

Application for Conditional Use

City of Gahanna, Ohio ■ Planning Commission
 200 S. Hamilton Road, Gahanna, OH 43230 ■ Phone: (614) 342-4025 ■ Fax: (614) 342-4117

***REQUIRED INFORMATION:** All correspondence will be addressed to the applicant, unless noted otherwise.

*Site Address 403 Agler Rd. _____ Parcel ID# 025-12296-00/025-001029-90/025-001029-80
 *Applicant's Name Robert Deitz, Bacon Farmer Workman Engineering & Testing, Inc. _____ Email bdeitz@bfwengineers.com
 *Applicant's Relationship to Project Consulting Engineer - Civil _____ Current Zoning CC
 *Proposed Use Commercial Sale of Auto Parts _____ Total Acreage 0.887 acres
 *Reason for Conditional Use Not a primary use per city ordinance _____

***ADDITIONAL REQUIRED CONTACT INFORMATION:** If different than applicant.

*Business Owner O'Reilly Automotive Stores, Inc. _____ *Phone# (800) 288-6661
 *Business Address 233 S. Patterson _____ *City/State/Zip Springfield, MO 65802
 *Developer O'Reilly Automotive Stores, Inc. _____ *Phone# # (800) 288-6661
 *Developer Address 233 S. Patterson _____ *City/State/Zip Springfield, MO 65802
 *Contact Name Mandi Passwaters _____ *Title Paralegal
 Landowner _____ Phone _____
 Landowner Address _____ City/State/Zip _____

***SUBMISSION REQUIREMENTS:** Applications are not complete until all submission requirements are received and accepted by the Planning and Zoning Administrator. Incomplete applications will not be submitted for review. The Planning and Zoning Administrator may visit the site prior to the approval of the application.

1. A plan that complies with the list of Conditional Use requirements stated in Section 1169.02(b). See attached sheet.
2. Two (2) 11x17 copies of plan.
3. One (1) 24x36 copy of plan **folded** to 8 ½ x 11 size; if necessary for clarity.
4. Statements of information as required in Section 1169.02(a).
5. Application Fee of \$100.
6. A list of contiguous property owners and their mailing addresses.
7. Pre-printed mailing labels for all contiguous property owners.

*Applicant's Signature  Date 11/19/15

For Internal Use:

APPROVAL

In accordance with Section 1169 of the Codified Ordinances of Gahanna, Ohio, I hereby certify that this project, as stated above, has been approved by the City of Gahanna Planning Commission on _____. A copy of the Meeting Minutes will be supplied by the Council Office. The applicant shall comply with any conditions approved by the Planning Commission, and shall comply with all building, zoning, and landscaping regulations now in place. This approval is valid from public hearing date to _____.

Planning & Zoning Administrator _____

Date _____

Sunguard No. 15110019
 PC File No. CU 2015
 Hearing Date: _____

RECEIVED
 NOV 20 2015

(Received)
 BY: SW

(Paid)

(Accepted by PZA)

1169.02 WRITTEN APPLICATIONS

A provided application form shall be filed with the Planning & Zoning Administrator not less than twenty days prior to the date of the public hearing.

- a) **Description of Property and Intended Use.** The application shall include the following statements:
1. A legal description of the property.
 2. The proposed use of the property.
 3. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
 4. A statement of the relationship of the proposed use to adjacent property and land use.
 5. Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the application or required for appropriate action by the Commission.
- b) **Plot Plan.** The application shall be accompanied by ten copies of a plot plan, drawn to an appropriate scale, clearly showing the following:
1. The boundaries and dimensions of the lot.
 2. The size and location of existing and proposed buildings and/or structures.
 3. 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.
 4. The relationship of the proposed development to the development standards.
 5. The use of land and location of structures on adjacent property.

403 Agler Road,

Gahanna, OH Adjacent Property Owners:

Property Address: 365 Stygler Road, Columbus, OH 43230

Property Owner: Tim Donut U.S. Limited, Inc., 4150 Tuller Road, Suite #236, Dublin OH 43017

Property Address: 4405 Agler Road, Columbus, OH 43230

Property Owner: Snyder Development Company, P.O. Box 2155, Columbus, OH 43221

PROPOSED O'REILLY AUTO PARTS GAHANNA, OHIO

PROJECT NARRATIVE

REAL PROPERTY DESCRIPTION

The site is located at 403 Agler Road inside the city limits of Gahanna, Franklin County, Ohio.

The site is currently developed with a commercial building and two metal storage sheds. O'Reilly Auto Enterprises, LLC intends to place a 86'4" x 86'4" (7,453 square feet) building on the site for an O'Reilly Auto Parts store. The site is located adjacent to State Route #62 on the South, vacated Stygler Rd. on the East, Agler Road on the North and a commercial strip mall on the West.



