

City of Groveport

655 Blacklick St.
Groveport, OH 43125
614.830.2052
www.groveport.org



Meeting Minutes

Monday, February 23, 2015

6:15 PM

Council Chambers

Public Hearing

Mayor Lance Westcamp

***Council Members - Ed Rarey, Jean Ann Hilbert,
Donna Drury, Ed Dildine, Shawn Cleary & Becky Hutson***

1. Call To Order

by Mayor Westcamp at 6:15 p.m.

Staff Present: Marsha Hall - Administrator, Kevin Shannon - Law Director, Jeff Green - Director of Finance, Kurt Blevins - Captain, Stephen Moore - Chief Building Official, Steve Farst - City Engineer

Guests Present: The Guest Book is on file with the Clerk of Council.

2. Roll Call

Absent: 1 - Cleary

Present: 5 - Dildine, Drury, Hilbert, Hutson, and Rarey

3. Approval of Minutes - January 12, 2015

Approved as submitted.

[#035-2015](#)

Public Hearing Minutes 01-12-15

Attachments: [Public Hearing Minutes 01-12-15.pdf](#)

Approved as submitted.

4. Notice

Clerk of Council Ross read of the Notice of Public Hearing.

[#036-2015](#)

Notice of Public Hearing for ORD. 14-072

Attachments: [Notice of PH for ORD. 14-072 Modification to Development Plan 3860 Rohr Rd.pdf](#)

5. Certification

Clerk of Council Ross read of the Certification of Public Hearing.

[#037-2015](#)

Certification of Public Hearing for ORD. 14-072

Attachments: [Certification of Public Hearing for ORD. 14-072 3860 Rohr Rd.pdf](#)

6. Zoning Ordinance for 3rd Reading:

[ORD. 14-072](#)

AN ORDINANCE AUTHORIZING A MODIFICATION TO THE
DEVELOPMENT PLAN FOR 3860 ROHR ROAD, PARCEL NUMBERS

185-001312, 185-001313, 185-001318, 185-001319, 185-001321 AND
185-001324

Sponsors: Dildine

Attachments: [ORD. 14-072 Exhibit A.pdf](#)
[ORD. 14-072 Exhibit B.pdf](#)

Chief Building Official Stephen Moore stated in 2008 this property was originally zoned PIP (Planned Industrial Park) with the original development plan showing the single 1.4 million sq. ft. building. The plan included the "no build zone", conservation easements, landscape buffers and such. Prior to the PIP zoning, the property was zoned PR-6 (Planned Residential - 6 units per acre). Across from Tallman Street an area was zoned CC (Community Commercial) which would allow retail development. Another section at the corner of Pontius Road and Rohr Road was also zoned CC. In 2008, when the application for rezoning was submitted, all of the property was re-zoned to PIP, changing the use to industrial use for warehouses. The exceptions are the "no build zone" along Rohr Road, the conservation easement which encompasses the floodplain and the corner site with the two buildings. City Ordinance requires property to be platted within five years or it reverts back to the original zoning of the property. In 2013 Schottenstein had asked for a time extension which Council had granted. If the legislation in 2013 hadn't been approved, the property would have gone back to PR-6 and CC. NorthPoint Development has come forth requesting a modification to the development plan to allow two buildings in lieu of the single building. The southernmost warehouse is a million square feet and the small warehouse approximately 500 thousand square feet. The developer is asking to split off 106 acres shown on the development plan from the rest of the property. Schottenstein would remain in control of the property to the northeast with plans to develop the acreage where the warehouses are located. One modification is the building height; the original plan showed a 40' high single building and the developer is asking to modify that to 45' in height. The 70' landscape buffer that runs along the edge of the 106 acres will comply with all the requirements of the original development plan for landscaping. One small section of that landscape buffer by Rohr Road was moved to the east side of the right-of-way easement going in for the thoroughfare. Due to the need to shift the parking area for the smaller building, the thoroughfare road needed moved over a small amount and landscaping will go there. There is an extra buffer along the south side of the thoroughfare, to landscape and buffer the loading dock area, in addition to the 70' wide buffer on the north side of the thoroughfare. The thoroughfare was adjusted slightly to the north reducing the "no build zone" acreage by half an acre and the conservation acreage by seven tenths of an acre for that roadway

