



City of Gahanna

Office of the Clerk of Council
200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes

Planning Commission Workshop

Wednesday, June 3, 2015

6:30 PM

City Hall

OPEN MEETING

Additional Attendees: Fred Kenimer (Z-0003-2015 Applicant), Susan Prescott (Z-0004-2015 Applicant), David Hodge, Michael Blackford, Bonnie Gard, Rob Priestas, David Hodge, Residents.

Chair opened meeting at 6:30 p.m.

Present 5 - Joe Keehner, Donald R. Shepherd, Bobbie Burba, Kristin E. Rosan, and Thomas J. Wester

Absent 2 - Jennifer Tisone Price, and David K. Andrews

APPLICATIONS

[Z-0003-2015](#)

To consider an application for Zoning Change for 4.19+/- acres of property located at Ridenour Road, Imperial Rise #3, Part of Reserve "A", Parcel ID #025-013236; current zoning RID, Restricted Institutional District; requested zoning SO, Suburban Office; Fred Kenimer (Land Owner's Property Coordinator), applicant.
(Advertised in the RFE 4/9/15 and 4/16/15)

Rosan gave summary of the zoning application.

Hodge said he does not believe an overlay is necessary; believes the proposed zoning is a better choice for the City and property owner; all future development considerations will still go through a process; from an economic development perspective is a better choice for Gahanna; if there is a specific use that folks find undesirable our ears are open; Hodge introduced himself and said he is with Smith and Hale Law Firm and passed around a reference with listed permitted uses for various zonings (see attachment within file); Hodge said there are safeguards within the code that will prevent any developer from easily developing undesired plans without full consideration by the Planning Commission; Gard said they cannot do an overlay for this property; the code requires a site plan; said they do not have an end user which makes an overlay not possible at this time; Rosan said we are concerned with traffic as it is a narrow road and a scenic area; noted Dugger said last week that a Final Development Plan (FDP) in regards

to traffic is not typically denied and if so it results in litigation; Shepherd asked what the reason for the zoning change; Hodge said it is to open the property up to the market and allow a greater family of uses on the property; want the pool of buyers to have comfort in purchasing the property with the zoning established; Shepherd asked if it is common for buyers to request a zoning change once there is a developer interested; asked if we should wait for that point; we would have an end user and we would have a chance to implement an overlay; Hodge said it is possible but more time consuming; the family of uses are in front of us and there is nothing wrong with the permitted uses listed; want to go back to the way it was zoned previously and what the property south of this is zoned; Shepherd said we could deny development if a future use comes forward is not what the Commission sees going in there; Rosan asked Kenimer if it was zoned Suburban Office (SO) when he purchased the property; Kenimer said it was zoned SO and they were strongly advised to change the zoning to Restricted Institutional District (RID) and now they are learning they should have not; Rosan asked Gard if landowners were given the opportunity to object when they switched to RID; Kenimer said they went through the same process and contiguous property owners were notified and they had a zoning change sign posted as they do now; Burba said she is not opposed to taking the zoning back to SO; it is not unreasonable; it was that zoning for 25 years; would be easier for it to be sold to someone else; Rosan said there is potential the property may be sold and want rezoned anyway; Wester said shares the same feelings as Burba; no objection to it going back to the way it was; understand the residents' issues; Wester asked if Ridenour is a scenic byway road; Priestas said part of it is; Wester asked if it has been formally declared; Priestas said he would have to look into it; Hodge said Havens Road is and there are posted signs; Wester asked how a scenic byway would impact this; Keehner said the fact that they were asked to change the zoning initially is a good reason to allow them to change it back; wondered if the property south was part of the change; mentioned the permitted uses reference given by Hodge does not give detail for retail and listed is just limited uses; senior housing would be appropriate; no objection to changing it back to SO; Shepherd said vaguely remember redoing RID districts; there was a strong push to getting it done quickly and getting RID assigned quickly; if property owners had representation at that time they may have been advised against it; Rosan said overlay is not a possibility and said it is unlikely to be used as a bank or similar because of the location; said we are ready to vote next week; apologized for any delay getting the property on the market; Shepherd asked if the property is listed for sale; Kenimer said it is not, it was taken off the market a while ago; was on the market for nine months; had one interest but they have moved on; said at the point they can label the property as SO it will open up the gates for more buyers; Gard

confirmed we cannot condition zonings; Keehner said it is unfortunate the City is not in a position to purchase the property; Rosan said in past times the City would have had a high interest.

