parking Required

Handicap Parking Provided

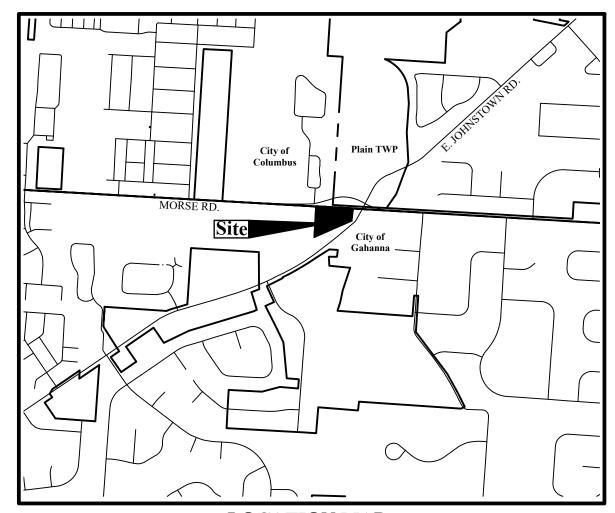
# FEMA NOTE

According to the Federal Emergency Management Agency's Flood Insurance Rate Map (dated 6/17/08, the subject parcel shown hereon lie within Zone "X", Community Panel No. 39049C0212K









LOCATION MAP

Not to Scale

# **DEVELOPER/OWNER**

CASTO
Eric Leibowitz
250 Civic Center Drive, Suite 500
Columbus, Ohio 43215
Tel: (614) 744-2027

ENGINEER

EMH&T

Brian Quackenbush
5500 New Albany Road
New Albany, Ohio 43054
Tel: (614) 775-4390

# **SHEET INDEX**

TITLE SHEET

EXISTING CONDITIONS & DEMOLITION PLAN

SITE PLAN

LANDSCAPE PLAN

LANDSCAPE DETAILS

PHOTOMETRIC PLAN

# CITY OF GAHANNA APPROVAL

The signatures below signify only concurrence with the purpose and general location of the project. All technical details remain the responsibility of the Engineer preparing the plans.

Director of Planning, City Of Gahanna Date

# PREPARED BY:



This is to certify that good engineering practices have been utilized on the design of this project, and that all of the minimum local standards have been met, including those standards greater than minimum where, in my opinion, are needed to protect the safety of the public. Any variances to the above standards are consistent with sound engineering practices and are not detrimental to the public safety and convenience.

Registered Engineer No. 6768

680

Date

\_\_\_\_

MARK DATE DESCRIPTION

CASTO

ARKET AT ROGER'S CORI

Mechwart, Hambleton & Illion, Inc. ess - Surveyors - Planners - Scientists ew Albany Road, Columbus, OH 43954 614.775.4500 Toll Tree: 888.775.3648 emht.com

