



# City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

## Meeting Minutes Planning Commission Workshop

*Bobbie Burba  
John Hicks  
Joe Keehner  
Jennifer Price  
Donald R. Shepherd  
Thomas J. Wester*

*Kayla Holbrook, Deputy Clerk of Council*

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Wednesday, January 18, 2017

6:15 PM

City Hall

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### A. OPEN MEETING

Chair Burba opened the meeting at 6:15 p.m.

\*Joe Keehner arrived at 6:34 p.m.

**Present** 4 - Donald R. Shepherd, Bobbie Burba, Joe Keehner, and John Hicks

**Absent** 2 - Thomas J. Wester, and Jennifer Tisone Price

### B. APPLICATIONS:

#### [CU-0009-2016](#)

To consider a Conditional Use Application to allow a residential drug and alcohol rehabilitation facility in a Community Commercial (CC) zoning district, for property located at 121 James Road; Parcel ID No. 025-000855; Access Ohio LLC; Donald T. Plank, applicant.

(Advertised in the RFE on 9/22/2016 and 12/1/2016)

Don Plank said there were some conditions they talked about; sent a letter to all those at the last meeting that he had information for; have those documents here; understand from the City that there has been some change that they acknowledge that the proposed use is in fact a conditional use; have a copy of the code section and the conditions they proposed at the meeting and an explanation of how they operate; in section 1169.04, section a, talks about approval of Planning Commission and application for conditional use; there are 4 items indicating approval conditions; believe we have resolved that issue at this point; this is in fact a conditional use; and development standards being met; is significant that in 1 they talk about proposed use and 2-4, they talk about development; this property is developed; buildings will be left as they are; we are not changing the development of the site; it satisfies development standards, as it is an existing building; some standards were violated when this facility was built; they cannot resolve those as far as their application; the Gahanna Economic

Development Strategy; this property is not specifically named in that plan; this plan was to identify development opportunities; this area was already developed; question the applicability to that plan; number 3 and 4 in that section of code - the existing land use of the area is residential to these south and then to the north, heavier commercial; the nursing home has been there since 1979; the City of Gahanna participated in the financing in those years; number 3 - from a legal standpoint; we are talking about development; have proposed conditions; cannot say they satisfy the neighbors completely; first condition - section 1169.04 (b) - clearly the Commission can put conditions; have no problem with proposed conditions; neighbors concerned with resident smoking in the back; we are only permitted to smoke in designated area, which is in the front of the building; showed a rendering of the building and the smoking area; outside activity - showed where that would be permitted; will be prohibited at night; believes it is from 8 p.m. - 8 a.m.; a fence is proposed to be built along the southern perimeter of the building; propose to bring adjoining properties into their facility; the 6' fence will start at the building line; anything 6' or greater is within code; will be a 4' fence in the front; access drive - provide within 2 years the access to and from James will be closed from all traffic; heard that from surrounding neighbors; have a contingency of approval by the City; believes it should not be a problem; there is significant traffic on Johnstown to Olde Ridenour; if possible to move egress, it may work; will be subject to an access study and City approval; residents are not permitted to have vehicles at this facility; they get to the property by someone dropping them off; if they have to leave, we will take them off the site; no person under 18 shall be permitted to be a resident; also no person who is a registered sex offender; the property or any portion shall be used as a drug-safe zone; the police department use that term but did not find anywhere that it is a defined term; those are the conditions we offer; no one asked them for these, gathered based on feedback heard; also sent a letter to those who showed up at the public meeting; the purpose of the letter was to make sure everyone understood the facts of what they were doing; is indeed how they intend to operate; the building to the west was intended to be outpatient and not originally included in their application; both facilities will be operated by Access Ohio; a for-profit agency; all people living in the facility will be there voluntarily; not a half-way house; will not be admitted if they have a warrant; all clients will go through a 7 day detox program; all items brought in will be checked; age range is evenly dispersed between 18 and 65; yard will be monitored before and during use; showed yard area on the rendering; Patty Parsley pointed out where the yard area is; all doors will be alarmed with locks that have a 30 second delay; responded to Mr. Wester's questions in an email; each resident will have a minimum of 30 hours of treatment; they will have household chores; Burba asked about the \$200,000 in upgrades; will that be immediate; Plank