modification. The last modification is a private roadway running through the thoroughfare right-of-way easement to come out on Rohr Road. The Planning & Zoning Commission recommended approval of the development plan with conditions as stated in the Ordinance. Conditions one through eight resulted from the Engineer's Staff Report. Condition nine comes from Schottenstein Trustees' letter stating they would keep to the development issues they had agreed to regarding the "no build zone" and conservation easement. Section Nine also covers the conditions that are in Section 2 regarding the "no build zone" area (acreage changing from 64.3 to 63.8) and the conservation area (acreage changing from 105.4 to 104.7) being dedicated to Metro Parks. Both areas will remain farmable acreage. The future building site on the south side of the creek will require a separate development plan for that acreage. Schottenstein's letter includes a statement regarding the remainder of the commitments in Section 2 being fulfilled by Northpoint Development as to the 106 acres. These commitments include the landscape mound on the other side of the drainage ditch and the two historical structures at the corner of Rohr Road and Pontius Road. Everything in the original commitment with a few modifications; the height of the building, two buildings instead of one and the roadway access coming out onto Rohr Road, has been agreed upon.

City Engineer Steve Farst stated the Engineering Department reviewed the modification to the development plan in relationship to the original development plan. A comparison was made to check for feasibility and utilities, and the three proposed curb cuts on Pontius Road (Franklin County jurisdiction) and one curb cut on Rohr Road (Groveport jurisdiction), all are consistent with the original development plan. Eight of the conditions in Ordinance No. 14-072 come from the recommendations made to the Planning & Zoning Commission by Mr. Farst, as the City's Engineer. Mr. Farst read those conditions: " Engineering staff have no objection to approval of this modification to Development Plan and suggests if approved, the following conditions be made a part of that approval:

- 1) The developer shall conduct a traffic study, to be approved by the City of Groveport and Franklin County Engineer, and shall implement all recommendations in said study.
- 2) Site access from Pontius Road is subject to approval of Franklin County Engineer.
- 3) Engineering traffic control measures (such as signage and physical traffic access control measures) shall be constructed at the Rohr Road site access driveway in a manner consistent with the approved recommendations contained in the traffic study that will include at a minimum, a prohibition against right turn movements leaving the site onto Rohr Road in the east-bound direction. At the access drive exit and east of that drive, signage will be posted to prohibit through truck traffic on Rohr Road. City Engineer shall approve these control features before construction.
- 4) Site development shall conform to the City of Groveport storm water

management and floodplain management policies and ordinances, especially regarding quantity and quality control.

5) A gravity sanitary sewer shall be extended to the south and west property lines contemporaneously with the construction of any improvements, including buildings on the site. The design of said sewer (i.e., size, depth, pipe and manhole material, specifications and alignment) shall be per the requirements of the City of Groveport and City of Columbus (per service agreement with Columbus). The sanitary sewer extended to the southern property line and shall terminate at a point to within at most 200-feet to an existing City-owned sanitary pump station located on the parcel south of the subject tract.

6) The "Future Building Site" located east of Little Walnut Creek as shown on the Development Plan shall not be developed until a development plan for that future building site has been reviewed by Planning and Zoning Commission and approved by City Council.

7) Until such time as the future public arterial thoroughfare is constructed within the newly dedicated right-of-way, the developer or their successors and assigns shall be responsible to maintain the land area within this right-of-way area and the proposed private drive located therein. When the future road is constructed, the developer (or their successors and assigns) shall remove the private drive and reconstruct the relocated drive access to the future right-of-way at their cost and in a manner compliant with the City's access management policy in force at that time.

8) Any future proposed guard-house and/or gates on site shall be subject to approval of the City of Groveport's Chief Building Official and City Engineer.

These conditions have been made a part of the recommendation for approval to the Planning & Zoning Commission.