PROPOSED DEVELOPMENT

(See attached Site Plan)

The proposed development will front Agler Road and will consist of our standard 86'4" x 86'4" (7,453 square feet) building with 30 parking spaces, 2 of which are handicapped, a dumpster pad and all required landscaping.

LANDSCAPING

The proposed landscaping will meet or exceed that required by City Ordinance and will visually enhance the quality of what currently exists.

ZONING

This site is zoned Community Commercial District (CC), in which zone a retail auto parts business is allowed as a Conditional Use per 1153.03(b) of the Gahanna Zoning Ordinance.

CONDITIONAL USE

O'Reilly Auto Enterprises, LLC intends to develop this property as an O'Reilly Auto Parts store. As such it will be a wholesale and retail auto parts store and will not in any way be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the neighborhood, nor will it impair or diminish the uses, values or enjoyment of the neighboring properties, which are also commercial uses.

O'Reilly does not have a copy of the adopted municipal plans for the area; however, the surrounding properties are zoned for commercial use. An O'Reilly Auto Parts Store will not impede the normal and orderly development and improvement of the surrounding properties. In fact, the inclusion of an auto parts store in the district will be beneficial in that it will bring patrons to the area that may not otherwise have a reason to do business there. In addition, O'Reilly believes its development will not only be compatible with the use of the surrounding properties, but will be an improvement to the subject property.

O'Reilly Auto Enterprises, LLC strives to complete plans that conform to all applicable regulations of the district and meet all required utility, access, drainage and other improvements required for development.

The proposed conditional use is in harmony with the purposes, goals, objectives, policies and standards of the City of Gahanna Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration by the City.

In this case, the subject property is occupied by Frank Duff's Auto Service, which operates as a vehicle service facility. A new, well landscaped and maintained facility would enhance this area of the City.

The proposed conditional use, in its proposed location and as depicted on the required site plan, will not cause a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.

As stated above, the subject property is occupied by Frank Duff's Auto Service, which operates as a vehicle service facility. O'Reilly will seek to develop the property in such a way as to enhance the character of the neighborhood. Due to restrictions already placed on the property, the traffic factors, parking, and other matters affecting the public health, safety or general welfare of the area have been incorporated into the proposed development.

The proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The proposed use of the subject property can only enhance the area. What is now a vehicle service facility will become a landscaped development that will offer an inviting atmosphere for this area.

The proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

O'Reilly is proposing a development for the subject property that will not cause any undue burden on any of the existing improvements, facilities, utilities or services provided by public agencies serving the property.

The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use.

O'Reilly will seek to develop an attractive, landscaped retail business that will enhance the surrounding area and invite customers to visit the store, thus bringing potential patrons to the surrounding businesses.

CLOSING

In closing, O'Reilly Auto Parts will seek to develop this property in the most advantageous way for both the City of Gahanna and O'Reilly. We are looking forward to becoming a part of the Gahanna community and thank the Board for consideration of the requested Conditional Use Permit. We will be pleased to provide additional information as required for consideration.



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STAFF COMMENTS

Project Name: O'Reilly Auto Parts
Project Address: 403 Agler Road

Development Department:

The applicant requests Final Development Plan, Design Review, Conditional Use, and Variance approval to allow a new auto parts retail store at 403 Agler Road. The building is proposed to be one story with a floor area of 7,100 square feet. The request is substantially similar to a 2014 request for Final Development Plan, Design Review, and Conditional Use which received Planning Commission approval. Those applications have expired which has created the necessity for new applications and additional Planning Commission approvals.

The property is located within the Community Commercial (CC) zone district. CC permits auto supply stores by conditional use. It should be noted that there are two existing auto part stores in the immediate area.

The property is located within the Commercial future land use designation. Commercial areas should complement existing residential and be located with access to major thoroughfares. The site has direct access to Agler Road and is located in close proximity to Stygler Road and Route 62. An objective of the commercial land use is to provide goods and services to persons living and working in the area with clean, safe, attractive, and architecturally compatible structures.

Additionally, the property is located within the West Gahanna Study Area. The West Gahanna Development Study designates this property as Commercial. The Study identified that additional retail uses were needed in the area and that new development should be aesthetically pleasing. The Study encourages fewer and less obtrusive signage. The Study recommends, but does not require, low-profile grounds signs with a maximum height of 8'. A Variance has been requested to allow for a greater square footage of wall signage than what the code permits. Wall sign size is not addressed within the West Gahanna Development Study.