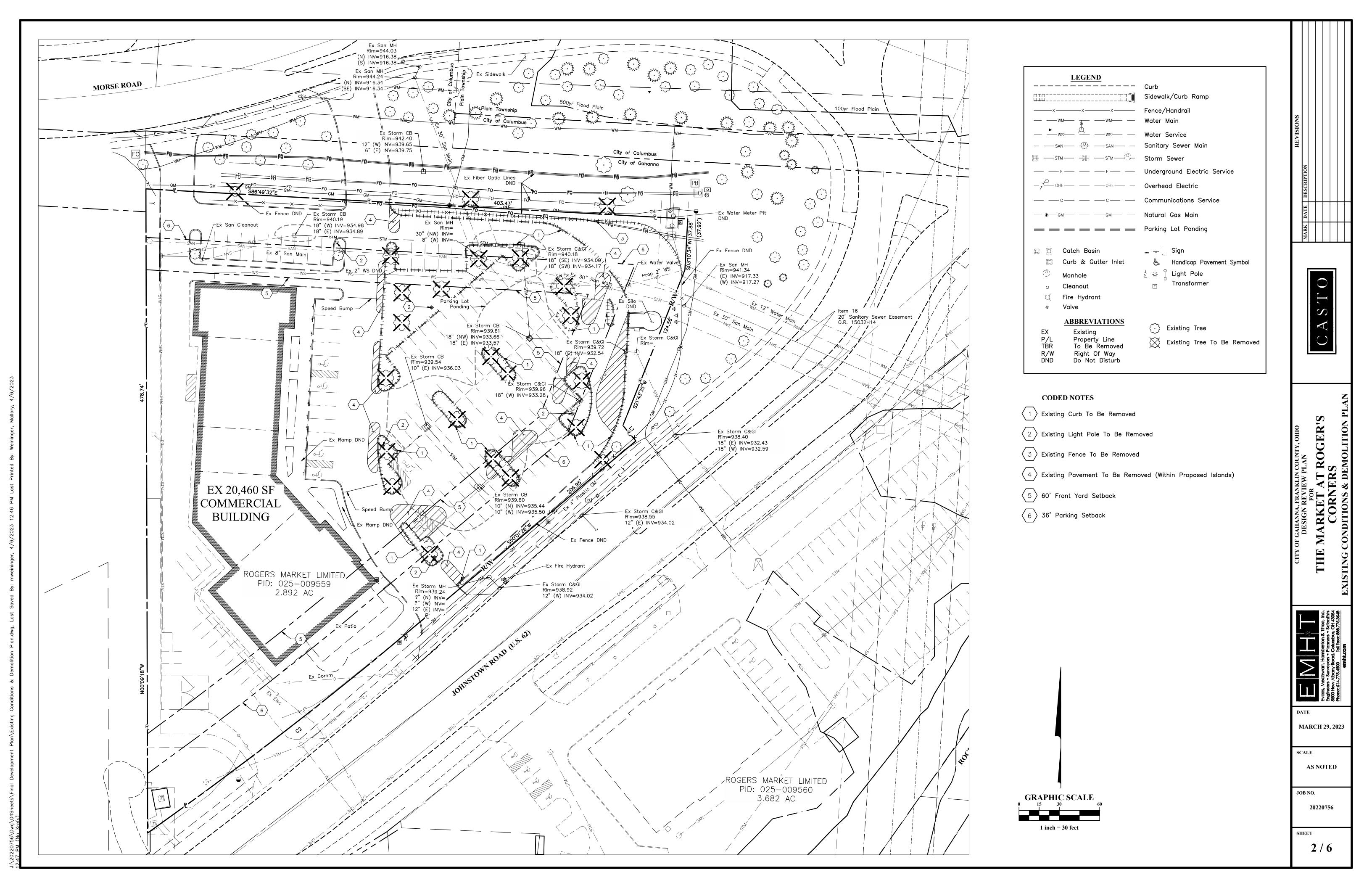
DATE

MARCH 29, 2023

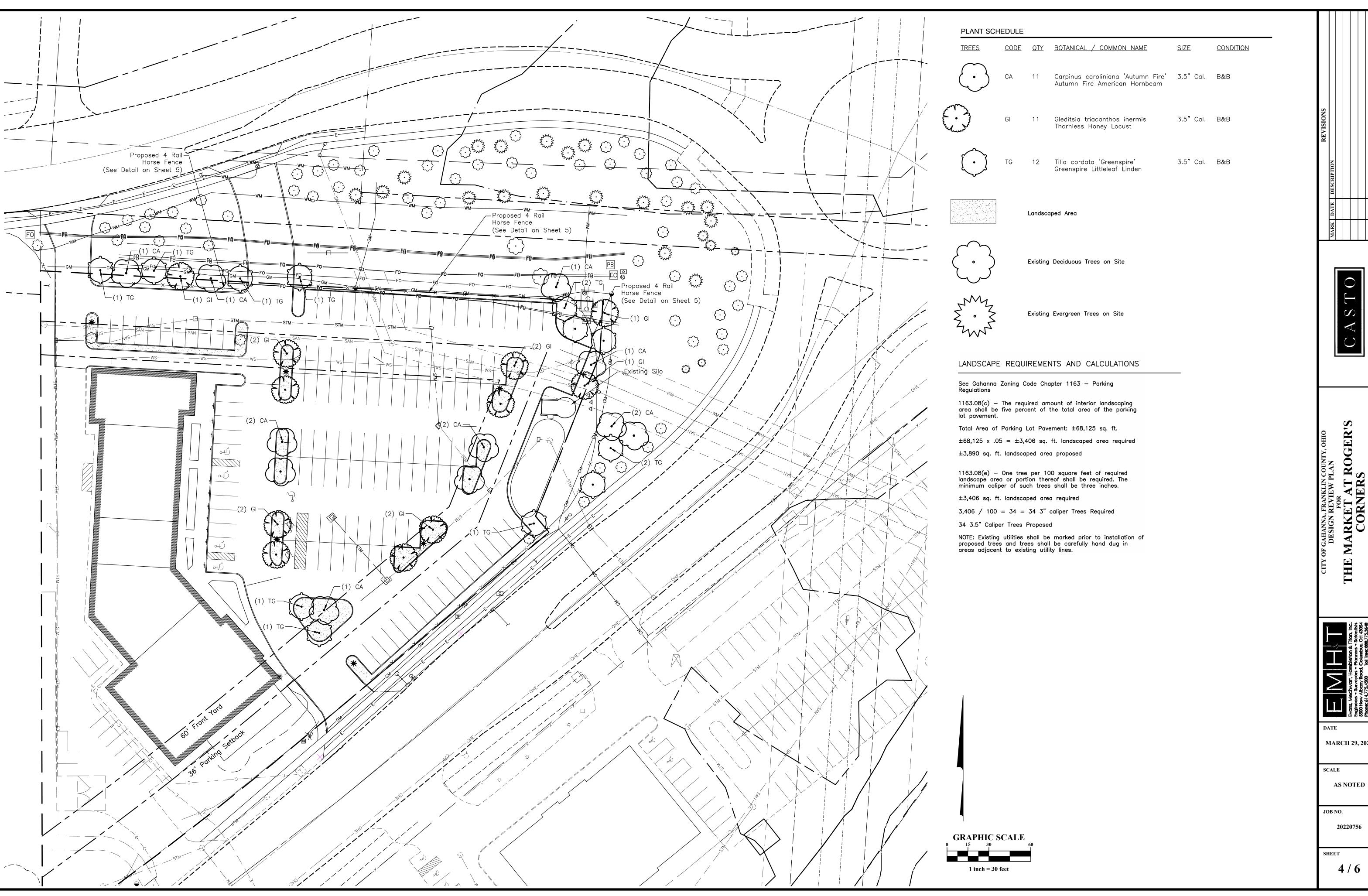
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AS NOTED

