

# Canal Winchester

*Town Hall  
10 North High Street  
Canal Winchester, OH 43110*



## Meeting Minutes - FINAL

November 20, 2017

6:30 p.m.

### PUBLIC HEARING

### City Council

*Steve Donahue - President  
Will Bennett – Vice-President*

*Bob Clark*

*Bruce Jarvis*

*Bobbie Mershon*

*Mike Walker*

*Jim Wynkoop*

Call To Order

*Bennett called the meeting to order at 6:30 pm*

Roll Call

**Yes:** 6 – Bennett, Clark, Donahue, Jarvis, Mershon, Walker

**Not present:** 0

Purpose of Public Hearing[ORD-17-060](#)

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING APPROXIMATELY 4.730 TRACT OF LAND FROM MULTI-FAMILY RESIDENTIAL (AR-1) TO GENERAL COMMERCIAL (GC), OWNED BY CROSSROADS CHRISTIAN LIFE CENTER, INC., LOCATED ON THE EAST SIDE OF GENDER ROAD NORTH OF THE RAILROAD TRACKS (PART OF PID 184-000865)

**Attachments:**      [Crossroad Rezoning Legal Description](#)

[ZM-17-005 Recommendation from P&Z](#)

Staff Report

*Haire: Request for rezoning a commercial outparcel; from the 27.8 owned by Crossroads Church along Gender Road; this project has been in the works for nearly five years now; they had conditional use approval and site development plan approvals procured; they came back earlier this year and inquired about rezoning a portion of the property to commercial; they helped pay for the some of the infrastructure to develop the roadway for a bridge they are proposing that crosses Tussing Ditch; they ask us to rezone the 4.7 acres out of the 27.8 acres from AR1 to GC; the property was zoned AR1 in 2001 as part of a larger plan to redevelop or rezone parcels to GC north of the Tussing Ditch that allowed the construction of Wal-Mart an Waterloo Crossing shopping center; then this was a piece south of Tussing Ditch that was designated for apartment at 8 units to the acre; this would rezone that parcel of 8 units to the acre of AR1 to GC; The GC standards would also subject the property to our commercial development standards; as it sits now, a church is not required to meet those standards in terms of materials, design,*

*parking lot layout and all of those items; AR1 is not subject to our design standards; it was approved as conditional use to allow the church as an AR1 district; this request is for general commercial for the out parcel; private drive access from a right in, right out with public access along Gender Road and access from the extension from Canal Street; planning and zoning reviewed the application October 9<sup>th</sup>; they have recommended approval of the rezoning;*

Public Comments – Five Minute Limit Per Person

*Karen Collins, 6802 Bigerton Bend in Cherry Landing: I am just wondering how changing that to commercial is going to affect our home values right next to the property; You are changing things on us after the development has been finished; when we bought there it was not going to be commercial back there so we have some concerns I believe in the neighborhood; Brewdog has not been a good neighbor this year; with the fireworks and the music blaring so loud on a Saturday night that our homes were vibrating over in Cherry Landing; that's a pretty far distance; the fireworks sounded like gun shots over my house; I am not next to Brewdog, so if we're going to have another commercial development back there, and they are going to be like Brewdog we need to rethink what we're doing in this community; to our core people who live here; if you want to make this all commercial that is fine; I know commercial pays big taxes even despite a lot of the tax breaks you're giving them; this community has been a bedroom community and now you are suddenly changing a lot of that concept to commercial everywhere we look; I think council needs to search deep; do we really need to change that just for further development; you have a lot of land on Diley and you have got other land over by Kroger; but you're changing the dynamics;*

*Robert Sikes, 6732 Bigerton Bend: I guess my concern here when we talk about rezoning is the possible extension of Bigerton Bend into that development and what that would do to the lifestyle of the residents in our development; we've got a great lifestyle, safe environment for the children that live there; they are able to play in the streets and parks provided by the neighborhood; my concern is with the push for development on past us that the City Council and Planning Commission may ultimately decide that they need to extend Bigerton Bend into that area; Myself and most of the residents of Bigerton Bend, Cherry Landing would be vehemently opposed to that consideration;*

