

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

#### FINAL DEVELOPMENT PLAN APPLICATION

Project/Property Address or Location:	Project Name/Business Name:		
6579 Taylor Rd.	Eastgate Comme	rcial Park	
Parcel ID No.(s):	Zoning Designation: OCT	7.6	
027-00008-00	001	7.0	
Project Description:			
Two 21,000sf Flex industrial buildings. Three 8,520sf Flex industrial buildings.		54	
Tillee 0,52051 Flex illuustilai bullulligs.			
APPLICANT Name -do <u>not</u> use a business name:	Applicant Address:		
Robert M. LeVeck	1500 W. Third Ave. Ste. 120 Columbus, OH 43212		
Applicant E-mail:	Applicant Phone No.:		
rleveck@leveckconstruction.com 614-582-4765			
BUSINESS Name (if applicable):			
ADDITIONAL CONTRACTOR DI LIVERI CONTRACTOR DI	Company de man de la la man list all	anniinahin nontanta)	
ADDITIONAL CONTACTS: Please list Primary Contact person for Name(s):	Contact Information (phone no		
		8	
,			
PROPERTY OWNER Name: (if different from Applicant)	Property Owner Contact Infor	mation (phone no./email):	
Julie A. Faist	614-475-6677/julie.faist@gmail.com		
oulle 7. I alst	orr mo corrigano.idio		
A DDI ICANIT CIONA TUDE DEI OW CONEIDMS THE SUDMISSIS	NI DECILIDEMENTS HAVE RI	EEN COMPLETED (see page 2)	
APPLICANT SIGNATURE BELOW CONFIRMS THE SUBMISSION	NA VERGOIVENIENI S LIVA E DI	LLIA COMITELIED (see page 2)	
cartify that the information on this application is complete	e and accurate to the hest	of my knowledge, and that	

I certify that the information on this application is complete and accurate to the best of my kno the project as described, if approved, will be completed in accordance with the conditions and terms of that approval. Applicant/Primary Contact Signature: Robert M. LeVeck III Digitally signed by Robert M. LeVeck III Date: 2019.07.11 13:05:44 -04'00' \_<sub>Date:</sub> <u>7</u>/11/19

INTERNAL USE

RECEIVED:



# FINAL DEVELOPMENT PLAN APPLICATION - SUBMISSION REQUIREMENTS

TO BE COMPLETED/SUBMITTED BY APPLICANT:
1. Review Gahanna Code Chapter 1108 (visit <a href="https://www.municode.com">www.municode.com</a> ) & Chapter 914, Tree Requirements
2. Review the State of Ohio Fire Code Fire Service Requirements
3. Pre-application conference with staff
4. Scale: Minimum - one inch equals 100 feet.
5. The proposed name of the development, approximate total acreage, north arrow, and date
6. The names of any public and/or private streets adjacent to or within the development
7. Names and addresses of owners, developers and the surveyor who designed the plan
8. Vicinity map showing relationship to surrounding development and its location within the community
<ol> <li>Natural features currently within proposed development, including drainage channels, tree lines, bodies of water, and other significant features</li> </ol>
10. Zoning district, building and parking setbacks
11. Proposed location, size and height of building and/or structures
12. Location and dimensions of proposed driveways and access points
13. Proposed parking and number of parking spaces
14. Distance between buildings
15. Parking calculations: (square footage of proposed buildings, number of spaces per square foot, number of spaces required, and actual number of spaces proposed)
16. Lot coverage calculations: (square footage of site, area of permanently impervious surfaces broken down into buildings and parking, area of uncovered land, coverage requirements, proposed lot coverage)
17. Setback calculations (if needed; see chapter 1167.20)
18. Landscaping calculations: (square footage of pavement, proposed area of landscaping, square footage of landscaping, number of trees required, and number of trees proposed; see chapter 1163.08)
19. Any other information the Planning Commission may deem to be necessary to evaluate the application. These items can include such things as elevations, traffic studies, floor plans, etc.
20. List of contiguous property owners & their mailing address
21. One set of pre-printed mailing labels for all contiguous property owners
22. Application fee (in accordance with the <u>Building &amp; Zoning Fee Schedule</u> )
23. Application & all supporting documents submitted in digital format
24. Application & all supporting documents submitted in hardcopy format
25. Authorization Consent Form Complete & Notarized (see page 3)

## **Please Note:**

The Public Hearing will not occur until the City Of Gahanna Staff reviews the Application for Code Consistency.

Applications that are not consistent with the code will not be scheduled for hearing.



### **AUTHORIZATION CONSENT FORM**

(must sign in the presence of a notary)

If you are fillin	ng out more than one application for the same project & address, you may submit a copy of this form	with additional applications.
As the production of the appropriate of the appropr	property owner/authorized owner's representative of the subject property listed on this applicant/representative to act in all matters pertaining to the processing and approval of the project. I agree to be bound by all terms and agreements made by the applicant/sepresentative over name printed.  [property owner name printed]  (property owner signature)  sworn to before me on this day of July 2029	oplication, hereby authorize is application, including representative.
this appropriate of the control of t	EEMENT TO COMPLY AS APPROVED as the applicant/representative/owner of the pilcation, I hereby agree that the project will be completed as approved with any condition by proposed changes to the approval shall be submitted for review and approval to City shall consider the property of the submitted for review and approval to City shall consider the subject property as described.  ICATION SUBMISSION CERTIFICATION I hereby certify that the information on this curate to the best of my knowledge.  Dert M. Leveck III  (applicant/representative/property owner name printed)	ns and terms of the approval, aff. visit, photograph and post

10	i.
Subscribed and sworn to before me on this day of 2017 2017	Linda S. Smith
State of County of Tranclus * Notary	Public, State of Ohio
Notary Public Signatures My Commi	seion Expires
The state of the s	1190



