

PLANNING COMMISSION MEETING MINUTES

Tuesday, September 9, 2025 6:00pm

The Newark City Planning Commission met in Council Chambers, City Hall located at 40 W. Main Street, Newark, Ohio.

Present:

Carol Floyd	Member
Joe Gebhart	Member
Bruce Ennen	Member
Jeff Hall	Mayor
Amy Vensel	Planning Commission Secretary

Absent:

David Rhodes	Planning Director
Brian Morehead	City Engineer

1. **CALL TO ORDER-** Mayor Hall called the Tuesday, September 9, 2025 Newark City Planning Commission Meeting to order.
2. **APPROVAL OF MINUTES** for the August 12, 2025 PLANNING COMMISSION MEETING- **Motion by Ms. Floyd, second by Mr. Ennen, passed by acclamation**

PUBLIC HEARING

3. ZONING CHANGE FOR SW CORNER OF SHARON VALLEY RD. and COUNTRY CLUB, NEWARK OHIO

Application Number: PC-25-28
Owner: Highpoint Development
Applicant: Bryan McAnally
Current Zoning: TFR – Two-Family Residence
Proposed Zoning: CSI - Church School Institutional District

Mayor Hall - Under the public hearing, it's the zoning change for the southwest corner of Sharon Valley and Country Club. For those of you, some were here last month, it was on the agenda. It was listed as southeast corner. As everyone knows, the only change is the southwest instead of southeast, just to make sure that's done proper and everyone was notified properly. The public hearing will work in the same fashion. Anyone that spoke at the last meeting, it's not needed to speak again on the same issue because it's in the minutes and it's on record for everyone on this panel to read and review during the decision process. But if there's someone that wasn't here last month and would like to speak, they're surely welcome to. At that point, they'll come up to the lectern here and give your name and address and then make your comments. You can surely speak for or against it or make any comment. It's a public hearing. It's not a back and forth discussion. Then we're going to go under old business. We'll come out of the public hearing. We've got old business that's some standard articles of the zoning code changes. It's item number four. Item number five is a recommendation. That also is a recommendation that the clerk will read based on a proposed zoning change and there are no public comments on that either. That's under old business and that'll cover everything.

Maryann Crist, 1380 Deer Run Rd. - Thank you for your time. I do have to leave right after this. I apologize. No disrespect intended. I'd like to say that I do have concern with this. The first concern is we did receive two different letters. Both letters said different zonings. Second concern would be that not all the neighbors in our community received letters. So, there are people in our community that are still unaware of the intent and the request to change the zoning. It's been my husband and I, Randy, raised our three boys in the neighborhood. It's been a very quiet, peaceful neighborhood that we enjoyed raising our children in. We enjoy now bringing our grandchildren and having it very peaceful as well. Our concern is that if we open this up to extend the zoning to be the school zoning or the multifamily zoning, I understand that the intent would be at this time possibly an assisted living facility. But once you open the doors to different zoning, it's really hard to get it back, if at all possible, to get it back to the original intent. The original intent in the neighborhood that we were describing when we purchased the home and moved in, that there would be no rentals, there was a long list that were the expectations that we had to meet. So, opening this up to have a possible renter possibility goes against those original intent that we moved into our neighborhood with. At the end of the day, any development or expansion or any change in our community works well if it behooves the initial people in that community. I'm not sure what is being proposed is going to behoove or improve our life in our community. So, I appreciate you listening. Thank you very much.