The property is included within the 2015 Economic Development Strategy as a portion of Target Site 1A. The Strategy designates the property as appropriate for retail and service uses. It does not include a specific layout and architectural style but the design theme for the area is centered around a more pedestrian inviting streetscape with less emphasis on buildings centered on automobiles. Signage guidelines are not identified within the PDA, however, pedestrian oriented buildings typically have smaller, more discrete signage.



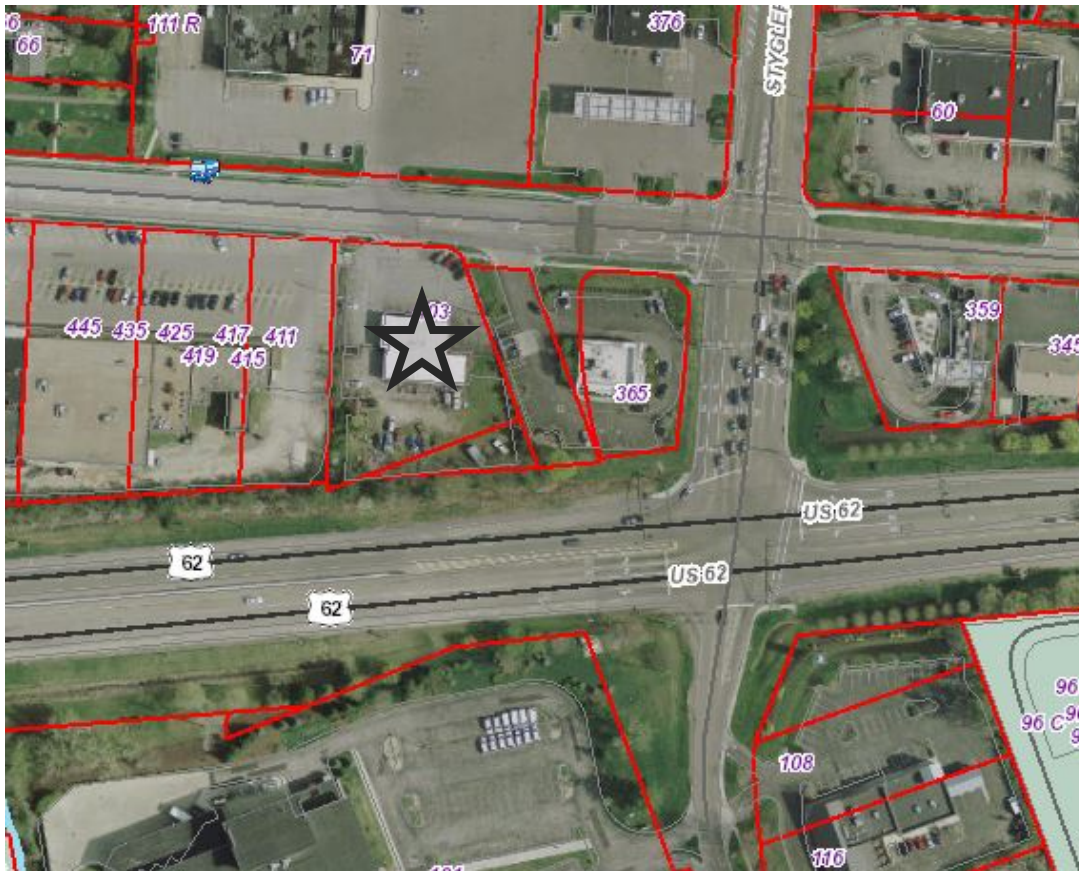
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Aerial Map



FDP Criteria

Planning Commission shall approve an application for Final Development Plan if the following four conditions are met:

1. The proposed development meets the applicable development standards of the zoning ordinance.

The proposed development appears to meet the development standards of the zoning ordinance with the exception of the variance that has been requested to signage.

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

The proposed development is consistent with the 2002 Land Use Plan update and the West Gahanna Study.

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



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It does not appear the proposed development will have an undesirable effect on surrounding properties. The area is developed with similar commercial uses which include retail stores, drive thru restaurants, gas stations, etc. The project, if approved, will provide for redevelopment of a site that has been identified as a redevelopment opportunity.

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

The FDP indicates a minor increase in impervious area, however building and parking locations are similarly positioned as the current project. The project appears to be in keeping with existing land use character as the site is surrounded by similarly developed commercial development.

Conditional Use Criteria

Planning Commission shall approve a conditional use if the following four conditions are met:

1. The proposed use is a conditional use of the zoning district and applicable development standards are met.

Retail sale of auto parts are a conditional use within the Community Commercial zone district.

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

The proposed development is consistent with the 2002 Land Use Plan, the West Gahanna Study, and the 2015 Economic Development Strategy. All three plans call for commercial uses on the property.

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

It does not appear that the proposed use will have an undesirable effect on the surrounding area. Similar and more intense uses are prevalent in the surrounding area. The proposed development is less intense than the existing use of the property, auto repair.

