



# City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

## Meeting Minutes Committee of the Whole

*Jamie Leeseberg, Chair*  
*Karen J. Angelou*  
*Brian D. Larick*  
*Nancy R. McGregor*  
*Brian Metzbower*  
*Stephen A. Renner*  
*Michael Schnetzer*

*Kimberly Banning, Clerk of Council*

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Monday, March 12, 2018

7:00 PM

Council Committee Room

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### CALL TO ORDER

Chair Leeseberg called the meeting to order at 7:00 p.m.

**Present** 7 - Brian Metzbower, Nancy R. McGregor, Karen J. Angelou, Stephen A. Renner, Jamie Leeseberg, Michael Schnetzer, and Brian D. Larick

### PENDING LEGISLATION - CITY COUNCIL:

[ORD-0003-2018](#) TO REZONE 5.7316+/- ACRES OF PROPERTY TO SUBURBAN OFFICE (SO); SAID PROPERTY LOCATED AT 748 AND 760 TAYLOR ROAD; PARCEL ID NO. 025-003911 AND 025-003928; TRILOGY; ROSS OBERHAUSEN, APPLICANT.

Leeseberg said requested this be brought back for several reasons; did not have all of Council at final vote and to review requirements for zoning; Ewald sent email to Council last night, guidelines; want to make sure from a legal perspective, want to be clear of the reasons something was voted on; took only code we have, which is recommendation language; does not mean it is the only criteria; do not want to get too far into Final Development Plan (FDP) guidelines; look at criteria when recommended to Council; base recommendation in context of why recommendation was made to Council; still dealing with Access Ohio case that was denied by Planning Commission; Leeseberg asked for background on why a senior facility is being brought under this zoning; Ewald explained that code was changed after application was filed; Blackford said Conditional Use was approved by Planning Commission; have certain rights at the time of filing; Leeseberg said if this applicant left, bound to new code; Ewald said if this application fails, a new application would not be able to build this type of facility under current zoning; Leeseberg asked Blackford for history of Area Commissions; Blackford said meeting was in August; a lot of discussion between public and developer; feedback forms were

submitted; generally not in favor of the project; some members were vocal in their support privately vs. on the forms; there was a lot of public participation at Planning Commission; did receive a 7-0 vote of approval from Planning Commission; Conditional Use Application was also approved by Planning Commission; said today's zoning category for this use is likely MFRD; was created for these types of uses of senior living; Leeseberg said we have several current Land Use Plans, some that overlap and conflict, updating to one accurate updated Land Use Plan; asked how that is going; Blackford said are in beginning of phase 3 of 5; just had 2 public meetings; going through phone survey right now; not making any recommendations right now; Angelou asked how many people attended public meetings; Blackford said around 50 total; do not have numbers for phone and online survey right now; Metzbower asked final process; Blackford said would look for adoption of new plan by Council and retirement of old plans; Metzbower confirmed adopting a plan does not adopt actual zoning; Blackford said those are two separate processes; future Land Use Plan does not account for each parcel; talks about which areas are appropriate for development; does not go parcel by parcel; Metzbower asked if we could broadly adopt those recommended zonings and not be project specific; Blackford said could be a result; Leeseberg confirmed current zoning is single family residential; Larick said the email from Ewald was in reference to 1133; reads that section as pertinent to Planning Commission; asked Blackford for a couple examples of where we have MFRD today; Blackford said north triangle area; Larick confirmed all zonings MFRD today are housing complexes; Blackford said to his knowledge; said the development to the east of Helmbright are zoned MFRD; some in that area; Angelou asked when we are given a zoning change, we are only changing the zoning and not looking at the details and the footprint of the building; only looking at the fact that this is changing from SF-3 to SO; questioning if reasons for not supporting this change is because of the end-use; this type of product is going in in New Albany; should vote on the right thing when we vote on rezonings; asked what other uses can be in SO; Blackford read code; Leeseberg asked what is the zoning south of this; Blackford said OCT; Schnetzer asked why we are back here; said has not heard any new information; what should he be reviewing before next Monday; Leeseberg said did not want to get into end-use; looked at impact for TIF for this project; Blackford said conservative calculation said City gets over \$5 million over 30 years; just over \$7 million if it is an \$18 million dollar evaluation; impact to schools is 9.7 million \$18 million evaluation; Leeseberg said looked at homes going in with current zoning; City would get \$2200/annually for 13 lots; school district would get \$47,000 a year and township would also get dollars from a housing development; current use can get 17 units and kids in the schools and get \$2800 a year, \$90,000 over 30 years; not sure if all those numbers were explained like