Rosan asked that this be first on the agenda for next week. Kenimer thanked the Commission members and staff for their time and work on this project.

[Z-0004-2015](#)

To consider an application for Zoning Change for 1 acre of property located at 5069 Morse Road; current zoning ER-1, Estate Residential; requested zoning CC, Community Commercial; Susan Prescott, applicant.

(Advertised in RFE 5/14/15 and 5/21/15)

Rosan opened the floor for questions or comments; Shepherd said he remembered a question from last time that residents had about the noise being a concern; confirmed there would be little noise and the dogs on the property will not be outside for any great length of time; Prescott said they would be out only after surgery to walk around but no likely less time than if there was a homeowner with a dog that lived on the property; Shepherd said there were questions about the water from comments left by the City Engineer; asked if applicant needed to hook up City water; Priestas said this is a rare situation where the property is provided water by the City of Columbus; previously was authorized to use City of Columbus water because of issues Columbus was having; once property is rezoned it is okay for our City to maintain the water; we request the water be maintained by City of Gahanna; Shepherd asked what the water demands would be for the property; Prescott said that of a normal home with normal use of sinks and toilets; Shepherd asked about condo entrance to the east being used as a way to enter the property after development; asked Priestas how the road use over the years would impact the residents in the condos next door; Priestas said he understands the concerns; Morse Road traffic will likely only increase over the years; future plans to widen the road and believes that project is in the works in development; Prescott said she did some auditor recording homework and said the easement was required by the City for the sale of Underwood Farms to not prevent a lock of the land before condos were built or sold; was negotiated with Underwood Farms as part of their sale; understand why the residents feel the way they do; said the concerned residents came up to her after the last meeting and said they are okay with her being there knowing who she is and what she does; said she is a good neighbor compared to neighbor could go in there if she has to sell the property; Shepherd asked estimate for number of cars that go on and off the property per day; Prescott said it would average two a day; some days there are outpatients with twelve

cars a day and some days are surgery and there is only one or two; Shepherd asked how her veterinarian place is different than Gahanna Animal Center; Prescott said a community needs different veterinarian practices; some veterinarians have fast nickel practices and she said she to have a practice like that but got older and slowed things down and is now in the top five in her profession; about relationships and quality not the money; a community needs various types of practices to serve the different needs; Shepherd asked about the question about the donation of right-of-way; Priestas said they will require the dedication of right-of-way during the Final Development Plan (FDP) stage; Prescott said she is familiar because of a practice she used to own; Prescott noted she has been through this process with Council before and has sat in this room several times; said she is still upset with the previous meetings and experience she had sixteen years ago; said she does not believe it is fair to ask her to donate her land to rezone; Rosan said she does not believe it is a requirement; Priestas said it would be required during a FDP, not a condition of the rezoning; Gard said it is not uncommon that they require a right-of-way; Prescott said the questioning did not come across well last week; feels she deserves an apology from Wester; Wester said there was a lot of miscommunication last week and was coming at it from a different perspective; Prescott asked if there is a legal law that she has to donate the land; Rosan said she spoke with City Attorney after last week and there is not a legal law; said there would be compensation or an option for donation; Prescott said she does not plan to donate any part of her land; Priestas said it is a requirement during FDP; Rosan confirmed it is not a legal law; Priestas said it is cost of doing business and redevelopment of the property; purpose is to account for future widening of the road as part of a thoroughfare plan; require additional right-of-way that it be donated to the city; Shepherd asked for clarification from City Attorney; Rosan said she did ask City Attorney to call Prescott; Prescott asked when this took effect; Priestas referenced section of the code 1108.01 which was dated 08-01-2011; Shepherd asked that City Attorney Ewald email the Commission with the response to this topic; Rosan noted donation of right-of-way is not a topic for this rezoning applicant but it is important for the applicant to be fully aware before moving forward; will not impact the rezoning; will get clarification for the applicant on donation of right-of-way; Keehner said dedicating right-of-way would make sense for development but may bring some negotiation because of the size of this lot; Prescott asked if Sterling Pines condos donated their land; Rosan confirmed on the map that they do have right-of-way; Prescott asked if it was donated; Rosan said she is not sure; Priestas said he is aware that the spectrum development further to the east along Morse Road was dedicated right-of-way as part of the