Bryan McAnally, 2025 Londondale Pkwy. - I spoke last month. I don't need to get into everything I spoke about then, but in terms of what she was talking about it's zoned two-family duplex. It's been zoned that I think for 15 years, 20 years. I think it's always been zoned that. So right now, the way it's zoned, we could build duplexes throughout the property and they could be rented out the way it's zoned right now. So, we feel like assisted living is a lot better fit. It's a better fit for the community. There's a huge need in our community. We have a home health company. There're just not enough beds. So, we feel like this is a better use. If it's duplex, there could be 30 to 40 duplexes along Sharon Valley with multiple driveways, a lot more traffic. Assisted living does not require a bunch of traffic. Most of the people that are held there do not drive. Limited traffic with staff, some visitors. So as far as traffic and noise and that kind of thing, I think assisted living would be a better fit. So, I just wanted to put those two cents in. That's the way it's zoned now. We could go ahead and build 30 to 40 duplexes the way it is right now. We think this is a better fit for traffic and the neighborhood.

David Gough, 1340 Deer Run Rd. - I had made some comments before, but now that we talk about the assisted living, there are three assisted living facilities less than two miles from where this is proposed. One is actually half a mile up the road. We have six within seven miles of this address. I'm not sure we are an assisted living desert here. We have plenty of them in the area. Chapel Grove always has a sign that they're taking in new residents. I don't know the staffing of the other ones. I would like to know if they're, all right, so you did mention that. You could put 30 or 40 duplexes on there. Our concerns are two houses across the street from mine were never developed because they were in wetlands. Within the past four years, you have developed them. One of them, I counted about 20 truckloads of dirt, fill dirt to fill it in so you could build there. After these two houses have been built in front of the Peddicords and the Tanners, we have had a flood where the water is over the road where we've never had that before. I am assuming when you just dump a bunch of dirt there to build your houses, that affects other people and drainage possibly negatively. I also had found out that the car wash up on Sharon Valley, up at the top of the hill, that when it was proposed, there was a lot of people voicing their opinions against it. They didn't want it there. That's not a good spot there. It's an eyesore. They don't want it. But of course, we built it anyway. That car wash has been inoperable more years than it's operable. It's still sitting there doing nothing. What this kind of tells me is you are more interested in making the money and less interested in taking care of the residents around you. You have interesting

posts on social media. You bought your first investment property 17 years ago. You have more than 20 houses that will be paid off soon. You have that flex office warehouse. The luxury villas on Mal. The 180, 200 apartments in Heath. The MC self-storage and now you're going to do this. You had mentioned that now is the time to go from a net worth of 10 million to 100 million. What it seems to me in all of your social media posts is you're worried about money, money, money, money, money. Not what's best for the community. The last thing I will bring up is, well, it's not a fantastic location as you say. My concerns are as a developer, you don't play by the rules as I mentioned at the first meeting. You don't care what happens after you get what you want with the flooding and the car wash, and you seem only interested in making your millions. And the car wash, I'm sorry, it was High Point Industries, which is your father's company, which you worked for at the time. Thank you.

Mr. McAnally - Okay, so in regards to the water issue, of course, we'd have to hire a professional engineer. It'd be designed properly. It'd have to be approved by the city. All the stormwater regulations would be met. All the EPA regulations would be met. And it would be built in accordance with all the correct permits and work with the city and have all the proper approvals. And it would be done correctly and be a fantastic building. We do think it's a fantastic location for this. So, yeah, that's what we're thinking. So, again, it'll be designed by a professional engineer, approved by the city, and all that will be taken into consideration. I know there was concerns about the creek, and we'll do everything we can on our part to work with the city and try to work through that.