said they will start with 20-24 people; will be two wings; to be operational, will be \$200,000 in improvements; when they are fully operational, will have spent \$1 million; Clerk Banning said Mr. Wester had additional questions, will there be improvements to landscaping or interior; Plank said will improve patio area for security; have not committed to landscaping; have a fence with property to the south; not sure additional screening will make sense; the front of the property will change; may be a landscaping plan with our development plan; Gard said will be screening requirements with parking changes and development in the future; fencing improvements and patio area changes to the outside will be all at this time; likely will need to build a new parking area; Shepherd asked about the new entrance; Priestas said have discussed this with the applicant; has not looked at spacing; preference is to relocate it to the east; primary use is to the west; agreed the general location is desirable; Plank said a traffic study has not been ordered; will be part of development; if they cannot meet spacing requirements, may have to leave as is; hopeful that we have enough room; not talking about a lot of traffic; Priestas said low traffic volume; Plank said is do-able but up to the City and the City Engineer; Shepherd said section 3, undesirable effects; there are a number of kids crossing in that area; believes there is a fear that there will be unsupervised children in that area; someone with drug problems, those two shouldn't mix; likes what they are proposing to do; not sure this is a perfect fit; that place swarms with kids; not sure something that he can say or do to sway his opinion; grew up in the area; all it takes is one problem; Plank said anything that goes there could create a problem; one response is legal; code section does not talk about proposed use of property; code talks about proposed development; use and development are different; Shepherd said when you change the use you change the development; would look at it slightly different; Plank said when you are talking about people and mingling with people, cannot put a condition on that; can tell you that when people come into the facility, they are not allowed to linger on the property; if there is a condition that clarifies that, willing to make that condition; would be a difficult thing to commit to; people will be either in the building or outside in the designated secure area; Shepherd asked Rosan, they are proposing a number of things, if we find that they have violated that use, can we revoke the conditional use; Rosan said Gard's office would issue a citation and notice; if not cured would escalate through the process; diligence on enforcing zoning code; not that dissimilar to enforcing the fences and the bushes and other things they deal with; Plank said there are certain conditions more difficult to police than others; his experience is that anyone who makes a condition, they are more motivated and serious; said a phone call would solve the problem; they do not want to go through the process; we have liabilities with the people on the premises; do not want violent people there; do not want sex offenders there; things do happen and

slip through the cracks; find that there is a lot of self-policing in these kind of situations; Gard said received information from Deputy Chief Spence, want to share, piggybacking on Shepherd's comments about it being in the right place; gives information on the Dayton facility; Parsley said they are surrounded by residential all four sides; Deputy Chief Spence asked if that is the correct location on the front; Parsley said this is not their facility; not in Elizabeth Drive; at 2611 Wayne Avenue; Parsley showed their facility on Google Maps to Gard; Chief Murphy said no matter what goes in there, will always respond; ultimately the people who will pay for it if it goes bad, are the residents in the area; will defer to the Commission on what you want to do; Deputy Chief Spence said we have one facility already; knows what the call volume is there; can anticipate similar call volume; similar facility but they are not alike; no sidewalks in the area; general concern is the location, proximity to residential neighborhoods and that we will be responding to those residents and the fears of crime; will respond either way; do have a concern over the location; Hicks asked Plank about them and the City being on the same page about the conditional use permitting; Rosan said spoke with City Attorney, Shane Ewald about this; he is in agreement that it is a proper application to the Commission; he is satisfied that the way the applicant has characterized the application, is within a conditional use permit allowed to be granted by the Commission; Keehner said the existing facility has had problems; asked Deputy Chief Spence; Spence said can send those numbers to the Commission; looked at calls to Parkside; typical runs would be someone who has not been committed to the facility; they may be intoxicated; combative individuals; or a medical issue and the squad requests the presence; that is the number one address they respond to on that road; all inpatient for that facility; usually dealing with someone at admission; Keehner asked about the frequency; Spence said sometimes a number of times a week; Keehner said is it the facility or the neighborhood; Parsley said they are not Parkside; they operate totally different; they do not require that you are detoxed; you can be driven there; they take transient clients; they take Medicaid; Keehner said that was the understanding from the last meeting; they seem to be highly motivated clients; asked about the James Road access sealing off; Plank said new entrance will be off Johnstown Road; they prefer it not be lined up with the current intersection; Priestas said will be evaluated; Plank said contingent upon an access study; would prefer it be at the intersection; will look at that; access will be on Johnstown Road; will be fencing along the front side of the property; Parsley said the yellow area on the rendering will be fenced off; were concerned about the pool area and the UDF; the purpose of the fencing is to also keep people walking on the property; Plank said they will modify that condition; Shepherd asked if there will be a security guard; Parsley said will be security at night when staff is not there; specialized