*Kylene Stanley, 6924 Bigerton Bend: I would agree with this gentleman; extending that street is going to increase the traffic tenfold because they are going to want to go in and out around there; it's going to be dangerous for our children, our animals and everything; I just really think we need to reconsider doing that; and the quietness of our neighborhood would be gone; Jarvis: I need to ask a clarifying question to staff; Is the extension of Bigerton bend on the table; Haire: It is not specifically related to this request but Bigerton Bend has been approved for the extension; Site development plans have been approved since 2000 when council passed the rezoning ordinance it was conditioned that the roadway network follow a specific plan that included a connection between Gender Road and Waterloo Street which would relieve traffic at the intersection of Winchester Blvd, Waterloo and Gender Road;*

*Jarvis: If I am hearing right, that decision was already made; Haire: Correct; Mershon: So, that's not up for discussion; Bigerton Bend is going to go through; Haire: Correct; Clark: that's five years before the first house was ever built there that this was first decided; Haire: yes, the site development plans, there have been three development plans approved for that site, the church; the most recent one was an amendment earlier this year; this is just for rezoning a small portion of the of the 27.8 acres of the development; it's just the frontage along Gender Road;*

*Dwayne Allred, 6709 Cherry Bend in Cherry Landing: I guess if the Bigerton Bend extension is off the table because of it being previously resolved it's kind of disheartening; I moved from Gender Road and the Chelsea Glen subdivision to get away from the mess on Gender Road, to be closer to my home town that I have lived in since 1968; I love the community I live in; I think there are some legitimate safety concerns too; I don't know if they can be retroactively addressed but maybe they should; However, since that is off the table I would bring up some property tax issues; as a church it is my understanding that churches pay no property tax and yet this 4.733 acre parcel is one of the last remaining parcels in the city that definitely needs the support our schools and law enforcement; so perhaps we should reconsider on a monetary basis as a smart fiduciary responsibility to our community to think about that; and since the other things are off the table I have no other things to say;*

*Dawn Natalie, 415 W Waterloo: I bout the model home on Waterloo and Bigerton Bend; since I have lived there, for four years the crime rate has increased tremendously; I personally have had my car broken; I went on Next-door, that's an app if you don't know about it, and found out three cars were hit just that night; I have had vandalism; I have read all kinds of people getting their cars broken into, homes broken into; If we put in more businesses at the end of our street will create a huge problem; can't imagine putting in more businesses at the end of our street it's going to become a huge problem; we already have enough crime that has been going up and up and up; when I first moved in people started using the alley way behind my house as a place to hide after they shoplifted from Wal-Mart; that's been an issue; now they realize they can't get out that way; so, the word is out they can't get through there; but now they try to go through the subdivision and hide to get away from the police; I can't imagine putting in more businesses at the end of that street; I wish we were told all of this before; there's a lot of children that live in our subdivision; we have dogs, people have dogs, they walk their dogs; it's a nice community but you guys keep growing, growing, growing and all this commercial coming in; the Aldi's, the Goodwill, all of that; we're losing that small feel community and that's really sad; I feel bad; and I think that all needs to be taken into consideration; I hope you guys think about that;*

*Corey Eller, 6538 Cherry Bend: I purchased my house a year ago there; none of this information was disclosed to me; that is going to be a very, I live right on the corner of Bigerton and Cherry Bend, that traffic when it comes through is going to be right there; believe me I would not have purchased my house there as a choice knowing that; those things should be disclosed to people purchasing; to find that out today, after getting that email today about this information today, it was very upsetting; as it is just to think of having that amount of traffic traveling through there and being right at the corner there; there are a lot of children in this area; this was a very nice community; it is a very nice community; you know what's going on in there, everyone know, you can see; having cars come from Gender through there will be a nightmare; the volume of people coming through there will be high; talk about having break ins now, it will just increase; I don't know what it's going to do to property tax; I don't know what it's going to do to my home value; I just can't imagine anyone wanting to purchase my home if I was to choose to sell it being right there on the corner and going through Bigerton there; it's just very*