Abigail Rehbeck, 1224 Meyers Dr. – I am directly adjacent to the 13-acre parcel proposed for rezoning from residential to institutional use. Thank you for the opportunity to speak tonight and voice my opinions. This parcel borders not only my backyard, but also the backyards of many of my neighbors who are here tonight. We live in a quiet, upscale residential area of Newark. We chose to purchase our home here specifically because of the surrounding residential zoning and the peaceful, community-oriented environment it provides. This proposed development would fundamentally and permanently alter the character of our neighborhood, as I think several have already expressed. The zoning change will essentially decrease the value of our homes with the introduction of a large institutional facility, along with associated noise, light, and traffic. This will make our neighborhood less desirable to future buyers and undermine the investments that we've all made in our properties. That's one of my husband's and my concerns. Another concern we have is that the facility will require extensive lighting for parking lots, walkways, and security, lighting that will remain on through the night. This light will spill into our homes and yards, disrupting our sleep and degrading the nighttime environment that we currently enjoy. I'm hopeful that the light and noise pollution from security forces and emergency forces has already been considered, possibly. I would love to see privacy trees or anything that could be able to mitigate light and noise pollution considered in this development. And the final point that I wanted to bring up was what several others have already brought up, the flooding and environmental impact. This parcel already causes flooding issues for many of us. They've been dramatically increased in the last five years. We have had to have flood mitigation done in our backyard twice in the 12 years that we've lived there. This will add acres of impervious surfaces like rooftops, asphalt, and concrete. It will dramatically increase runoff, and it could worsen flooding and put our homes at greater risk for water damage and costly repairs. So, the bottom line, how would our neighborhood be better served by this zoning change? Obviously, the burden of proof lies with the applicant to demonstrate that this change is necessary and will serve a compelling public interest. I would ask for consideration on the privacy piece and flooding, and just that zoning laws exist to protect the long-term vision and development plan for Newark. I would hope that that's all being taken into consideration, and I trust that it is. Thank you for hearing me out.

Steve Layman, 915 Hawthorne Ln. - We own the property at the corner of Countryside Drive and Sharon Valley. The hearing a month ago, most of the issues were about the creek and the floodplain. The way it's zoned right now, TFR, Two-Family Residential, there's a lot of frontage there. I think there's room for probably 40 lots, so you could probably have 40 duplexes, 80 people, or 80 residential units. The biggest issue was about the creek. If the zoning does not change and you don't get a large project like a Middleton-like assisted living center would be, there's no help for the neighbors with the creek. They're stuck with what's there. That field's been empty for 20 years, it may stay empty for another five, who knows when they would build if it doesn't get rezoned. But if it gets rezoned, and they do build the assisted living, since it's a large project, the engineering that would be required to develop this, and the city's engineer would be involved in that, can go a long way towards resolving the issues that are getting worse. I mean, we heard that last month, it's getting worse. This is a chance to make it better. The developer doesn't get to do what he wants to do, without the proper planning, proper engineering, and it's my impression that, when you have a big enough project, you can solve a lot of problems that don't get solved. If somebody comes in and builds two duplexes, not going help anything, there's no fix for the problem that already exists. If they come in a year later and build two more duplexes, there's no fix for the problem that already exists. If you want to solve the problem that exists, this is the opportunity. Now, I get it, it's a big building, and people don't like change, but they're already on record as saying it's a problem. If they want it fixed, this is a way to get it done. And I would much rather have two driveways for a large project, rather than have 20 driveways on Sharon Valley for a bunch of duplexes. That's just my opinion. Thank you.

Chris Calhoun, 18 Spring Valley Dr. - I'm on the corner of Spring Valley and Milner. Lived there since 2009. Over the last five years, as many of the other residents have stated, the flooding has become a major issue. My house was a finished basement when I moved in in 2009, and basically, over the last five years, the backyard, during heavy rains, has completely filled up. So, we pretty much have an unfinished basement at this point because we can't rely on the drainage in the area to properly drain that heavy rainfall. So, I do have some opposition to developing the land without some investigation. Over the last several years, since 2009, over time, I personally have noticed that dirt being delivered and dropped into the area where the roundabout is on the southeast side of the parcel that's being developed, or asked to be developed. So that, in essence, basically has backed up some of the water and caused the flooding issues to be worse. So, that's all I really have. If it does get developed, I would like to see a plan for how the building will be laid out and some flood investigation for flooding risks. So, that's all I have.