security; will police the inside and outside; Shepherd confirmed have 24 hour coverage; Parsley said yes; Hicks said the letter received on the 20th - is it safe to add the security guard to the list of employees referenced; Plank said is in the response to Mr. Wester; included in the list of 100 employees; did not get in the details of what that number included; Burba asked about Parkside funding; read something in the history of being a Medicaid facility; Parsley said do not take transient people, people who cannot pay; Parkside takes people with no means to pay; we take a combination of private pay and insurance; they usually detox at a hospital; would operate as a mental health facility; will incorporate AOD follow-up; people make an appointment; just because outpatient offer is there, does not mean that people leaving inpatient will go there; have several offices in Columbus; will be first residential facility in Columbus; Keehner said it is basically residential facility with treatment options; Parsley confirmed; treatment needs vary; can be there up to 6 months; will not release someone if they are not ready; Keehner asked if they can choose when they want to leave; Parsley said is voluntary; have to make that decision during normal hours; stuck in the facility overnight; do not release in the middle of the night; Nicewarner said he took pictures and brought forward to the Commission; when he retired he moved here in 2003; bought a house that sat vacant for a while; elected to rehab it himself; have a good amount of money into the home; took pictures of the fencing and how close it is currently; do not understand that there isn't anything they can do to reduce his fears of reducing his property value; especially if potential buyers have children; what Creekside Green did when they came in, they did not follow the property line; his concern will be that things go over that fence into the area that he maintains; is property owned by Creekside Green; they have to come through his property to maintain that area; put a wire fence in the area; still some fencing from previous owners; they still have skunk, cats, raccoon animals from that area; Plank said they are building a 6' fence; not solving condo area problem; Nicewarner said the fence will not sway future home buyers; Plank said empty building will not help the property value either; the use helps to at least establish what will be there; Nicewarner said when he tells people what they want to put next to him, they gasp; Plank said we do not know with property values; Nicewarner said while it may appear voluntary, it may not be voluntary with family or employers to the patients; Michael Dowdy said those type of people do not typically come to the program; these are highly motivated people; the substance abuse people have gotten a bad knock because of what is portrayed on TV; those are the worst case scenarios; Michael Downey said it is your neighbor; someone in your family; can be anyone in this room; this is already in the neighborhood; Parsley said is likely 30% of the people attending the festival the City puts on; is everyone; we all know at least 2 people addicted that we do not even know about;

Hicks asked about the treatment, will there be controlled substances; Parsley said do not believe in methadone; use a vivitrol shot, if you use you will get violently ill; also use suboxone; administer it but do not give prescriptions; is a stick on the tongue that dissolves; Gard confirmed they will have amended applications by next week; Plank said yes; Nicewarner said understands what they are saying, but you are putting all these people in one place; concerned with this; Parsley said we do not have the kind of issues that are being brought up; we have measures in place; we are for-profit and working for the success; held to a higher standard than the non-profits; that makes us better; only way we make money is by being better; still a drug and alcohol facility.

**RECOMMENDATION: Public Hearing on January 25, 2017.**

### **C. ADJOURNMENT**

7:19 p.m.