that; Schnetzer said numbers were not spelled out during course of various meetings; some base level of revenue improvement; proponents of project did not receive desired outcome; there is no new information that was not available; not much that was overlooked; it failed; they are asking for a do-over; have a problem granting the fast lane alternative route; trying to see what is new here to possibly change the votes; Leeseberg said feels this applicant is being punished because they gave too much information; talking about screening and landscaping at a rezoning level; if this does not pass, we are not getting other offices here; if another applicant came in and requested this to change to SO and we approved it, we could be sued; this property will not develop SO with tax abated property all around; they are willing to go on this property without abatements; McGregor said only looking at zoning, and not end-user, is not a compelling enough reason to change the zoning; cannot overdevelop on small parcels; have to consider others around it; too small of a parcel; Leeseberg asked what current Land Use Plan calls for; Blackford said mixed use; Schnetzer said many times zonings come with an overlay; there is a lot of gray area; SO may be a suitable fit with certain overlay restrictions; Renner said have not flipped his vote; said what is new to him is the land use policy; his vote before was waiting on the land use plan; did go to one of the public meetings; expected what we do at an open house; went through the set of activities at the public meeting; crystallize what we think the plan is for this update; going through those exercises helps; disappointed that there was not more public input at these meetings; thinks a lot of this churn would be avoided if more people were aware of development policies and rights; going to that public meeting was new; in respect to Mr. Leeseberg, voted to waive rules to reconsider this item pending new information; Schnetzer said understood there was an email sent to the applicant that a land use plan update would not impact this zoning; believes that communication is wrong; this corridor has been highlighted by folks on the committee as needing special attention; was that stated; Blackford said not sure where that came from; if they said that, they were mistaken with that information likely; too pre-mature to say what a future land use plan will show; only can speak to himself; Angelou said it is in the letter from Peter Massey; Blackford confirmed that the name of our 2002 land use plan is called a future land use plan; is consistent with 2002 land use plan; their understanding on our first meeting was their recollection only; would not comment on the actual future land use plan; Leeseberg said this applicant looked at other locations in the City; Blackford confirmed; Schnetzer said this corridor is being evaluated currently; do not want to change zoning before the land use plan is updated; Leeseberg asked if Schnetzer suggests a moratorium during this land use plan update; Schnetzer said do not have a backlog of zonings; Renner asked if people were informed that this was being reconsidered; Larick said does not

believe anything has come from Council office; he spoke with his constituents; pointed out that these are real issues and real concerns; Angelou requested everyone be notified; is typically a courtesy; asked that Larick share details of his neighborhood meeting; Larick said reviewed request and the next steps; explained where this item is, not a review of any new information; Leeseberg said this has occurred 3 times since his time on Council; said Larick also asked this be delayed for new information and none was brought; Larick said wanted time to communicate and review details; Renner asked for confirmation that people will be notified; Larick said everyone he has had communication with was notified; Schnetzer said to the extent we can, a sign, mailing, etc. should be done to communicate to our residents; Angelou said it failed by default because of a tie; missing a member that the vote was likely no; expected a different vote; Larick asked if this should be extended 60 days; Schnetzer said have a well-funded and skilled applicant that knows how the system works; knows they can ask for a reconsideration; they know how to request private meetings; the average person may not have the same skillset; puts them at a disadvantage; not implying anyone here is doing anything wrong; Metzbower said does believe a good project for this area for a variety of reasons; disappointed we have not promptly notified residents; feels this is the most appropriate use for that property; want to continue to show support; McGregor said looking at Area Commission comments; the questions being asked, we should not be looking at; Angelou said that is non-binding information; Leeseberg said administration is asking for that information; using it as whether or not they are in favor; Ewald said that information is in there; said code under 1133 speaks those questions; those all encompass what planning reviews to make a recommendation to Council; asked Council to stay within 1133; Council will need to extend regardless of the vote; need a motion to extend 60 days per Charter; Metzbower said hopes to look at how we can suspend rules; requests we have 5 members of Council in agreement; Ewald asked if he wants that the same as an emergency; Larick said currently is simple majority to suspend rules; said will motion to extend 60 days at next meeting; and regular agenda; last day without special meeting is April 16; first meeting outside of 60 days is in May; if additional communication is needed, need to make decision; confident that residents he has spoken with and is an audience of this ordinance, they have been notified; Angelou asked how many people attended; Larick said around 10 people; was on a communication to 25 households; Schnetzer asked the current process for notification; Ewald advised Council of the current process; Angelou asked the CPOs and anyone that spoke at a meeting be notified via a formal letter; Ewald said can expand notification addresses, up to Council; Larick confirmed the CPOs, and anyone that spoke at PC or Council be notified via formal letter via mail or email if we have it.

**RECOMMENDATION: Regular Agenda.**[RES-0004-2018](#)

RESOLUTION OF OBJECTION BY THE LEGISLATIVE BODY OF THE CITY OF GAHANNA TO THE PROPOSED DEVELOPMENT, WENDLER COMMONS, LOCATED AT 4854 WENDLER BOULEVARD, COLUMBUS, OHIO 43230; A 62-UNIT WORKFORCE HOUSING DEVELOPMENT.