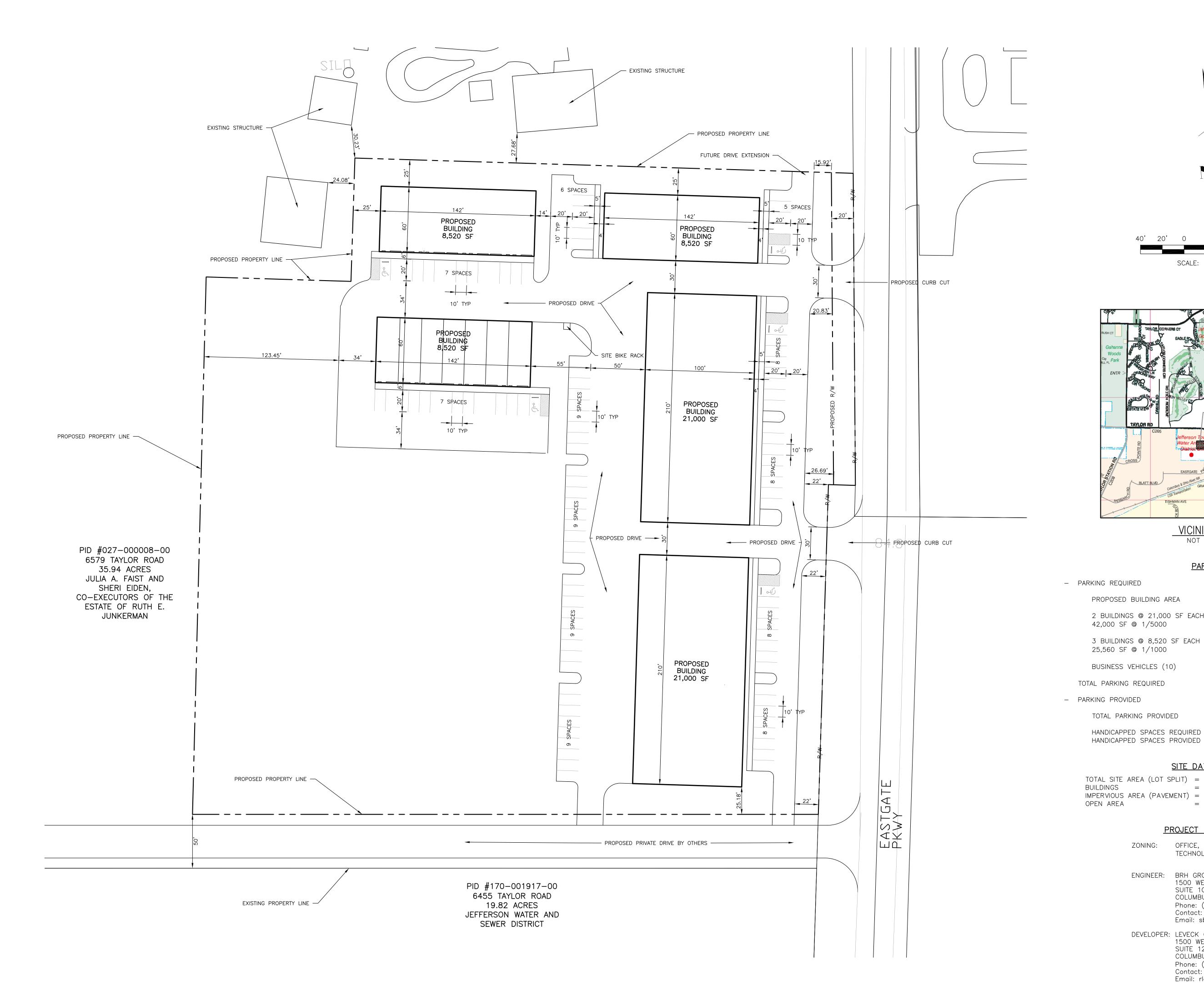
Bend along line to expose Pop-up Edge™

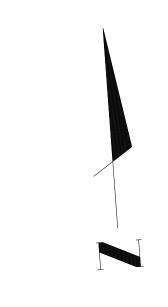


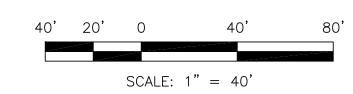
Jefferson Water & Sewer 6455 Taylor Rd. Blacklick, OH 43004 Helen D. Lintner 5809 Clover Ln. Westerville, OH 43081 Anomatic Corporation 8880 Innovation Campus Way New Albany, OH 43054

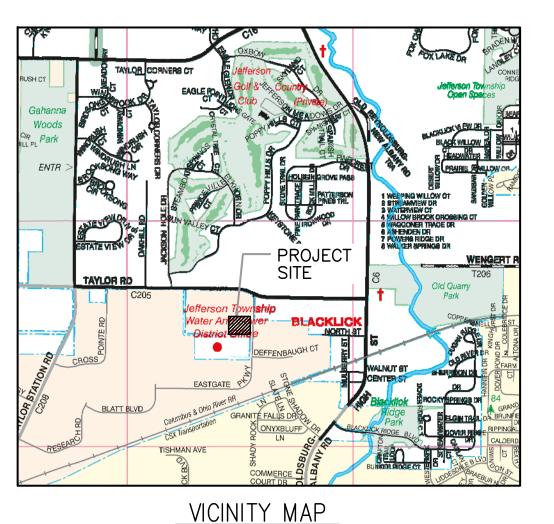
Julie A. Faist 142 Granville St. Gahanna, OH 43230 John Paugh 11169 Ann Dr. Baltimore, OH 43105 AAA Rental Solutions 7086 Pleasant Colony Cir. Blacklick, OH 43004

Henry/Price Investment 3583 Pamela Dr. Gahanna, OH 43230









# NOT TO SCALE

<u>PARKING</u>

# - PARKING REQUIRED

PAF	RKING REQUIRED			
	PROPOSED BUILDING AREA	=	67,560 SF	
	2 BUILDINGS @ 21,000 SF EACH 42,000 SF @ 1/5000	=	42,000 SF	= 9 SPACES
	3 BUILDINGS @ 8,520 SF EACH 25,560 SF @ 1/1000	=	25,560 SF	= 26 SPACES
	BUSINESS VEHICLES (10)			= <u>10 SPACES</u>
TOT	TAL PARKING REQUIRED			= 45 SPACES
PAF	RKING PROVIDED			
	TOTAL PARKING PROVIDED			= 93 SPACES
	HANDICAPPED SPACES REQUIRED			= 4 SPACES

= 5 SPACES

# SITE DATA TABLE

TOTAL SITE AREA (LOT SPLIT) = 7.66 AC BUILDINGS = 67,560 SF (1.55 AC) - 20.23% IMPERVIOUS AREA (PAVEMENT) = 89,712 SF (2.06 AC) - 26.89%= 176,418 SF (4.05 AC) - 52.88% OPEN AREA

# PROJECT INFORMATION

ZONING: OFFICE, COMMERECE, AND TECHNOLOGY DISTRICT (OCT)

ENGINEER: BRH GROUP, INC

1500 WEST THIRD AVENUE SUITE 102 COLUMBUS, OHIO 43212 Phone: (614) 220-9122 Contact: Steven Brown Email: sbrown@brhgroup.com

DEVELOPER: LEVECK CONSTRUCTION
1500 WEST THIRD AVENUE

SUITE 120 COLUMBUS, OHIO 43231 Phone: (614) 582-4765 Contact: ROBERT LEVECK Email: rleveck@leveckconstruction.com PRELIMIN 

JOB NO.