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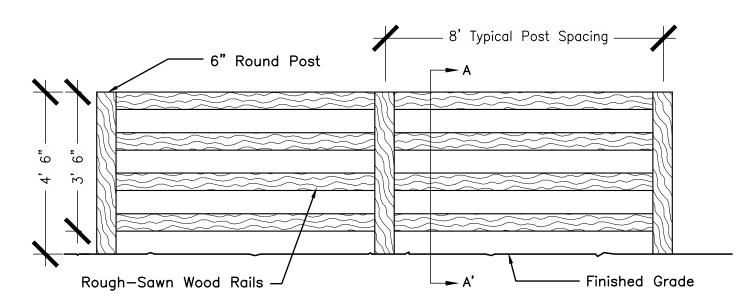




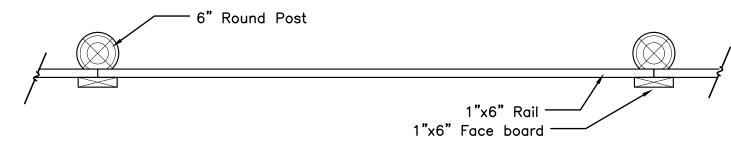


T AT ROGER'S SNERS SAPE PLAN MARKE COF LANDSC

**MARCH 29, 2023** 







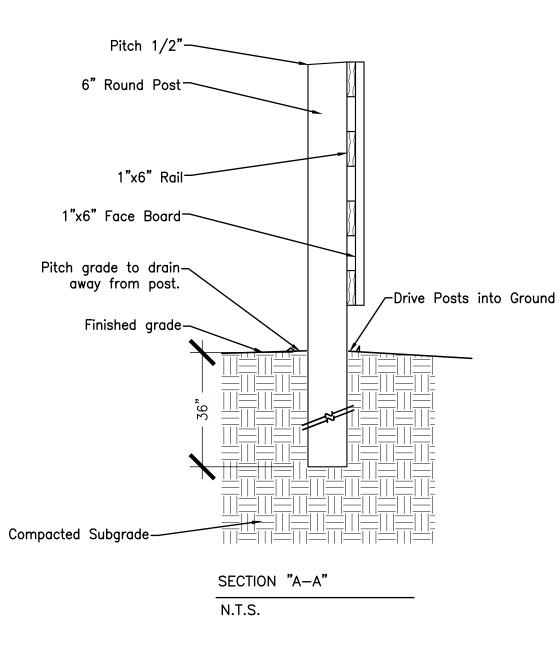
2. Fence to be sprayed with Cabots Old Virginia White oil stain.