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

It appears that the proposed development, retail sale of auto parts, is keeping with existing land use character. Surrounding properties consist of similar or more intense uses.

Design Review Criteria

Planning Commission shall approve an application for Certificate of Appropriateness if it determines the proposal meets the following criteria:



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1. 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.
2. Contribute to the improvement and upgrading of the architectural and design character of the Design Review District.
3. Contribute to the continuing economic and community vitality of the Design Review District.
4. Maintain, protect and enhance the physical surroundings of the Design Review District.

It is Development staff's opinion that the request meets the four conditions for approval.

In reviewing requests for design review approval, Planning Commission shall examine the following:

1. Building design to include building massing and general architectural character, exterior surface treatments, fenestration, composition of all building elevations and the overall building color scheme.
2. Site development to include arrangement of buildings and structures on the site, use of signage, means of integrating: parking and drives, points of access to public streets, internal access drive patterns and placement, variety, quantity and size of landscape materials.
3. Overall impact of the proposed project or development on the surrounding properties to determine the effect the project or development will have upon the appearance and environment of the district.
4. Enhance the attractiveness and desirability of the district in keeping with its purpose and intent.
5. Encourage the orderly and harmonious development of the district in a manner in keeping with the overall character of the district.
6. Improve residential amenities in any adjoining residential neighborhood.
7. Enhance and protect the public and private investment in the value of all land and improvements within the district and each adjoining district or neighborhood.

Variance Criteria

The applicant requests a variance to allow for a 71.12 square foot wall sign at the entrance of their building. The property is zoned Community Commercial (CC) and located within the Commercial land use. CC allows for one wall sign per frontage at 50 square feet.



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Signage variances are subject to the criteria of 1165.12. It should be noted that variances related to area requirements are held to a lesser standard than those related to use. Criteria related to an area variance includes the following:

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

No evidence has been provided to demonstrate that the property cannot be used without approval of the variance.

- B. Whether the variance is substantial;
- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse);
- E. Whether the property owner purchased the property with the knowledge of the zoning restriction;
- F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;
- H. Whether the sign is sufficiently compatible with the architectural and design character of the immediate neighborhood and all graphic design standards established for the district; and
- I. Whether the sign will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.

Staff finds that the requested variance is not consistent with the recommendations of the 2015 Economic Development Strategy, or with some of the aforementioned variance criteria, specifically letters "A" and "E". Therefore, staff recommends denial of the request. With that said, staff recognizes that similar variance requests for wall signs have recently been approved. Additionally, it is staff's opinion that the sign, as requested, is appropriately sized for the building.



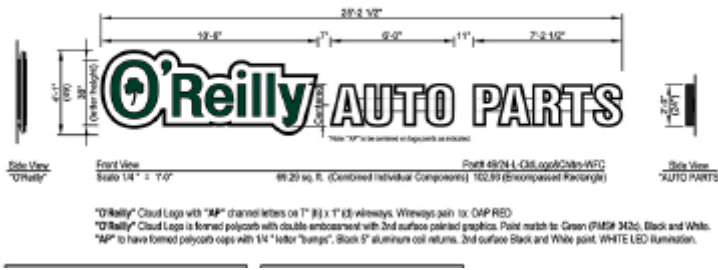
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Variance Rendering w/70 square foot sign



Submitted by:

Michael Blackford, AICP

Deputy Director of Development



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STAFF COMMENTS

Project Name: O'Reilly Auto Parts
Project Address: 403 Agler Rd

The applicant seeks approval for four applications on this site. The applications approved in 2014 expired in 2015 without any progress on the site. All materials submitted with the current applications are the same as those previously approved, with the exception of the west parking lot, which has been realigned to stay out of the 10' side setback.

A 15' "buffer yard" has been illustrated on the south side of the property on Sheet L-1. Property perimeter screening adjoining a freeway is required by code; however, it is not required to be illustrated within the Certificate of Appropriateness plan sheets. This 15' buffer is shown only on the landscape plan, as it has no bearing on any of the other sheets in the packet.

Respectfully Submitted By:

BONNIE GARD

Planning & Zoning Administrator
Department of Public Service
Division of Building & Zoning



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STAFF COMMENTS

Project Name: O'Reilly Auto Parts

Project Address: 403 Agler Rd

THE DIVISION OF POLICE DOES NOT
HAVE ANY COMMENT.

Respectfully Submitted By:

Alan Murphy CI
CHIEF OF POLICE



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STAFF COMMENTS

Project Name: O'Reilly Auto Parts
Project Address: 403 Agler Rd

No comments

Respectfully Submitted By:

Kenneth W. Foltz
Chief Building Official



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