Deborah Morrison, 65 Spring Valley Dr. - We've lived there since 1978. I would think it's probably outside the scope of the zoning committee to actually look at a site on site, in person, but I think that would go a long way to understanding what a lot of our concerns are. I don't think there was ever an environmental study done there. They just started bringing in, years ago, at the time of the Deer Run construction, they started bringing in loads and loads of dirt. And they're talking about filling in some of the wetlands over in Deer Run. Well, they filled in the wetlands that is between the creek and Sharon Valley Road. Why on earth was it ever allowed that a creek that used to have banks like this, now has banks like this, which favors the property between Sharon Valley Road and the creek? Obviously, that's not flooding anymore. So that water has to go somewhere, and it's affecting all these folks. So, I understand what Mr. Layman was saying about you get a big project, you get big answers and big solutions. My answer to that, my response, my gut feeling to that is maybe. And then when we find out that it's not accurate, well joke's on us. So, I'm not sure that's the best answer. The best answer I really think lies in doing an independent environmental study of that land to see how it's been misused and abused and how we can work something out. I understand if you own a piece of property,

it's just sitting there. How do you sell that? Who knows? It doesn't have a lot of value right now until you can develop on it, but that's not our worry. We all own property that's all being damaged because that creek has been misused. As far as traffic, you know, oh we're going to have all these driveways from all these individual units. That could easily be handled if you were going to build 40 units, you have two or three entrances and exits. I mean that's kind of an absurd argument to me. But there were other traffic promises that were made at the time of Deer Run and there are neighbors here who know that, who were made, who were given those promises and those promises were broken. Why should we believe these new promises from this new builder? They were poor stewards and they're still poor stewards of that land. How in the city of Newark can you have all that acreage that's not managed anywhere else? If somebody let their yard grow up or let a field grow up beside their house, they'd be getting a notice and it might not be this part of the zoning committee that would do that. How are they not getting notices that that should be cleaned up? It's just been allowed to go wild all this time. I don't understand that. That altruistic, we're going to build senior living, great. Might get there. Not ready yet, thank you. But it's not altruistic. I mean it's a money making, it's a business for goodness sakes. We're all adults, we all work, we all make money. I understand making money but that's not altruistic to build this just for all the seniors who need it. I just don't believe that and I guess that's it. I'm just having a hard time with some of the comments and the promises and the options when the root problem is that that land was allowed to be dumped on until it created problems for untoward number of people and how much money? Well one person came up here and said that they'd done flood reclamation two times. That's a lot of money. That doesn't come at a hundred dollars a pop. That's really expensive and everybody who lives along the creek has borne the burden of that. Thank you very much.

Rodger Beougher, 101 Spring Valley Dr. - I wish I had prepared a statement like others did because I mean listen to everybody. I took notes and I have an opinion. The flood plain to me is a non-issue. It was flood plain. We've been in our house, my wife and I, since 1988. We've had flooding in our backyard and no matter what the developer does they're going to have to mitigate the flood impact. So, for me that's a non-issue. That just something has to be done. Rental property is a mild issue because there's rental properties right across the street from the present development. The driveway issues that somebody in the back made that there would be 20 or 30 driveways, that's ridiculous. If I've got 20 or 30 duplexes I'm going to put two, an entrance and an exit on each end. So that was a non-issue for me. I'm a real estate agent. I've been practicing real estate for 11 years. For me the major impact would be how does it impact my property value? Are you a good neighbor? Are you improving our property? Is it going to decline the value of our properties? I suspect the latter, it will decline the properties. Another thing, I never received a letter. I'm 425 feet from the property on the southeast corner of Milner and Sharon Valley. I'm 425 feet from that. My understanding is that's where the proposed building would be built. Not what the letter said, it's the southwest corner of Country Club and Sharon Valley. I don't understand why the misrepresentation for the address. The further east you go, the more of an issue it is with flooding by the lady on Meyers Drive. I think that's where the bigger problem is, but that's my opinion. How's it going to impact my property value? I think it would be in a negative way. Otherwise, I think a man ought to be allowed to build whatever he wants on his land. If you're a good neighbor, for me, that's all I got.