PLAN VIEW

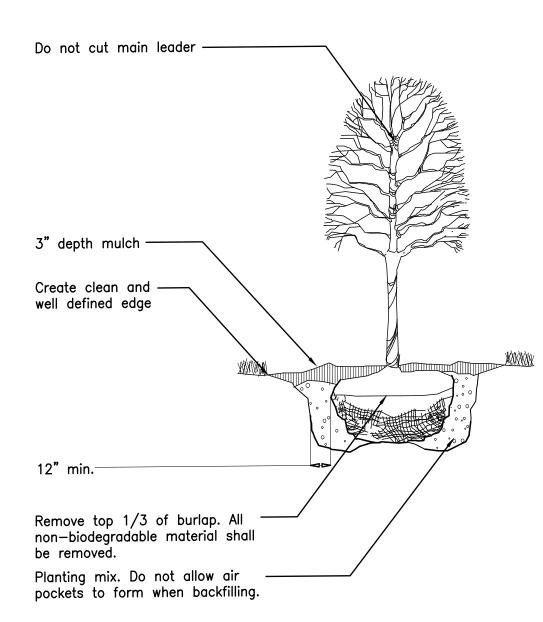
NOTE

1. All fence rails and face boards to be attached to post with 3 1/2" hot dipped galvanized fence nails.

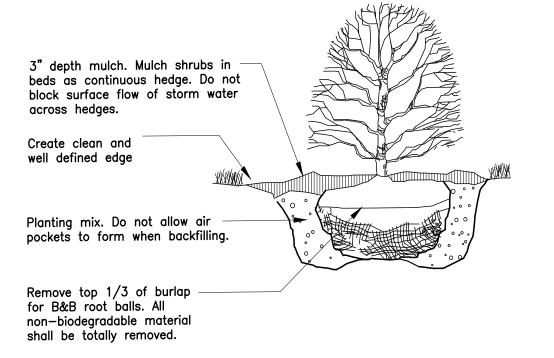
# Four Rail Horse Fence No Scale



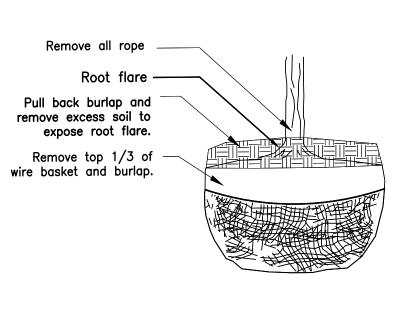
Four Rail Horse Fence
No Scale



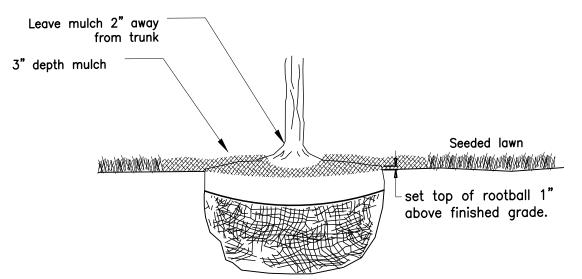
Deciduous Tree Planting
No Scale



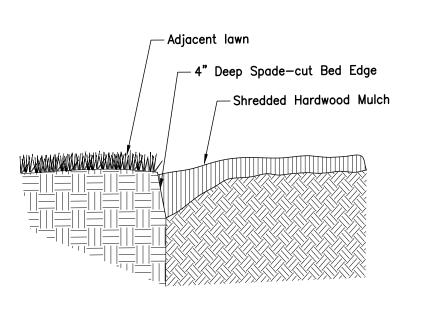
Shrub Planting
No Scale



Rootball Preparation



Rootball Setting



**Planting Bed Edge** 

# **GENERAL NOTES:**

- Prior to installation, the landscape contractor shall inspect the general site
  conditions and verify the subgrade, elevations, utility locations and topsoil
  provided by general contractor. The landscape contractor shall notify the
  general contractor of any unsatisfactory conditions and work shall not proceed
  until such conditions have been corrected and are acceptable to the landscape
  contractor.
- 2. All plants shall meet or exceed standards set in the American Standard for Nursery Stock, ANSI Z60.1, current edition. All plants shall equal or exceed the measurements and sizes specified in the schedule.
- 3. Substitutions shall only be permitted with notification and written approval from the Owner. Substituted material shall be equivalent or greater in size than the specified plant. Substituted plants shall have the same essential characteristics
- and growth habit of the specified plant.

  4. Confirm location of all utilities and subsurface drain lines prior to plant installation
- 5. A pre—installation conference shall be conducted prior to planting operations with Owner and Contractor present.
- 6. Contractor may slightly field adjust plant locations as necessary to avoid utilities. Finished planting beds shall be graded to provide positive drainage.
- utilities. Finished planting beds shall be graded to provide positive drainage 7. Irrigation system, if applicable, shall be complete and operational prior to
- landscape planting.

  8. Contractor shall repair all lawn areas disturbed during construction with seed
- and warrant a healthy, weed free lawn prior to project acceptance.