DRAWN BY

DESIGNED BY

CHECKED BY

FIELD CREW

FIELD BOOK

DATE

SCALE

SHEET

40378

CAD

JRH

SRB

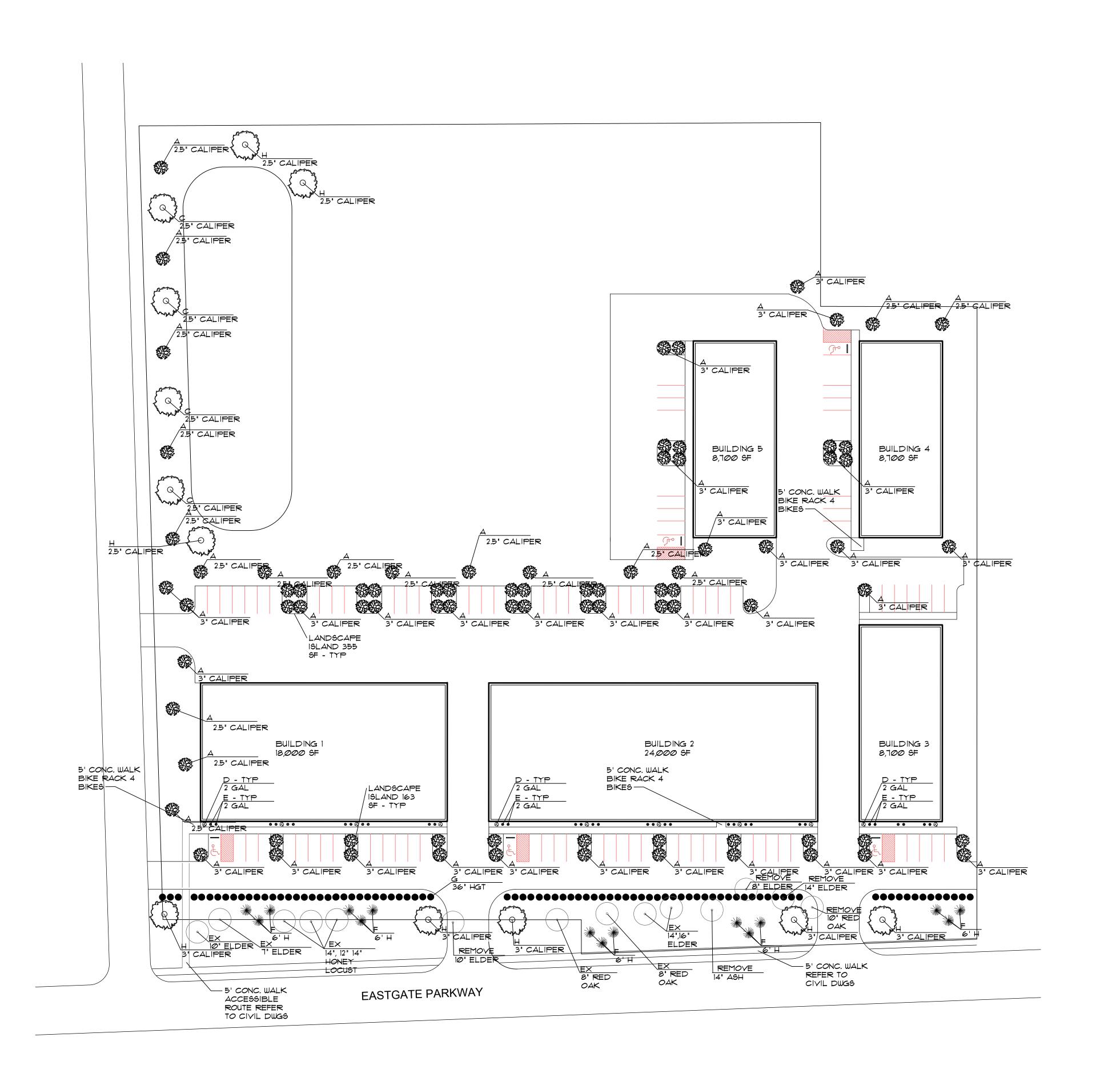
8-26-19

1"=40'

MME

SITE

1500 West Third Avenue Suite 102 Columbus, Ohio 43212 Phone: (614) 220-9122 Email: info@brhgroup.com



SUPPLEMENTAL PLANTING REQUIREMENTS

164,615 SF IMPERVIOUS SURFACE/1000 = 165 CAL INCHES OF SUPPLEMENTAL PLANTINGS

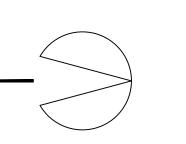
CAL INCHES OF EXISTING TREES: 103" CAL INCHES OF NEW TREES PROVIDED: 62"

LANDSCAPE ISLAND REQUIREMENTS AREA OF PARKING & ACCESS AISLES: 92,120 SF REQUIREMENT OF 5% 92,120 SF \* 5% = 4606 SF PROVIDED: 4676 SF

1 TREE PER 100SF OF LANDSCAPE ISLAND

LANDSCAPE MATERIALS		
MARK	DESCRIPTION	SIZE
Α	SWEET GUM	3" CAL.
В	HONEY LOCUST	3" CAL.
С	RED MAPLE	3" CAL.
D	BUXUS "WINTER GEM"	2 GAL.
Е	BUTTERFLY BUSH	2 GAL.
F	NORWAY SPRUCE	6' HGT.
G	JUNIPERUS CHINENSIS "HETZII COLUMNARIS"	36" HGT.
Н	SUGAR MAPLE	3" CAL.





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Thomas M. McCash, ALA, CBO, MPE 6864 FALLEN TIMBERS DR. DUBLIN, OHIO 43017 T+1 614 348 9883 F+1 614 761 9321 07

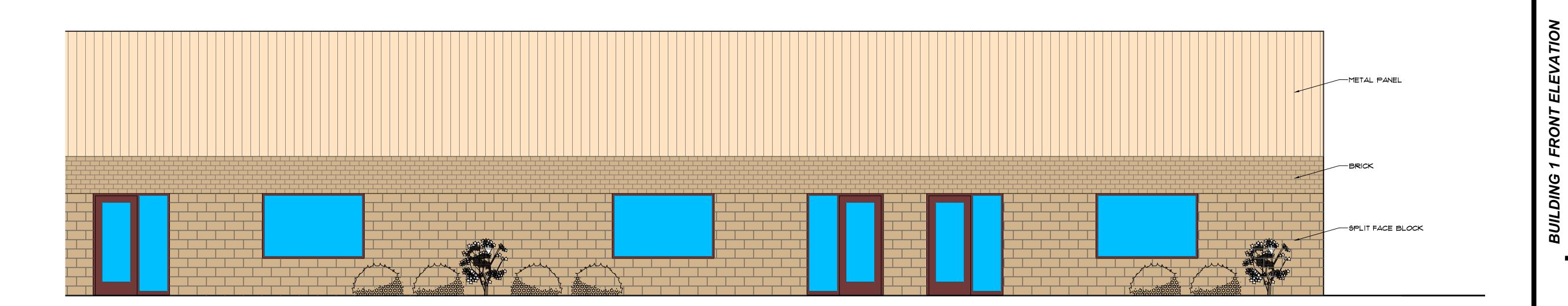
**MMERCIAL** 

THOMAS M. MCCASH #89-9178 LICENSE EXPIRES 12/31/19

07.10.19 PROJECT No:

METAL PANEL— BRICK-SPLIT FACE BLOCK

A PARTIAL FRONT ELEVATION



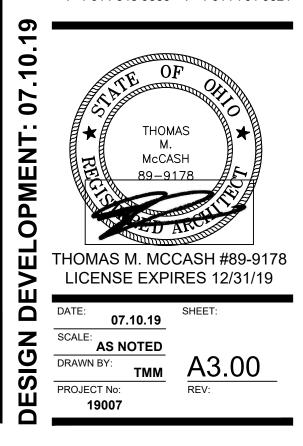
B PARTIAL FRONT ELEVATION
SCALE: 1/4"=1'-0"

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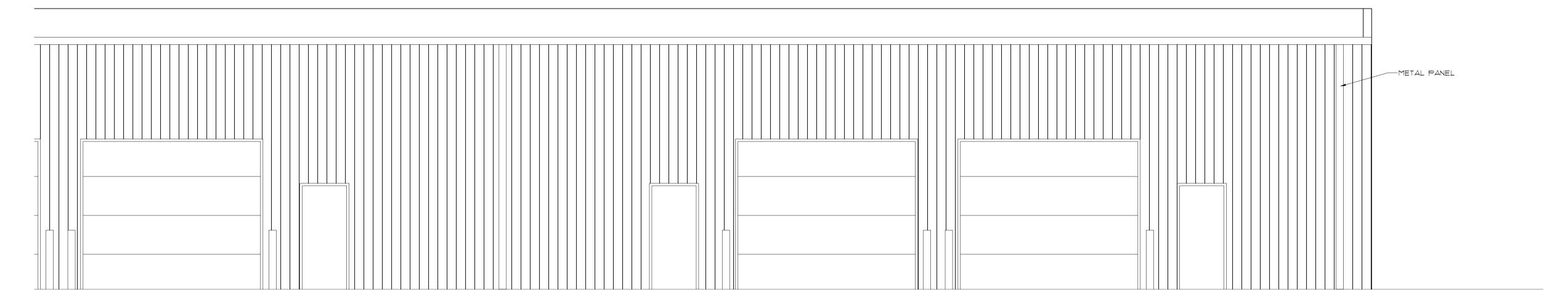
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METAL PANEL -