*upsetting but unfortunately like you said it's kind of a moot point that has already been decided; these things should be disclosed when you are purchasing a home;*

*Mark Hill, 6738 Bigerton Bend: An understanding from the discussion here that the extension isn't that topic here tonight, that's a forgone issue; when it comes to how we're going to zone that land I think most of us are here to go with whatever option would delay or stall the extending of Bigerton Bend onto Gender Road; so whichever option keeps that from happening the longest is what most of us are here to support;*

*John Collins, 6802 Bigerton Bend: My biggest question to you folks is traffic and speed; we have a large amount of speeders going through the subdivision now and if we put this street through to Gender it's going to increase the amount of speeders; are we going to get more law enforcement and things of this nature to support this; secondly, going out to Waterloo there is still a number of speeders that go through there; I applaud the police for stepping up patrols up there but I go through there daily and I constantly see people speeding; having said that, more importantly, my subdivision they need to slow down and take care of these children in the subdivision;*

*Pam Allred, 6709 Cherry Bend; One of the reasons I wanted to come here tonight was because of the Bigerton Bend extension; when we purchased our home 2 years ago this was not disclosed; we moved like my husband mentioned earlier, we moved from the other side of 33 to get away from the noise and the traffic and the crime over there; I do have concerns about the children playing on Bigerton Bend; we have two beautiful parks there that we pay for on either side of the street; I've noticed that the traffic, even with the Aldi's opening is just horrendous when I'm coming home at night; sometimes when I see the traffic backing up on the ramp to Gender Road I go down to 33 beseech or I go down to High Street to get home so I don't have to sit in traffic; I understand at some point that's (High Street) going to be pretty busy too with the development at the end of this street; whatever can be done I just really beseech every one of you to keep this community the way it has been; I'm not against progress but I am against crime and noise and traffic;*

*Robert Sikes 6732 Bigerton Bend: I've lived here off and on since about 2002 and as a recent letter from the good Mayor said, this town has changed a lot since 2002; I*

*think decision made in 2000 maybe should be reassessed and we need to take another look at the change and the lifestyle and the people that live in this city and what's important to them; and maybe if the things that happened and the decisions made in 2000 should be readdressed according to 2017*

*Matt Floyd, 6754 Bigerton Bend: I have to agree with everyone here so far; I do have a question, where is the funding for the section of Bigerton Bend extension coming from; Haire: this is a comments section not a question and answer section; Floyd: well it kind of pertains to this because if this is being rezoned from residential and it is being owned by Crossroads Church and they are going to sell off the commercial and that's going to be used to fund the Bigerton Bend extension by not having this allowed more than likely Crossroads does not have the money to put that extension in; that's the reason why I asked what the difference is on the zoning; Donahue: from my understanding I think Crossroads Church is wanting this rezoned so they have funds to put the bridge across the creek there to make the connection where the traffic light is already in off Gender; Haire: that would be speculating; Floyd: so I'm also with the rest of the folks, when I bought my house too I was aware that it was all residential back there with Crossroads going in so I signed because I figured that's a nice large neighborhood that's going to go in; if I knew that it was going to be commercial I would not have bought my house very much like a lot of the folks around here; I'd rather keep it a nice small community where we know where everyone is at; the school board also changed the bus route one time; it use to be out on the corner of Waterloo and Bigerton but they actually moved it in for the grade school because there was too much traffic on Waterloo and there was a safety concern that they brought in so it now goes down by the park; if we open up that road we're still going to have that same issue; I'm very concerned with the children;*