  9. Seed all areas within contract limits that are not covered by paving, buildings or planting beds unless otherwise noted. Seeding shall not begin until area has
- received topsoil and finished grade.

  10. Mulch planting beds with shredded hardwood mulch of uniform dark brown color. It shall be free of twigs, leaves, disease, pest or other material unsightly or injurious to plants. Average applied thickness shall be 3" depth.
- Mulch hedges in a continuous bed.

  11. Planting beds shall be covered with pre—emergent herbicide applied at product specified rate unless otherwise noted.
- 12. Bed edge shall be smooth, consistent, hand trenched 4" deep and "V" shaped unless otherwise noted. All excavated material shall be removed from the bed
- edge and planting bed.

  13. All planting bed edges to be smooth flowing arcs or straight lines as shown on plan. Plant locations and layout of beds shall be located by Contractor and
- approved by Landscape Architect prior to planting.

  14. Install all plants in accordance with planting details and specifications.
- 15. Parking lot and street trees shall have a clear canopy height of 6' min. 16. Trees shall be placed a minimum of 3' from sidewalks and curbs.
- 17. Planting Mix shall be blended, manufactured soil consisting of three (3) parts topsoil, one (1) part compost, one (1) part sand. Topsoil shall be per ASTM D5268, ph range of 5.5 to 7, min. 4 percent organic material, free of stones and soil clumps 3/4 inch and larger. Compost shall be yard waste compost from an EPA rated Class IV compost facility or Com—til compost from City of Columbus Department of Public Utilities. Sand shall be per Item ASTM C33. Proprietary manufactured Planting Mix such as Kurtz Bros. Professional Blend or Jones SuperSoil may be used. Submit product data for review by Owner. Place Planting Mix in settled 6 inch lifts.
- 18. Mix Mycorrhizal Fungi into Planting Mix during placement of Planting Mix. Application rate shall be according to manufacturer's written recommendations. Mycorrhizal Fungi shall be a dry, granular inoculant containing vesicular—arbuscular mycorrhizal fungi and ectomycorrhizal fungi.
- 19. Excavate planting beds to a depth of 12 inches, unless otherwise indicated. Roto—til subgrade of excavation to a depth of 4 inches, unless otherwise indicated. Incorporate a 6 inch lift of planting mix into subrade. Place
- remaining Planting Mix in settled 6 inch lifts.

  20. Planting beds, including mulch, shall be no higher than 6 inches above
- adjacent grade and shall not impede surface drainage.

  21. Lawn areas shall be backfilled with Planting Mix to a minimum settled
- thickness of 6 inches. Roto—Til subgrade below lawns to a depth of 4 inches, unless otherwise indicated, prior to placement of Planting Mix.

  22. All trees and shrubs shall be fertilized with controlled release tablets of
- 20-10-5 composition. Size and number of tablets shall be per manufacturer's instructions.

  23 Composition and application rate of lawn fertilizer shall be sufficient to amend
- 23. Composition and application rate of lawn fertilizer shall be sufficient to amend soil according to recommendations of a qualified soil testing agency. Submit soil test results and amendment recommendations to Owner. Lawn fertilizer shall be in a dry granular form.
  24. Contractor to determine plant list quantities from the plan. Graphic
- 24. Contractor to determine plant list quantities from the plan. Graphic representation on plan supersedes in case of discrepancy with quantities on schedule
- 25. Any item or areas damaged during construction shall be repaired or replaced to its original condition at the contractor expense.
- 26. Contractor shall thoroughly water all plants at time of installation and as needed until project acceptance by owner. Contractor shall guarantee all plants installed (except annuals) for one full year from date of acceptance by the Owner. All plants shall be alive and at a vigorous rate of growth at the end of the guarantee period.
- 27. All annuals to be provided by Contractor from available seasonal stock.

  28. Lawn seed mix shall proportioned by weight as follows: 10 percent NuBlue or Blue Chip Kentucky Bluegrass; 10 percent Caddieshack or GoalKeeper Perennial Ryegrass; 80 percent Quest, Inferno, Arid 3 and/or Pixie Tall Fescue (select 2). Sodded lawns shall match seeded lawns. Seeding rate shall be 8 to 10
- pounds per 1000 square feet.