Schnetzer said understood a letter should be drafted; Council members were requesting some language be added; Leeseberg asked if there is an update from schools or township on this; Larick said no official statement at this time that he is aware of; Angelou said does not believe schools are taking a position on this; believes win-win needs to be looked at on this; does not believe we have much right to say many things; in the City of Columbus, has already been approved; Angelou said actual involvement is the schools; questioning why schools are not taking a stance on this; they will use our parks, should be asking for a park fee; should be asking for something for our roads; Metzbower said school board did discuss this; report given to board, was that they discussed it and they are developers and we are not developers; our job is to educate children; said this was not their place to be involved; Metzbower played a segment of the Gahanna School Board Meeting; Renner said recalls this is part of their federal requirement; we have a right to provide and we should do it; it is another municipality; looked at this in City of Columbus, said it went from Planning Commission to Council in a matter of a couple weeks; Schnetzer said in the letter, we should include that we are responding to a request/letter; asked if we objected; needed signed; any look at this project, it is Columbus only; calls for police service; City is not being compensated; they will use Gahanna's parks; non-residents are using City services and the City is not receiving funding from this; we have to object; should stand up to our constituents; we simply have to object to this; Renner said should also be noted that the mailing address is 43230; the residents believe they are in Gahanna; Schnetzer said Columbus will not even be clearing these streets; Columbus is paying us to do so; they understand this area is outside of their services area; McGregor asked if we can say "improved park lands" and separate from open space; Leeseberg said waiting on formal language but want to move forward with this letter; Angelou said this is a work force apartment complex.

**RECOMMENDATION: Regular Agenda.**

**ITEMS FROM THE DIRECTOR OF ENGINEERING**

[ORD-0023-2018](#) TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH KE-SITE COMPANY FOR THE PRICE ROAD PHASE II SANITARY SEWER PROJECT, SA-1032, MORRISON ROAD; SANITARY SEWER REPLACEMENT, SA-1049; OBERLIN COURT NORTH REBUILD, ST-1056.

Priestas said this is to award a construction contact.

**RECOMMENDATION: Consent Agenda.**

[ORD-0024-2018](#) TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH DECKER CONSTRUCTION FOR THE 2018 STREET PROGRAM, ST-1054.

Priestas said this is request to award contract for 2018 street program; received 5 bids in total; recommending award of base bid; Larick asked the rebuilds, are they detroits; Priestas said all detroits; asked if this represents a third; going back to the bonding, covered a third; left 2/3s; Priestas said this is about a sixth of what is remaining right now; Schnetzer said no objection; asked for rough estimate for repairing the streets from this winter; Priestas said will not know true impact until this fall; Metzbower asked if 10% contingency is standard; Priestas said standard.

**RECOMMENDATION: Consent Agenda.**

**ITEM FROM THE MAYOR**

[MR-0014-2018](#) TO CONFIRM THE MAYOR'S APPOINTMENT OF KELLY FOX TO THE COMMUNITY IMPROVEMENT CORPORATION (CIC) FOR THE REMAINDER OF A THREE YEAR TERM EXPIRING DECEMBER 31, 2019.

Holbrook said Mayor is not here but this is replacing Matt Ference who resigned in February.

**RECOMMENDATION: Consent Agenda.**

**ITEM FROM THE CITY ATTORNEY**

[ORD-0025-2018](#) TO AMEND CITY CODE, SECTION 521.06, DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Ewald said this was reviewed due to a response to residents; believe we can change code to a more objective standard that could be evaluated on a case by case basis; McGregor asked about part 3, cracks of one half inch or more; measured gap between sections and it goes from .5 to 1 inch; are they considering this a crack; seems awfully small; Priestas said would not be the tool joint; cracks in the control joints would be considered; McGregor asked why we consider cracks; Priestas said shoes and heels; Leeseberg said also the water going through; Renner asked if City can lend its power with contracts to get a price by volume for the average homeowner to repair their sidewalks; Priestas said looking at that; looking to possibly include sidewalks as we review streets; want to take advantage of our buying power as a City; have a lot of work to do; Franey said possible to consider for next street program; a lot involved; City will not be paying for that work; Angelou asked administration to look into the options for residents compared to other cities; Schnetzer asked how this will be enforced; Priestas said through our code enforcement officer; Franey said the Mayor made a comment for a wording change; item #3, would like that better defined; possible that this will be changed; McGregor asked if we have a program where the zoning officer inspects an area or looks at sidewalks periodically; in a proactive position; Franey said right now it is mostly reactive; looking at sidewalks with street program is a way to be proactive; Priestas said will look at general areas and not isolated areas.

Leeseberg said will have fence code for next committee; Ewald said met with Police Chief and City of Columbus to review mobile food vendor code; pulled back for now; discussing opening that to other suburbs; may be a cost savings to Gahanna and a way to implement with less code; Metzbower asked about liability; Ewald said not an issue; want to make sure these facilities are safe for the public to be in and around; Leeseberg said background is looking at safety and that the vehicles are moving on our streets; want to make sure they are safe; they have to get their own health code; Metzbower said original intent was to go through Columbus; there was a deadline; Ewald said they moved their deadline; it is now in September; Angelou said also that there have to be two entrance and exit points on a trailer; the one at Creekside only has one entrance.

**RECOMMENDATION: Consent Agenda, adding definition clarification.**

### **COMMITTEE REPORTS - no action required.**

[2018-0047](#)

Committee Reports 3.12.18

**ADJOURNMENT**

8:46 p.m.