A PARTIAL REAR ELEVATION

SCALE: 1/4"=1'-0"



B PARTIAL REAR ELEVATION

BUILDING 1 REAR ELEVATION

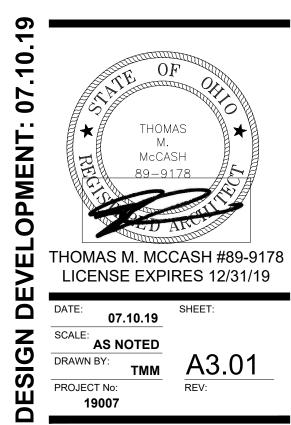
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DEVELOPMENT,

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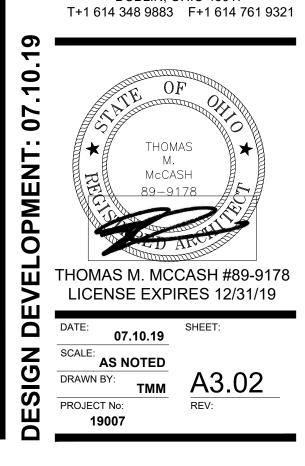
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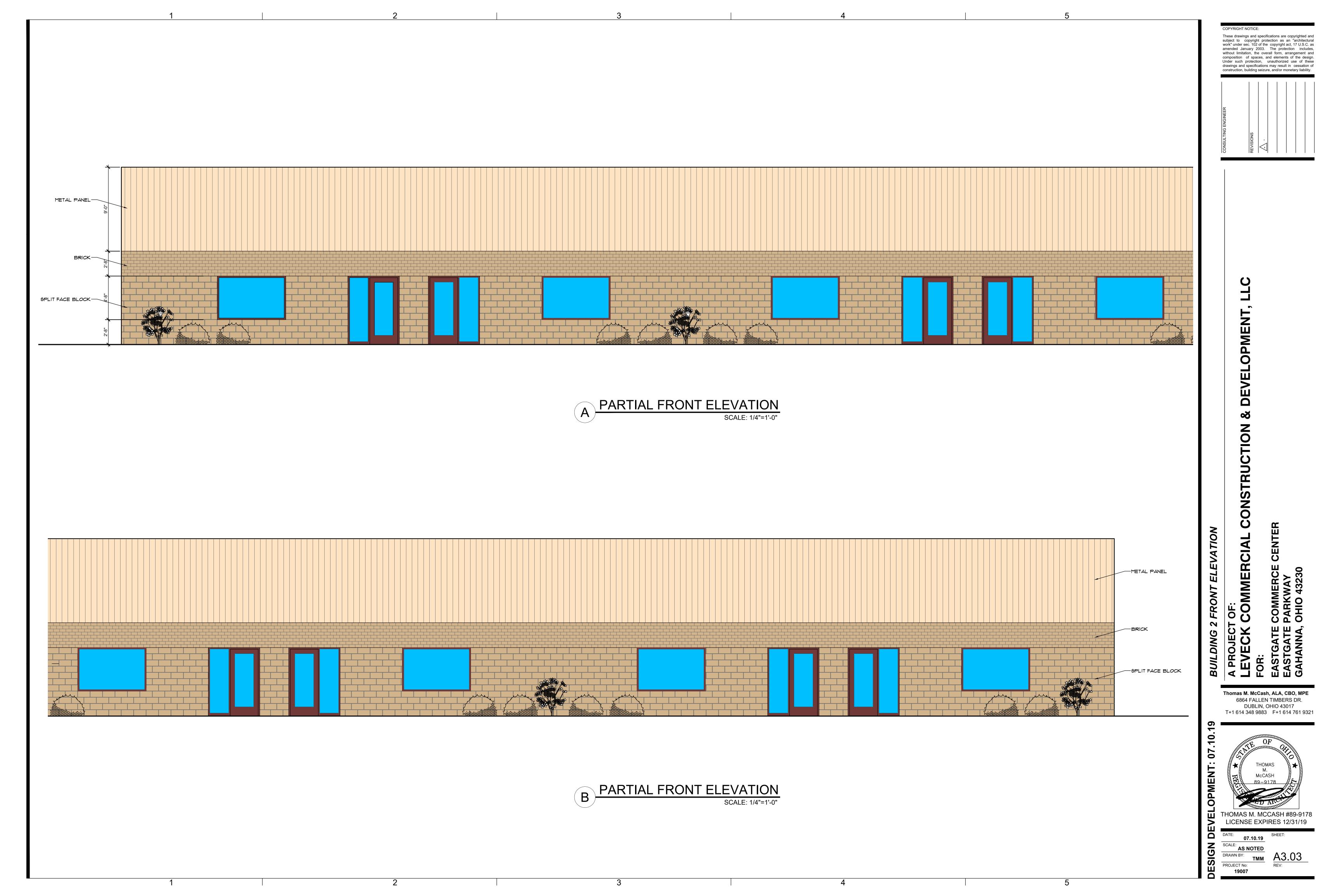
PROJECT No: **19007** 

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LEVECK COMMERCIAL CONSTRU BUILDING 1 SIDE ELEVATIONS METAL PANEL B LEFT ELEVATION

Thomas M. McCash, ALA, CBO, MPE 6864 FALLEN TIMBERS DR. DUBLIN, OHIO 43017 T+1 614 348 9883 F+1 614 761 9321



SCALE: 1/4"=1'-0"





METAL PANEL A RIGHT ELEVATION SCALE: 1/4"=1'-0" A PROJECT OF:

LEVECK COMMERCIAL CONSTRUC
FOR: METAL PANEL

B LEFT ELEVATION

SCALE: 1/4"=1'-0"

Thomas M. McCash, ALA, CBO, MPE 6864 FALLEN TIMBERS DR. DUBLIN, OHIO 43017 T+1 614 348 9883 F+1 614 761 9321 THOMAS M. McCash #89-917

LICENSE EXPIRES 12/31/19

DATE: 07.10.19

SCALE: AS NOTED DRAWN BY: TMM
PROJECT No: 19007

A3.05

REV: 19007

COPYRIGHT NOTICE:

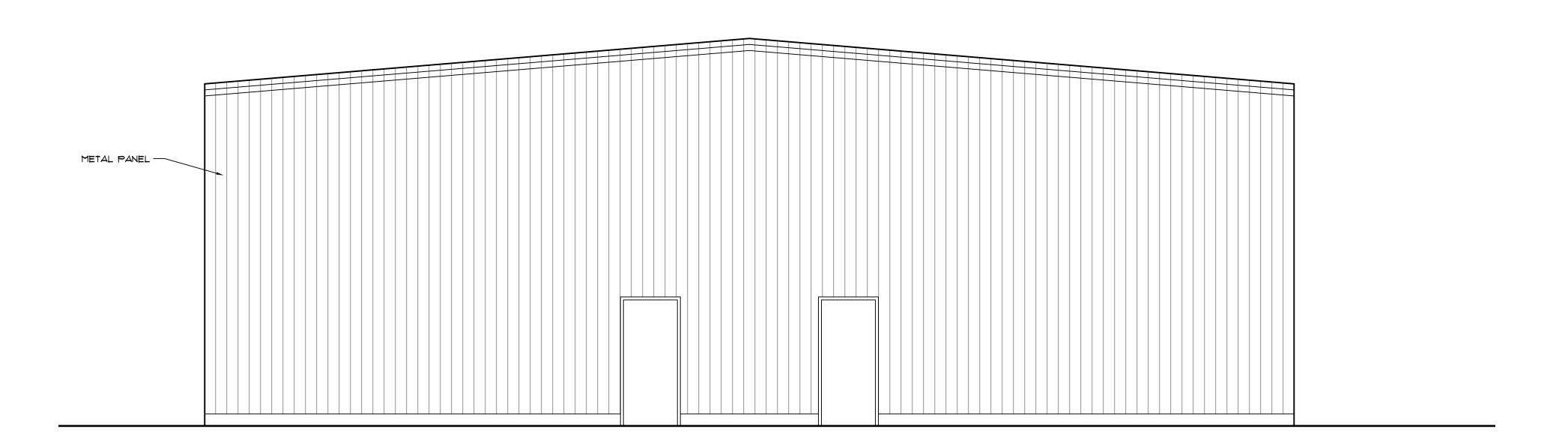
DEVELOPMENT,

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THOMAS M. MCCASH #89-9178 LICENSE EXPIRES 12/31/19

METAL PANEL -BRICK 







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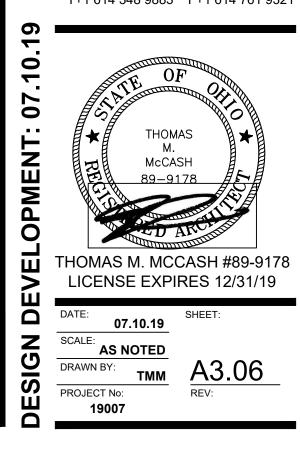
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DEVELOPMENT,

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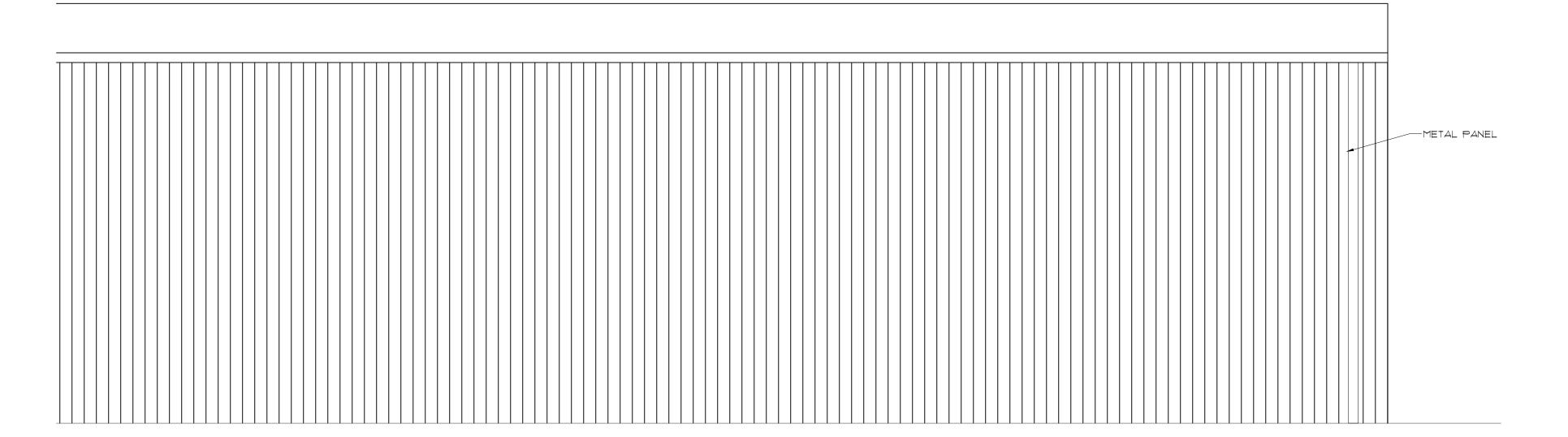
LDING 3 FRONT & REAR ELEVATION

Thomas M. McCash, ALA, CBO, MPE
6864 FALLEN TIMBERS DR.
DUBLIN, OHIO 43017
T+1 614 348 9883 F+1 614 761 9321



METAL PANEL -

A PARTIAL REAR ELEVATION SCALE: 1/4"=1'-0"



A PARTIAL REAR ELEVATION

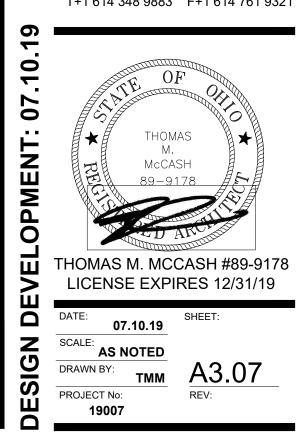
SCALE: 1/4"=1'-0"

BUILDING 3 SIDE ELEVATIONS

COPYRIGHT NOTICE:

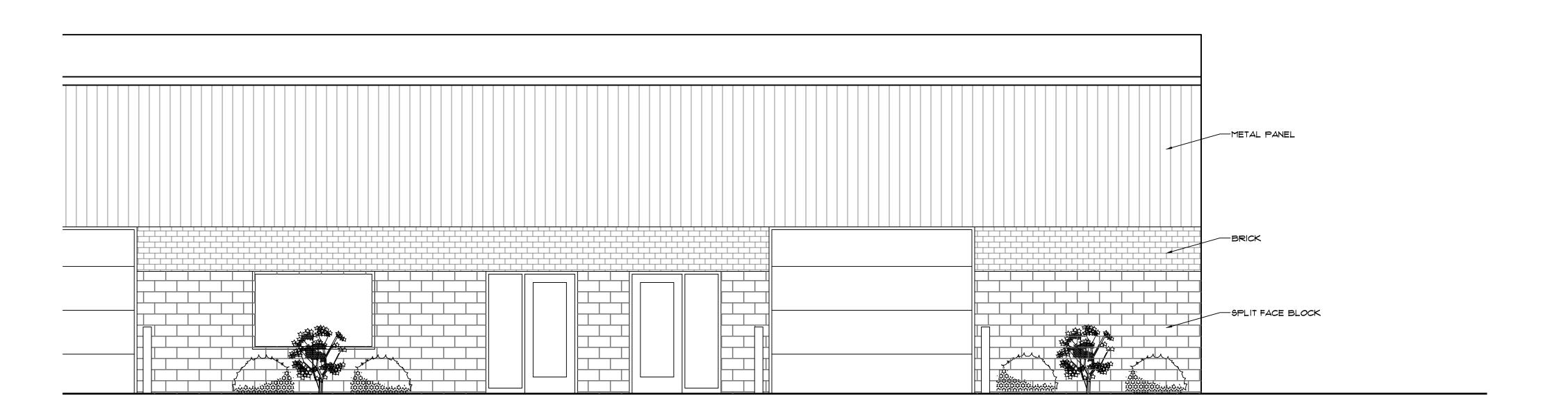
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PROJECT No: **19007** 

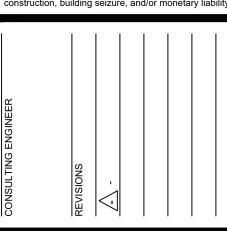






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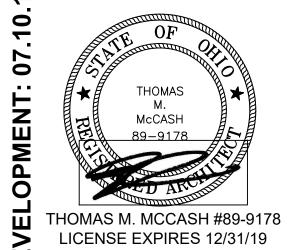
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BUILDING 4&5 FRONT ELEVATION

Thomas M. McCash, ALA, CBO, MPE 6864 FALLEN TIMBERS DR.