  29. Lawn seed shall not have less than 98 percent purity and not have less than 90 percent germination.

MARK DATE DESCRIPTION

MARK DATE DESCRIPTION



MARKET AT ROGER'S CORNERS
LANDSCAPE DETAILS

Mechwart, Hambleton & Illton, Inc. ers - Surveyors - Planners - Scientists ew Albarry Road, Columbus, OH 43054 614,775,4500 Toll Free: 898,775,3648

HE

DATE

MARCH 29, 2023

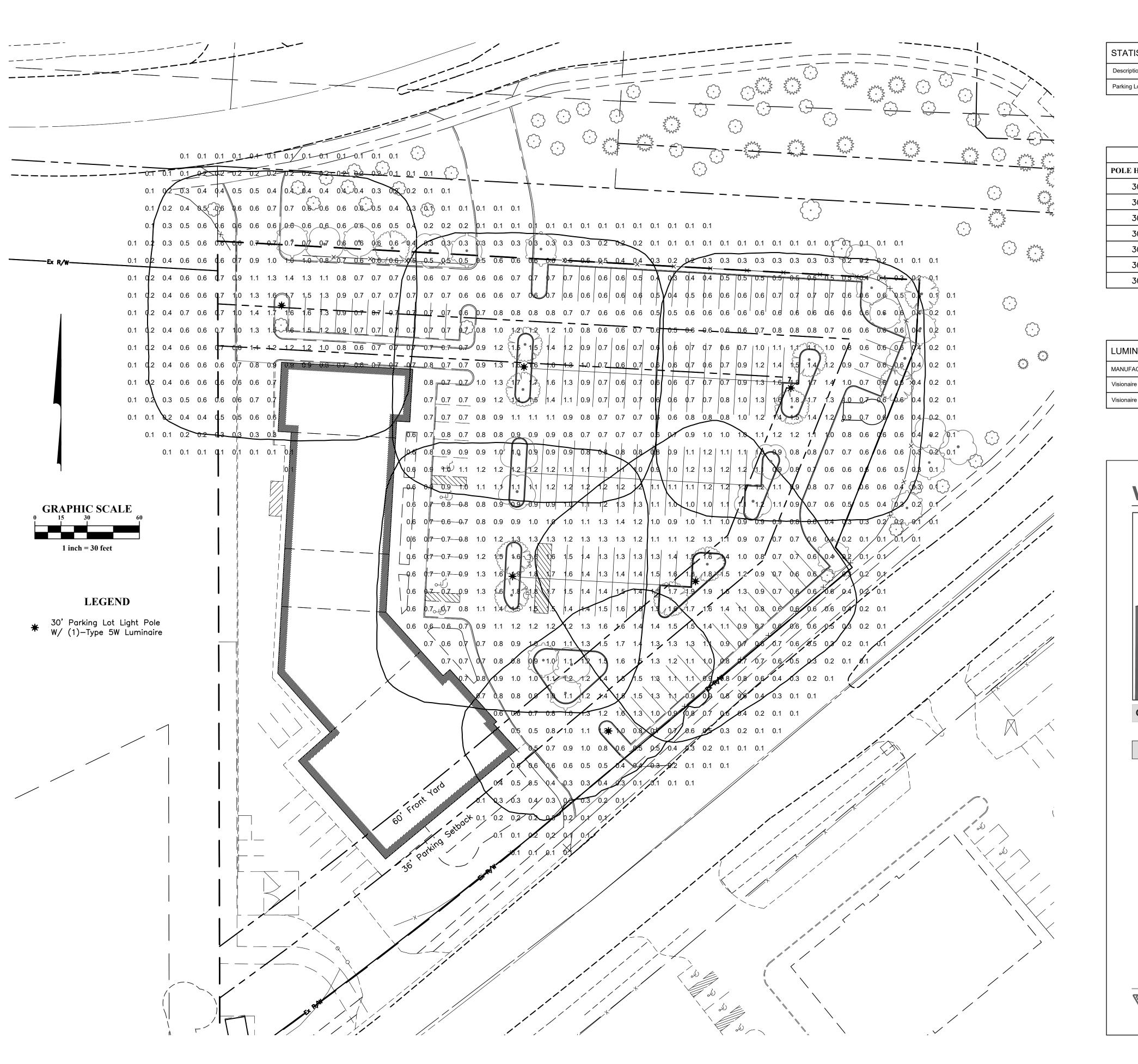
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SCALE

JOB NO.