*Thanchanok Hill, 6738 Bigerton Bend: Mr. Ebert, Mr. Lucas and everyone, I just want you to reconsider the Bigerton Bend extension or the safety of everyone; everyone here at Bigerton Bend has to know that we are going to pay to HOA for those parks; if you open that to Gender who is going to take care of that; we have to pay for that; with all respect I just want you to reconsider for everyone that lives in Cherry Landing and for our kids and animals;*

#### Council Discussion and Recommendation

*Bennett: Lucas we had a public hearing a while back with Certified Oil and staff recommendation against Certified Oil was because they had a right in right out; I see looking at this it has right in right out across the bike path that runs down Gender; what is the staff's opinion on supporting this one as opposed to support for the last; I think we discussed it wasn't in the long term plan to have additional ins and outs off Gender Road; Haire: extensive traffic study done; it showed the need for multiple access points; this is not peak time for the church on Sunday morning; but this church seats 1,200 people; to get that volume of people in and out at one time; it is recommended that there are two access points; Bennett: will this create three though; Haire: it will with the connection to Bigerton Bend; it is anticipate that 10 percent of the volume of traffic will travel east toward Waterloo street down Bigerton Bend;*

*Mershon: but that is not the issue; It is just the rezoning of the commercial property; Haire: correct; Donahue: prior to the rezoning what was going to be up in that area next to Gender;*

*Haire: prior to asking for the rezoning it was intended to be close to 40 apartments on that parcel as of the current zoning;*

*Mershon: do we know how much traffic 40 apartments would generate because that would be an issue as well; Haire: the entire site, nearly 28 acres but I don't know what the generation would be based in the number of units; Jarvis: one of the concerns expressed this evening was about the noise and the potential disruption of business in general, commercial, I don't imagine anyone who be quite like Brewdog; could you characterize general commercial; is it office buildings as well;*

*Haire: retail, restaurants, offices, any of those; Jarvis: consistent with what is already on Gender Road; Haire: correct; Mershon: who pays for the extension; Haire: the church is paying for all of the infrastructure; Mershon: it will be a public street so no one has to worry about us besides us; Haire: they are dedicating the property north of the roadway to the city; we will own a portion of the park they referenced earlier and we'll own the property north of the roadway as well; basically the whole flood plain; Mershon; which is not developable; Haire: correct;*

*Walker: as far as the duplexes, there has been an engineering trip study; in Canal Winchester it is rated for about 12 cars an hour; 20 at peek; that is not a lot of*



traffic; if you look at any of the condos you're not seeing people pile in and out of those condos; no more than what you see at the duplexes at 33 and High; that is a study that is done nationwide; Bennett; you referenced that the traffic study showed you need two points of entry and exit from the church; with us having currently three ; Haire: I misspoke; if I said two it was three; there will also be a right D cell lane constructed so the bike path will be relocated; no final plans at this time;

Clark: How will it affect the bike path; are you going to run the bike path down and into the complex and then over across the crosswalk and then over; is there going to be a clean break for the bike path in the right in right out area; Haire: it will be the same as it is at Walnut and Canal Street currently; it will be done with striping and signage; Bennett: are there other instances in other communities that have similar right in and outs that connect with bike paths; could we see examples of how that is done; Haire: if you drive many of the streets of downtown Columbus; Mound, Fourth, Indianola, Morse Road are a few examples I can think of; Jarvis: when Planning and Zoning deliberated this application did they address any of these concerns or were any of these concerns brought up;

Haire: Many of the people that spoke this evening also spoke at the Planning and Zoning; notice was sent to HOA and also to the adjacent property owners;

**Sponsors:** Bennett

**A motion was made by Bennett seconded by Jarvis that this Ordinance be forwarded to full council. The motion carried by the following vote:**

**Yes: 6 –Bennett, Jarvis, Clark, Donahue, Mershon, Walker**

**Adjournment**

**Meeting adjourned at 7:03 pm**

**A motion was made by Bennett, seconded by Clark, that this meeting be adjourned. The motion carried by the following vote:**

**Yes: 6 – Bennett, Clark, Donahue, Jarvis, Mershon, Walker**