Todd Cunningham with EMH&T expressed his appreciation to the Mayor, Council and City staff for all the work that has gone into moving this project forward and their time this evening to hear this case. They are in full agreement with all the conditions read. Mr. Cunningham gave a brief update on the compliance issues. EMH&T are in the process of engineering the sanitary sewer extension and worked with the developer's contractor to get preliminary pricing. Plans should be submitted in another three weeks for detailed engineering review. They are moving forward with the platting process for the public thoroughfare to include Schottenstein's signatory to the plat for conservation easements and open spaces to which they have committed. EMH&T conducted a meeting with the Ohio Department of Transportation, Franklin County Engineer's Office and City Engineer Steve Farst to develop a Memorandum of Understanding to lay out the details of how the traffic study needed to proceed. The Memorandum of Understanding has been approved, numbers collected and a draft of the study generated. EMH&T met with the Groveport Preservation & Historical Society to work out the details involving the two structures at the corner of Rohr Road and Pontius Road. The original development plan showed a full access curb cut for Rohr Road, with no prohibition other than signage on Rohr Road precluding eastbound traffic exiting the site for trucks

only. The developer proposes to limit the access a step beyond what was approved in the original development plan by creating an intersection that would preclude all traffic from turning right.

Robert Gude with NorthPoint Development commented on the agreement with the Historical Society to rehabilitate or relocate the two buildings on the site. Mr. Gude had met with Carla Cramer of the Historical Society to finalize details to comply with the agreement. Mr. Gude requested Council to amend the condition in the zoning text with a dollar amount. NorthPoint's preference is to make the amount the \$80,000 offer from Schottenstein. NorthPoint needs a resolution to this issue to move the project forward. Council Member Drury asked for clarification regarding the no right turn from the private drive onto Rohr Road. Mr. Cunningham stated the future thoroughfare is a 120' corridor running along the north property line, wrapping around the site to cross Little Walnut Creek. He pointed out the location of the road on the site plan. The intent is the entire right-of-way will be platted to provide access to the back of the Schottenstein parcel. The commitment for zoning is in order for the Schottenstein parcel to develop. It is contemplated as a five lane thoroughfare; a public intersection maintained by the City of Groveport; with the five lane road intersecting on Rohr Road, and most likely turn lanes on Rohr Road. The five lane intersection is not a part of the current proposal. Therefore, Mr. Cunningham does not have any rendering of what it would look like at this point. The proposed private road accessing Rohr Road will have a concrete island, constructed without a right-hand half, only a straight egress. Anyone attempting a right-hand turn would have to drive over the curb. The exact configuration of this access is to be determined. The private drive will connect to the five lane thoroughfare when construction is completed.

Judy Brown of 567 Harbinger Court addressed Council with concerns of Newport Village residents getting double whammied with more housing and the opening of Tallman Street to Rohr Road. She wanted it confirmed that Newport Village would not be getting the trucks and extra traffic from the warehouses. She expressed concern about the types of merchandise that would be stored in the warehouses. If pharmaceuticals or such were stored, what kind of security would there be to assure residents' safety. Residents were given a definite amount of land for the "no build zone" in their agreement with Schottenstein and now some of that is being taken away. There are concerns the development will eventually eliminate the "no build zone" and encroach more toward Newport Village. Stephen Moore stated the new housing mentioned Newport Village, Section 4; which was platted in 2004; always intended Tallman Street would extend to Rohr Road. Homewood plans to put the road in and separate the 20 lots. Houses will be built as the lots are sold and will be equal to those existing in the subdivision.

Melody Monahan of 560 Harbinger Court stated Council has the power to make the developers change their plans in any way that is beneficial to the residents. Ms. Monahan felt Mr. Cunningham came across as being so confident that everything was a done deal and already signed off on. She commented their home value has been dramatically impacted because of the warehouses built around them. Ms. Monahan was under the misconception Groveport's warehouses are empty. Mr. Green stated the City's vacancy rate is around 1%, with fractions of existing building space left. Ms. Monahan asked if the warehouses could be built somewhere else, not in their back yards. The future warehouse she referred to will be constructed south of the creek by Metro Parks area with either a bridge to access Rohr Road or an egress onto Hayes Road. She asked why the warehouses couldn't be built on Hayes Road. Council Member Hutson commented Schottenstein has the right to sell their property and something will be built. Ms. Monahan does not agree with the modification allowing any access onto Rohr Road.

Maria McGraw of 468 Crestmoore Drive pointed out to Council there are similar signs to protect the City from trucks driving through town. Those signs are not complied with in all situations. Tallman Street has semi-trucks getting stuck on a regular basis. They usually need a police escort out of their situation. They drive straight through to the dead end and cannot get out. Her point is the signs are not working and once the warehouses are in operation she fears Tallman Street will have the same issues as Toy Road with employee traffic and semi-trucks. Semi-truck tires are large enough to drive over concrete medians and barriers. She is concerned with the increase of traffic with warehouse employees cutting through her neighborhood. Mrs. McGraw asks that Council vote considering the safety of the community and represent the residents that are speaking at tonight's meeting.