Mayor Hall - Thank you, sir. Just to clarify a couple of things, it's about the lot. The lot is in the southwest corner. Southwest is not referring to where a building is being built. It's referring to where the lot is situated.

Mr. Beougher - But the rezoning is for the entire track.

Mayor Hall - That's correct, for the whole lot that sits in the southwest corner. Anyone that is within 300 feet of any corner of that gets a notice. That's by code. That's by standard law. So, if you're outside of that, you don't get a notice necessarily. But obviously, you're surely welcome to come make comments if you hear the word. So that's just how the rules are with zoning. So just to clarify some of that. Anyone else? We'll go ahead and close this public hearing then.

Motion by Mr. Ennen to close the public hearing and refer to the Planning Director for his recommendation, Second by Mr. Gebhart, Motion passed 4-0

Mayor Hall - Just to let everybody understand this, this will come back with a recommendation for Council. It'll come back to the next planning commission next month, which is the second Tuesday, which is the 14th of October. It'll be in this room at 6 o'clock. It is not a public hearing. It's just an announcement of a recommendation to go on to Council. It'll go to Council on November 3rd. Council committees are in before it, but it doesn't go to committee it goes to Council at 7 o'clock. At 7 o'clock, we'll open Council meeting, and soon after that, there'll be a public hearing just like this for the Council members. We don't vote. We make recommendations to Council. Council will hear a public hearing. If you want to make comments, obviously it's a different body of people, so it isn't the same here. It's council members. You can make comments at that, and then following the close of that public hearing, Council will make a vote on this. If anyone has any questions on it, again, it's just an announcement of a recommendation at next month's Planning Commission. November 3rd at 7 o'clock, Council meeting is when the next public hearing will be based on this, followed by a vote. Thank you, everyone, for your time this evening.

OLD BUSINESS

- 4. RECOMMENDATION FOR Ordinance 25-18 AN ORDINANCE AMENDING PORTIONS OF THE CURRENT ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO ADOPTED MAY 5, 2009 BY ORDINANCE 08-33A AND SEPTEMBER 5, 2023, BY ORDINANCE 23-22A AND SEPTEMBER 16, 2024, BY ORDINANCE 24-18A IMPLEMENTING ADDITIONAL ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO.**

Ms. Vensel - Upon consideration of the information presented, the following actions are recommended. Ordinance 25-18 is recommended for passage and approval by Council.

Motion by Mr. Ennen to accept the recommendation of the Planning Director and forward it on to Council, Second by Ms. Floyd, Motion passed 4-0

5. RECOMMENDATION FOR ZONING CHANGE FOR 15 VOGEL ST., NEWARK OHIO

Application Number: PC-25-29

Owner: Devon White

Applicant: Devon White

Current Zoning: CD – Conservation District

Proposed Zoning: CSI - Church School Institutional District

Ms. Vensel - Upon consideration of the information presented, the following actions are recommended. The zoning classification for the parcel at 15 Vogel Street shall remain CD - Conservation District. Ordinance 25-23 is not recommended for passage and approval by Council.

Motion by Mr. Ennen to accept the recommendation of the Planning Director and forward it on to Council, Second by Ms. Floyd, Motion passed 4-0

NEW BUSINESS

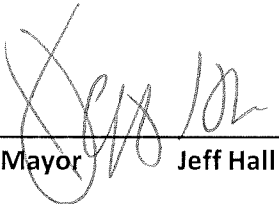
There is none this meeting.

MISCELLANEOUS – ADMINISTRATIVE APPROVALS

There are none this meeting.

THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, OCTOBER 14, 2025, 6:00 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS MONDAY, SEPTEMBER 15, 2025 4:30 P.M.

Meeting stands adjourned



Mayor Jeff Hall



Planning Director David Rhodes