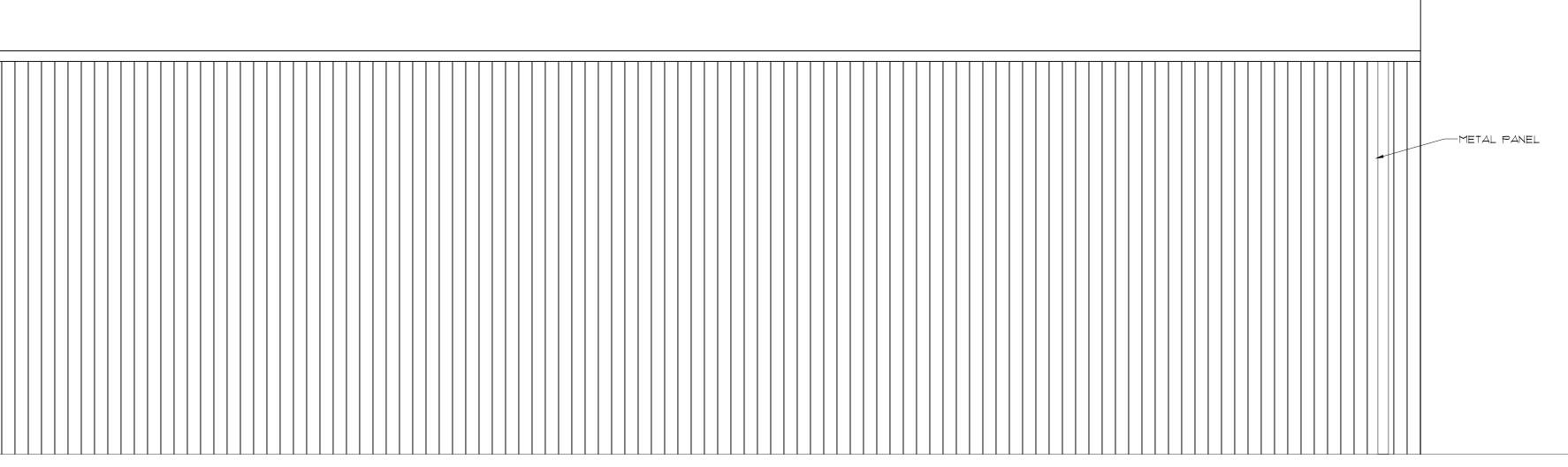
DUBLIN, OHIO 43017 T+1 614 348 9883 F+1 614 761 9321 07.10.



DATE:
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SCALE:
AS NC
DRAWN BY:
PROJECT No:
19007

TAL PANEL -

A PARTIAL REAR ELEVATION SCALE: 1/4"=1'-0"

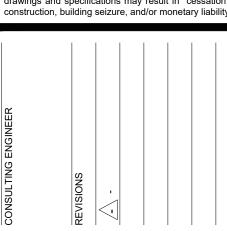


A PARTIAL REAR ELEVATION

SCALE: 1/4"=1'-0"

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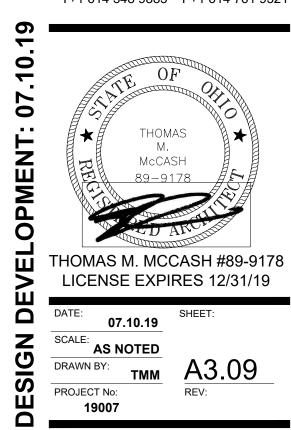
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A PROJECT OF:
LEVECK COMMERCIAL
FOR:

BUILDING 4&5 REAR ELEVATION

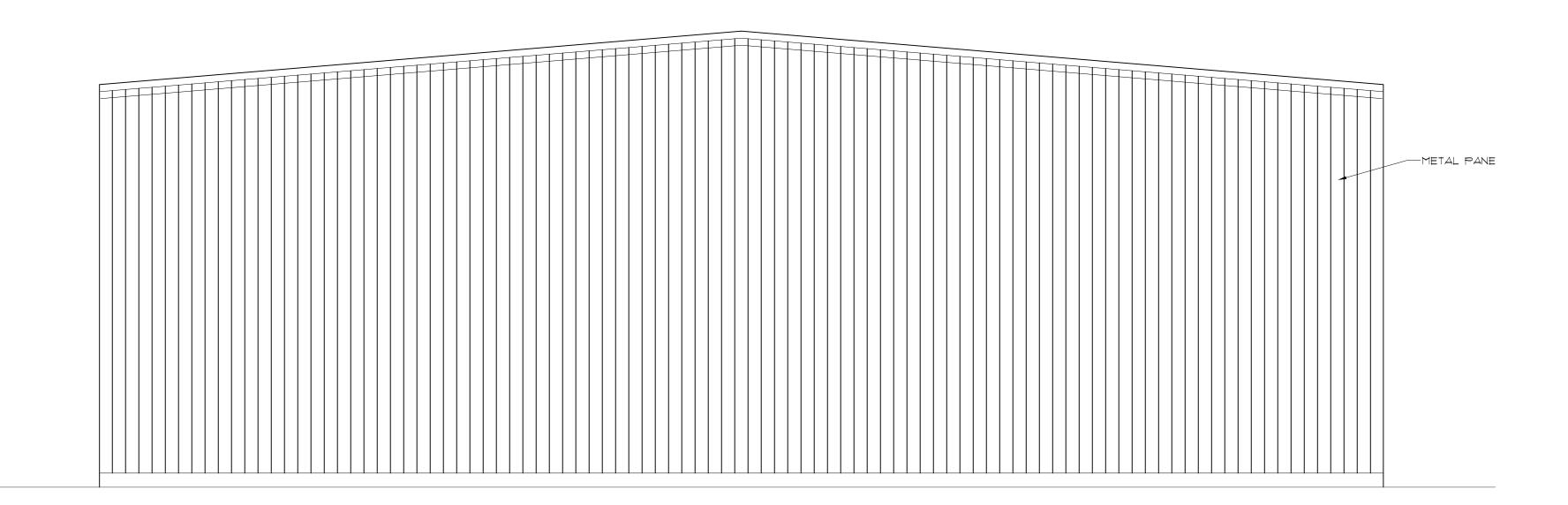
Thomas M. McCash, ALA, CBO, MPE 6864 FALLEN TIMBERS DR. DUBLIN, OHIO 43017 T+1 614 348 9883 F+1 614 761 9321



PROJECT No: **19007** 

METAL PANE







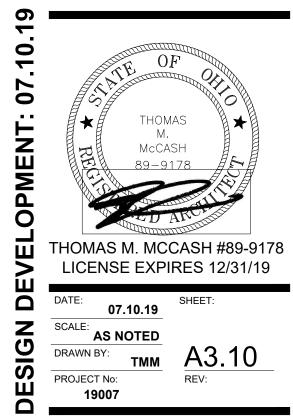
BUILDING 4&5 SIDE ELEVATION

A PROJECT OF:
LEVECK COMMERCIAL
FOR:

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Thomas M. McCash, ALA, CBO, MPE 6864 FALLEN TIMBERS DR. DUBLIN, OHIO 43017 T+1 614 348 9883 F+1 614 761 9321



PROJECT No: **19007** 

# THOMAS M. MCCASH, RA, CBO, MPE

#### **ARCHITECT**

OHIO #89-9178; TEXAS #21379; ARIZONA #61302; ALASKA #135687

55 S. HIGH ST. #210 DUBLIN, OHIO 43017 614-761-9321 Fax: 614-408-8282

August 27, 2019

City of Gahanna 200 S. Hamilton Rd. Gahanna, Ohio 43230

Attn: Kelly Wicker, Administrative Assistant

RE: Project 6579 Taylor Rd Design Review Comment Letter Submittal 2

Project 6579 Taylor Rd Final Development Plan Comment Letter Submittal 2

Dear Ms. Wicker,

In response to the above referenced Comment Letters, I offer the flowing corrections, clarifications and adjustments to the submission. Please note my responses deal solely with the Landscape/Architecture portions of these letters.