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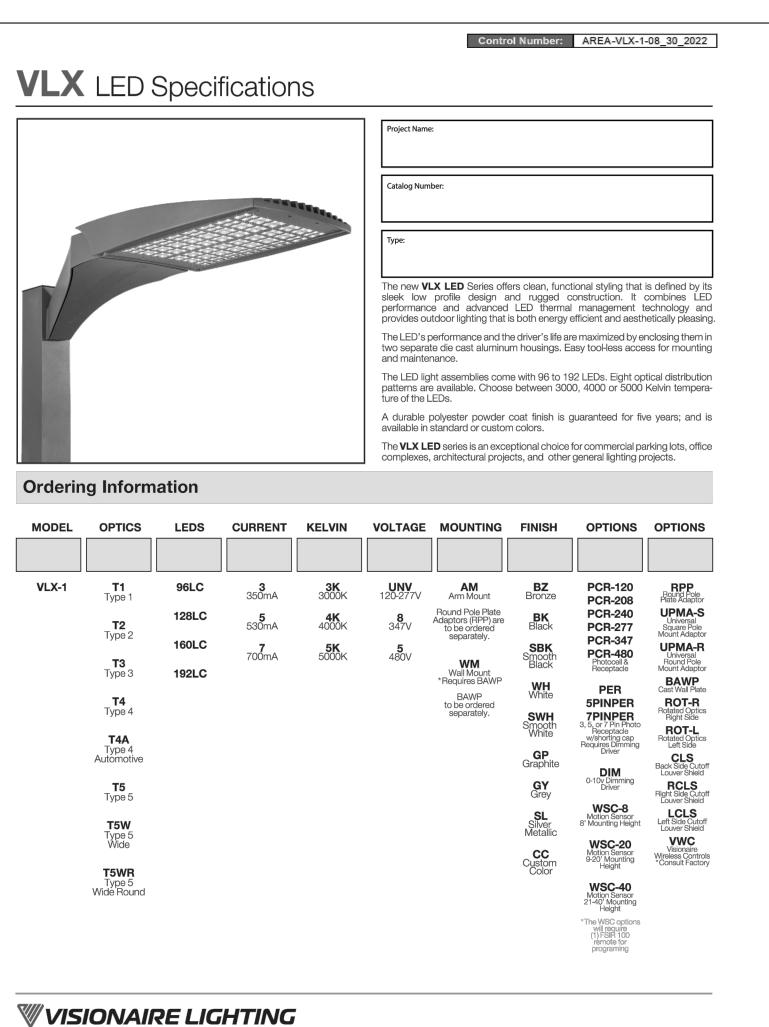
SHEET



STATIST	ICS				
Description	Avg	Max	Min	Avg/Min	Max/M
Parking Lot	1.1 fc	2.0 fc	0.5 fc	2.1:1	4.0:1

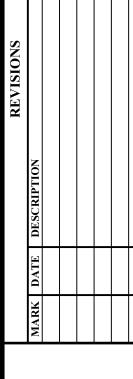
LIGHT POLE TABLE							
POLE HEIGHT	LUMINAIRE TYPE	NORTHING	EASTING				
30'	VLX-1 T5W 96LC 5 3K	748401.8750	1872231.3750				
30'	VLX-1 T5W 96LC 5 3K	748396.1822	1872337.1235				
30'	VLX-1 T5W 160LC 5 3K	748385.0349	1872377.7823				
30'	VLX-1 T5W 160LC 5 3K	748377.7823	1872503.5620				
30'	VLX-1 T5W 160LC 5 3K	748265.5018	1872365.5763				
30'	VLX-1 T5W 160LC 5 3K	748258.2149	1872489.3620				
30'	VLX-1 T5W 160LC 5 3K	748185.7870	1872388.2794				

LUMINAIRE SCHEDULE								
MANUFACTURER	MODEL	OPTICS	LEDS	CURRENT	COLOR TEMP	FILE NAME	LLF	WATTAGE
Visionaire Lighting LLC	VLX-1	Type 5 Wide	96LC	350mA	3000K	VLX-1_T5W_96LC_3_3K.ies	0.72	171
Visionaire Lighting LLC	VLX-1	Type 5 Wide	160LC	350mA	3000K	VLX-1_T5W_160LC_3_3K.ies	0.72	103



REV. 0

VL-PA-ING-001-F37





MARKET AT ROGER'S CORNERS
PHOTOMETRIC PLAN

Mechwart, Hambleton & Illton, Inc. is - Surveyors - Planners - Scientists w Albany Road, Columbus, OH 43054 14.775.4500 Toll Reec. 888.775.3648

DATE

MARCH 29, 2023

IAKCII 29, 2

SCALE 1" = 30'

JOB NO.

SHEET

CRCABR22-03



March 1, 2023

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

Subject: Project 1379-1391 E Johnstown Rd Variance

Response Letter

Dear Ms. Wicker,

In response to the comments received from City of Gahanna on February 22, 2023, the plans have been modified as described herein.