development; it is a senior living facility near US-62 and Morse Road; Prescott noted that was New Albany Company; confirmed donation of right-of-way will not impact the rezoning; Rosan said she would prefer there not be any additional curb cuts on Morse Road; understand the residents' concerns as it is low use and minimal traffic; best possible outcome as to concerns with traffic; noted there were other concerns as to what could happen if the property is sold; Rosan asked for overlay for medical office; Prescott suggested we rezone to Suburban Office (SO); Gard said it is not within the permitted uses for SO; said there was a variance granted for the property now that is convoluted; looked back at applications today and the questions are basically the same as they are now; Rosan said a permitted use for SO is medical office; Gard said veterinarians are listed under a specific use and that would not apply; Prescott said it would be better to go to SO zoning with a variance; Gard said there is not a site plan so there cannot be an overlay; Prescott said options for rezoning are SO with variance or Community Commercial (CC); Rosan said she does not want administrative exercises and additional expenses gone through for the concerns; were just looking for an easy way to tackle the concerns without going through additional expenses and applications; Gard said location itself will limit the uses; will not have a bank or a McDonalds or business with high traffic because of the size of the parcel and location; Rosan said there will be a medical building and unlikely will be torn down; Blackford agreed with Gard and said there is a setback and there is a limit to building size on the property; Wester asked about the proximity to Underwood Farms and asked if there would be a full access; Priestas said would not be permitted; no left turns on to Morse Road; Keehner asked what the zoning next door is; Blackford said to the east is multi-family and to the west is CC; Burba asked what Prescott's objection to donating the land is; Prescott said she is a business person and has been through this before; Rosan said again this is not a topic of the zoning and need to focus on the application in front of us; will come up during FDP; will let the City Attorney discuss that with the applicant; Gard noted that if Prescott walks away there is an allowed use for farm animals on the property in its current zoning; Prescott asked for confirmation on what we will rezone the property; Rosan said we have to trust the market and that it will not accommodate the type of uses they are concerned about; suggests we keep rezoning to Community Commercial; Rosan said they need to make it clear to concerned residents next week that the potential uses with the property location are limited and why the Commission is comfortable with the rezoning to Community Commercial; Keehner said worst case scenario for the future is a developer buying the adjacent properties and developing; Rosan said there is only so much you can do; cannot stop people from buying property; Prescott asked

if they still wanted or required a traffic study; Priestas said not for zoning; said requirements are when there are more than 100 trips within an hour which does not apply; would require a letter from a civil engineer at FDP stage; Rosan said this application would be second on the agenda next week.

ITEMS

Housekeeping Item

[V-0008-2015](#)

To consider a variance application to vary Section 1165.08(b)(3), Permanent Signs, of the Codified Ordinances of the City of Gahanna; to allow a wall sign greater than 50 square feet; for property located at 790 Cross Pointe Road; current zoning OCT, Office, Commerce, and Technology; Jim Gray, Sign Vision, applicant.

(Advertised in the RFE on 6/4/2015.)

Holbrook said this is just a housekeeping item that will be on the agenda next week; there was a clerical error; there was an incorrect section of the code referenced; required readvertising of the variance; said looking for a motion to approve the change in text for the legislation; requesting a formal action for clarity to move forward; Rosan had no issues with this.

Applicant requesting postponement to August 26, 2015 - Administration will discuss

[Z-0002-2015](#)

To consider an application for Zoning Change for 2.71+/- acres of property located at 233-283 S. Hamilton Road and 232 Iroquois Park Place; current zoning SF-3, Single Family Residential; requested zoning CX-1, Neighborhood Commercial Mixed Use; Gallas Zadeh Development, LLC, applicant.

(Advertised in the RFE 4/9/15 and 4/16/15)

Postponed to June 24, 2015 Regular Meeting

Blackford noted that the applicants are requesting additional time to gather required information such as traffic studies; applicants are requesting they go before the Commission on the second meeting in August; which will be August 26th, 2015; Chair Rosan had no objections; asked if there were any members opposed; there were none; Blackford asked if applicants needed to be present at their upcoming meeting on June 24, 2015; Rosan said there is no need for their presence; the application will be postponed.

MINUTES

[2015-0113](#) Regular Meeting Minutes - May 27, 2015

ADJOURNMENT: 7:36 p.m.

Kayla Holbrook, Deputy Clerk of Council, Reporting