#### **FDP Comment Letter**

#### **Parks**

2. I'd like to note that blue spruce are currently struggling in Ohio. Due to various fungi and insects, these trees are in widespread decline. Also, I would discourage the use of both burning bush and barberry. While these are popular landscaping species, they display invasive tendencies and should be avoided. They are commonly being found in natural woodlands.

**RESPONSE:** Blue Spruce have been replaced with Norway Spruce

3. I am glad to see that barberry and burning bush were replaced with other species. I would like to note that red maples often struggle in parking lot islands. A hybrid maple may tolerate the environment better than a red maple.

**RESPONSE:** Sugar Maple has been utilized in parking lot islands, however based on your code of 1 tree per 100 sf of landscape island, placing 4 3" caliper trees in an area seems to be asking for them to struggle to survive.

#### **Community Development**

18. Chapter 1155.04(g) requires bike racks to be placed within 600' of the entrance to each building. Please revise the site plan to include bike racks. There's no minimum size requirements for the bike racks.

8/20/19 - It doesn't appear that the site plan was modified. Please revise accordingly.

**RESPONSE:** Bike racks were shown in the prior submission but have been further clarified to reflect the 600' requirement.

19. The parking calculations on the site plan don't quite match the zoning code's requirements. In addition to parking spaces based on building size, additional parking is required based on the number of business vehicles. Please estimate this number and revise the chart.

Additionally, the square footage of buildings listed in the table don't match the site plan.

Please review and revise accordingly. FYI - the site has substantially more parking than what the code requires, only the parking table will require modification.

8/20/19 - The requested changes haven't been made. Please see Chapter 1163.02 for additional details.

**RESPONSE:** The Landscape Plan has the correct parking layout and building areas. Civil engineering will be updated to reflect the Landscape Plan.

20. Will there be any loading zones? If yes, then their location needs to be depicted on the site plan and the landscape plan will need to show the required screening (screened from adjacent properties and right-of-way with 6' tall screening).

8/20/19 - The revised elevations depict loading areas on all building types, therefore, the site plan and landscape will need modified to show these areas and the required screening. See Chapter 1155.06(g)(3)(A) for more details.

**RESPONSE:** The adjoining property is owned by the same owner as this parcel. Further the loading areas are not visible from the public way.

#### **Design Review Comments**

#### **Parks**

4. I'd like to note that blue spruce are currently struggling in Ohio. Due to various fungi and insects, these trees are in widespread decline. Also, I would discourage the use of both burning bush and barberry. While these are popular landscaping species, they display invasive tendencies and should be avoided. They are commonly being found in natural woodlands.

**RESPONSE:** Blue Spruce have been replaced with Norway Spruce

5. I am glad to see that barberry and burning bush were replaced with other species. I would like to note that red maples often struggle in parking lot islands. A hybrid maple may tolerate the environment better than a red maple.

**RESPONSE:** Sugar Maple has been utilized in parking lot islands, however based on your code of 1 tree per 100 sf of landscape island, placing 4 3" caliper trees in an area seems to be asking for them to struggle to survive.

#### **Community Development**

7. Additional information needs to be provided that meets the requirements of Chapter 1155.05 Building Appearance. Please review this section of code to see what types of materials are permitted.

8/20/19 - Neither the materials list nor the elevations provide clarity as to what the materials are and where they are located. The elevations should be revised clearly indicate the location of the materials on the building.

Once this information is provided, then a review for consistency with Chapter 1155.05 may occur.

**RESPONSE:** Materials are noted on the elevations and are consistent with that permitted under Chapter 1155.05.

- 8. The landscape plan needs to calculate the parking area (spaces and drive aisles). The square footage of required landscape islands is 5% of the parking area. 1 tree per 100 square feet of required landscape island is required. The minimum tree caliper size is 3". Please revise the landscape plan for this calculation and increase the minimum tree caliper size.
- 8/20/19 Based on the data provided, 46 trees need to be planted in the parking area, it appears that only 32 trees are planted. An additional 14 trees are required. Please revise accordingly.

**RESPONSE:** We show the calculation for the 5% parking area as required landscape islands. Further we have added additional trees to the landscape islands, 4 per island of 355+/-SF and 2 per island of 167 +/-SF. These are shown as 3" caliper trees.

- 9. The landscape plan shows barberry bushes at 24" in height planted along the parking area. No issues with barberry being planted as it is considered an evergreen, however, the minimum height is 36". Please revise accordingly.
- 8/20/19 The landscape plan was revised to indicate that the parking lot screening will be accomplished by "Clethra Alnifolia". This bush is not an evergreen and therefore doesn't meet the requirements of the code. Additionally, the labeling on the landscape plan still indicates a planting size of 24". Please revise accordingly.

**RESPONSE:** We have revised this to Chinese Juniper

- 10. Chapter 914 requires one tree inch to be planted per 1,000 square feet of impervious surface. This requirement is in addition to any other planting requirements. Please revise the landscape plan accordingly.
- 8/20/19 The landscape plan does not appear to have been revised. Please add to the table some indication of the requirements and the plantings or preserved trees that meet this requirement.

**RESPONSE:** Additional trees have been added. Existing trees to remain has been taken into account in determining the number of trees, at 2.5" per code, that have been required.

- 11. The site plans do not depict any utilities such as lift stations and utility boxes. Please be aware that Chapter 1155.06(g) requires these areas to be screened on all sides by a 6' tall wall, fence, or evergreen plantings.
- 8/20/19 Please be aware that adherence to this requirement will be necessary at time of building plans if the site plan does not address.

**RESPONSE:** If such items are included in final construction documents they will be screened as required by code.

12. 8/20/19 - The revised elevations depict a loading dock on the front elevation (see sheet A3.07). Chapter 1155.04(e)(3)(A) prohibits loading docks on the front elevation. Please either revise the elevations or the variance application.

**RESPONSE:** Sheet A3.07 (now A3.08) reflects the Front Elevation of Buildings 4&5. This elevation faces internal to the site and not to a public way or adjacent parcel. The label "Front Elevation" is merely an architectural convention for labeling the elevations of a building and does not reflect "Street Frontage Elevation", or Main Façade, which is what Chapter 1155.04(e) is addressing.

I believe the above responses accurately respond to the concerns and issues raised in the review letters as it related to the Landscape and Architecture portions of those letters. If there are any concerns or additional clarifications, please contact me.