Lisa Dickerson of 220 Harbinger Drive pleaded with Council to rescind the recommendations brought forth regarding this Ordinance. Ms. Dickerson stated the Council Members who have read the minutes from the January 5th and the February 2nd Planning & Zoning Commission meetings know the majority of her neighborhood and the City's citizens are not in favor of granting the modification. In 2006 Schottenstein Attorney Michael Shannon provided the development plan which included the following as a concession to the Newport Village residents. "Site access: access shall be provided via two proposed curb cuts along Pontius Road eliminating unnecessary traffic along Rohr Road east of Pontius Road." In 2008 that concession was eliminated. Now Council is considering something called a five lane, which makes her think of the Rohr Road and Alum Creek Drive intersection. This five lane would allow semi-trucks, in addition to the potential 400 to 600 employees, once the facility is completed, to turn right on Rohr Road, despite the no

truck signs. She asked Council not to approve this Ordinance without the completed traffic study and that they put the interest of her community first. She asked that Council put the best interests of the residents before those of the developers. Stop making the residents concede to all the concessions, instead make the developers concede to the community.

John Hone of 511 Harbinger Court spoke of moving into his home in 1999. Schottenstein had told him there would only be houses around his property. Now he has three warehouses behind his house generating dirt, debris and noise causing his property value to decrease.

Elizabeth Freitag of 4159 Rohr Road stated she opposes the modifications. The residents of this area have given so much and don't want to concede any more. She asked what the deadline was for this new modification. Mr. Moore stated if the property is not platted within five years it reverts back to the original zoning. Mrs. Freitag asked if the buffer would remain if a five lane goes in at the intersection. Mr. Moore explained the buffers are outside of the right-a-way areas and won't be affected by a five lane. In 2008, Mrs. Freitag was lead to believe the egress was for cars only, no semi-trucks. There is the safety issue with children walking to school where the traffic is already congested. The City would maintain the five lane as part of the roadway but the barrier and landscaping will be on private property and maintenance will fall on the developer. How will the City make NorthPoint accountable to the conditions? She expressed concerns that no amount of mounds, trees or fencing around the docking areas will keep the residents from seeing these warehouses. She knows the warehouses have affected property values and feels they will degrade their value even more. She knows these businesses bring money to the area but there needs to be a balance between industry and the people.

Ted Deaner of 223 Harbinger Drive referred to a 2008 development plan which he stated looks almost identical to the development plan they are proposing now. In 2007, residents objected to a proposed development plan with two buildings, the 2008 plan shows a single building. He read a quote from an article from the March 2008 Southeast Messenger citing Mike Shannon "This new building, was a state of the art building that would be more than just a warehouse." "It will generate income tax revenue for the Village that will be more than a typical warehouse." Mr. Deaner wanted to know why the City has abandoned the 2008 development plan and going back to an updated version of the previously rejected 2007 development plan. According to what he heard at the Planning & Zoning Commission meeting, the only reason to raise the height of a building was to add more square footage. The 2008 development plan showed a 20' high x 130' wide mound northeast of the building site, running from the ditch to the tree line. He doesn't see any landscape buffers on the

latest plans. In 2008 residents had signed a petition to eliminate any truck access onto Rohr Road. Mr. Deaner feels the City is working backward on this issue. Todd Cunningham clarified the developer's commitment to the 20' mound Mr. Deaner referenced as part of the zoning buffering commitment. Buffer A is not shown on the submitted development plan due to the area not being on their property.

Clerk of Council Ross read by title Ordinance No. 14-072.

[#040-2015](#)

2014-13 Engineer & Staff Reports

Attachments: [2014-13 Engineer Report#2.pdf](#)
[2014-13 Modification to Dev Plan#2.pdf](#)

7. Close of Public Hearing

Council Member Dildine made a motion, seconded by Council Member Rarey to close the public hearing at 7:26 p.m. Motion carried by the following vote:

Lance Westcamp, Mayor

Ruthanne Sargus Ross, Clerk of Council

PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A RECORDING OF THE MEETING IS AVAILABLE IN THE CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.