#### **Fire District**

1. The fire division has no objection to the Design Review or Variance for Rogers Market parking lot expansion.

Response: Understood.

#### **City Engineer**

2. No comments.

Response: Understood.

#### **Planning**

3. Please see comments in the design review application for code sections that will require variance approval. A separate application is not required. The existing application can be revised to account for these code sections. Please modify accordingly.

Response: Variance application has been revised and sent with the submittal package.

4. Informational Comment – No objections to the requested variance or to the variances identified in review of the design review application. (Informational Comment)

Should you have any questions or require additional information, please do not hesitate to contact me directly at (614) 775-4391.

Sincerely,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Mallory Weininger



March 7, 2023

Rogers Market Limited 250 Civic Center Dr #500 Columbus, OH 43215

RE: Project 1379-1391 E Johnstown Rd Variance

Dear Rogers Market Limited:

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

# **Fire District**

1. The fire division has no objection to the Design Review or Variance for Rogers Market parking lot expansion.

# **City Engineer**

2. No comments.

# **Planning**

3. Informational Comment - No objections to the requested variance or to the variances identified in review of the design review application. (Informational Comment)

If you have general comments or questions, please contact me at 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.

Sincerely,

Kelly Wicker Planning and Zoning Coordinator



# STAFF REPORT

### **Request Summary**

\*Revised 4/6/2023\*

A design review and variance application have been submitted to allow for parking lot modifications for the property known as the Market at Roger's Corners. The property is zoned Neighborhood Commercial (NC) and developed with a multi-tenant building. Tenants include Donatos, 1837 Wine and Spirits Emporium, Home Source Custom Draperies and Blinds, and High Bank Distillery.

The popularity of the tenants has driven the need to create additional parking. The site has 103 parking spaces with a code requirement of 86 spaces. The proposed site layout increases parking to 156 spaces.

Variances are required to accomplish the proposed redesign. Some of the existing site conditions conflict with the same code provisions that the variance application seeks relief from. For example, parking lot improvements along Johnstown Rd do not meet current requirements. A variance is still required as the proposed parking lot further encroaches into the required setback.

### **Design Review**

Developments within NC are subject to the standards of Design Review District 3 (DRD-3). Most standards are not applicable to this request because of its limited scope.

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.

# <u>Variance</u>

A variance application has been submitted and reviewed by staff. The variances requested exist on the site currently but require variance approval since the site layout is changing. Planning staff supports the variance requests. We believe the variances are warranted given the shortage of onsite parking. Approving the variances allows the site to be designed in a manner that provides for enough onsite parking to safely accommodate patrons of the center.



- Chapter 1163.01(a) Parking space width
  - o 9' requested; existing parking spaces are 9' wide
  - o 10' required by code
- Chapter 1163.08(h) Interior landscaping
  - o Code requires there be a ten foot wide landscape island between two rows of parking
    - Existing parking does not meet this requirement
  - It should be noted that staff is working on code changes to eliminate this requirement. Similar projects have received variance approval.
- Chapter 1167.15(b) Parking setback
  - o Code requires a 36' setback from right-of-way
    - Existing parking does not meet this requirement
  - Proposed parking along the frontage of Morse Rd is approximately 2.5' from the property line.
     Parking along Johnstown Rd is 4'.
  - Even with a reduced setback, parking in the vicinity of Morse Rd is setback substantially further from the travel lanes than typically found in Gahanna because of the substantial amount of rightof-way. City staff, including Engineering, has looked at the request and do not object to the variance.

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

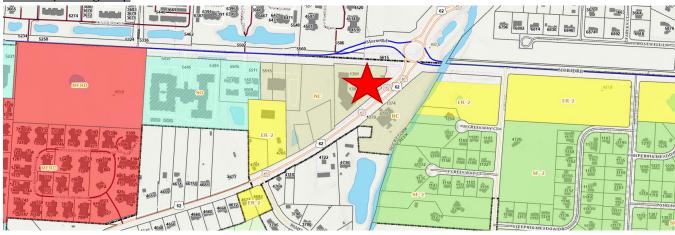
- a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
- b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- c) The granting of the application will not materially affect adversely 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.

#### **Staff Comments**

Staff recommends approval of both applications as submitted. The City has been working with the landlord and tenants on solutions to the parking shortage. The proposed plan increases parking by over 50 spaces. Additional onsite parking should eliminate the need for offsite overflow parking. Offsite parking areas can create unsafe pedestrian and vehicular movements. The proposed plan appears to resolve potential safety issues while maintaining an attractive and vibrant center.



# Location/Zoning Map



Respectfully Submitted By: Michael Blackford, AICP Director of Planning