Sincerely,

Thomas M. McCash, RA, CBO, MPE



August 29, 2019

LeVeck Commercial Construction 1500 W Third Ave Suite 120 Columbus, OH 43212

RE: Project 6579 Taylor Rd 6579 Taylor Rd

Dear LeVeck Commercial Construction:

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

#### **Soil & Water Conservation District**

1. This site is located in the wellhead protection zone of the Jefferson Water and Sewer District well field. There should be some coordinated with them regarding stormwater runoff and pollution potential to the well field. It may limit the type of development and operations of the facility placed there. There doesn't appear to be any stormwater considerations on the proposed plan currently.

#### Parks

2. I'd like to note that blue spruce are currently struggling in Ohio. Due to various fungi and insects, these trees are in widespread decline. Also, I would discourage the use of both burning bush and barberry. While these are popular landscaping species, they display invasive tendencies and should be avoided. They are commonly being found in natural woodlands.

#### **Public Service & Engineering**

- 3. The Gahanna Thoroughfare Plan requires an 80' right-of-way width along Eastgate Parkway. Right-of-way dedication will be required along the property frontage. Show existing and proposed right-of-way widths on site plan. (Future Consideration)
- 4. No stormwater management is shown on the preliminary site plan. Stormwater management will need to be addressed during final engineering. Next site downstream (to the west) will need to be considered when designing outlet from BMP. (Stormwater Management)
- 5. Sidewalks path will be required along the Eastgate property frontage. (Access and Circulation)
- 6. Minimize the number of entrances from Eastgate Parkway. Preferably, remove the northern entrance as it is closer to the existing entrance for the neighboring property to the northeast. (*Traffic Impact*)
- 7. Existing street lights will need the heads replaced with LED to current specifications
- 8. Utility connections will need to be addressed in final engineering plan. (Utilities)
- 9. A 4" fiber optic conduit will be required across the entire property frontage.
- 10. The site's water service will need to be metered. If the site will belong to one owner, all buildings can be supplied by one metered connection. If the property is subdivided in the future, each property with a unique address will need its own meter. (*Utilities*)
- 11. A connection will be required from the public sidewalk to the internal site for ADA accessibility to all buildings. Final engineering plans will need to show this path. (Access and Circulation)
- 12. Sanitary sewer is available on east side of Eastgate Parkway. Connection will need to be made via jack and bore under the roadway.
- 13. Traffic Impact letter was submitted 8-16-19 and provides evidence this project will NOT require a full traffic impact study.

Page 2 of 2 August 29, 2019

Re: Project 6579 Taylor Rd 6579 Taylor Rd

14. Other comments were not specifically addressed in the second submittal FDP or in a comment response letter. These remaining comments will be addressed in the engineering plan review.

### **Fire District**

- 15. The documents have been reviewed for conformance to the requirements of the 2017 Ohio Fire Code (OFC) per the 2015 International Fire Code. The following is relevant to the documents submitted.
  - 1. The submitted documents did not indicate fire hydrants on Eastgate Commercial Park. Is the developer installing additional fire hydrants on the property? If so, will these be Gahanna fire hydrants or private hydrants?

#### **Public Safety**

16. No Comment Received.

#### **Building**

17. The project will be required to comply with the Ohio Building Code, with plan review and permits required for the project.

If you have any comments or questions, please contact me at kelly.wicker@gahanna.gov or (614) 342-4025.

Sincerely,

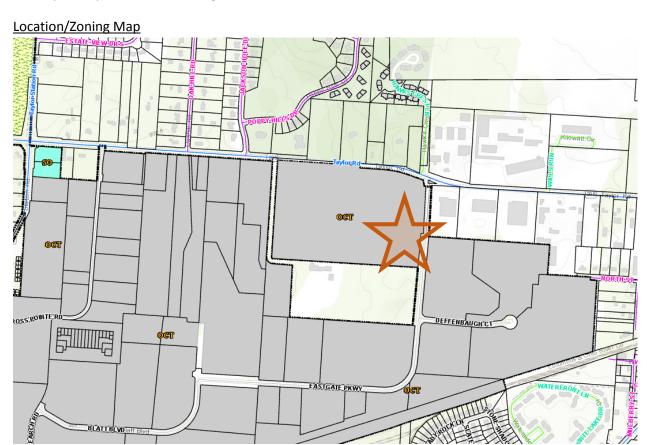
Kelly Wicker Administrative Assistant



### PLANNING AND DEVELOPMENT STAFF REPORT

#### **Request Summary**

Three applications have been filed in order to develop property located within the Office, Commerce, and Technology (OCT) zone district with 59,000 square feet of industrial flex space. OCT permits office, warehousing, and manufacturing by right. A variance application has been filed in addition to a final development plan (FDP) and design review (DR).



The subject property is located off of Eastgate Parkway. This area is developed with a mix of uses with the primary uses being industrial in nature. The uses are characterized by manufacturing processes and a large amount of truck traffic. Office is the primary use in other areas of the OCT zone district further to the west. Users in the area include Niagara Bottling and Suburban Steel.

#### Final Development Plan

Planning Commission shall approve an FDP application if the following four conditions are met:

- A. The proposed development meets the applicable development standards of this Zoning Ordinance.
- B. The proposed development is in accord with appropriate plans for the area.
- C. The proposed development would not have undesirable effects on the surrounding area.



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

#### **Design Review**

The property is zoned OCT and is therefore subject to the standards of Design Review District 4 (DRD-4). Relevant standards include the following:

- Parking shall accommodate employees and not degrade the appearance of the development.
- Building materials are important to protect property values but a more liberal standard should be applied to OCT.
- Landscaping should be used to maximize visual interest.
- Access should be limited in number but well defined to all traffic.

The proposed building materials, building design, and landscaping meet the requirements of the code. OCT has increased design standards over general commercial districts, however, these mainly apply to buildings that are primarily office in nature.

#### Variance

The following variances have been requested:

- Chapter 1155.04(c)(1)(A) Parking setback from right-of-way.
  - The code requires a 45' parking setback for industrial uses. A 22' setback has been requested. The applicant provides that the setback reduction is warranted because of the requirement to provide an 80' right-of-way for Eastgate Pkwy. 20' of this right-of-way is being reserved by the applicant.
- Chapter 1108.01(f)/1107.01(d) Sidewalks required where they do not currently exist.
  - The applicant requests to defer this requirement until such time as any other sidewalk is built on Eastgate Parkway.
  - o It should be noted that the request to vary sidewalks requires a recommendation by Planning Commission and approval by City Council.
- Chapter 1163.06(a) limits lighting intensity to an average intensity of ½ footcandles at the parking lot surface.
  - This requirement is difficult for developments to meet while still providing adequate lighting for safety and security. Staff recommends that this portion of the code be revised to permit a greater lighting standard.

Planning Commission shall not grant a variance unless it finds that all of 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.

#### Recommendation

It is Planning and Development staff's opinion that the requested applications are consistent with the development potential of the property and applicable area plans and recommends approval. Staff believes that the variances for a reduced parking setback and increased lighting are warranted. A special circumstance exists in that the applicant is reserving 20' of their property for the future expansion of Eastgate Parkway. The code unnecessarily limits lighting levels of parking areas. This requirement is difficult to meet while still providing adequate lighting for safety. The last variance, to delay construction of sidewalks, is not necessarily endorsed by staff. Conditions such as these are difficult for staff to enforce as they rely on staff's ability to remember and enforce. Additionally, the City revised the zoning code to require sidewalks for new developments in an effort to increase walkability for citizens and employees. Delaying construction of sidewalks does not meet this goal.

Respectfully Submitted By: Michael Blackford, AICP Deputy Director