



# City of Gahanna

## Meeting Minutes

### Planning Commission

200 South Hamilton Road  
Gahanna, Ohio 43230

*Michael Tamarkin, Chair*  
*Thomas Shapaka, Vice Chair*  
*Michael Greenberg*  
*John Hicks*  
*James Mako*  
*Michael Suriano*  
*Thomas J. Wester*

*Pam Ripley, Deputy Clerk of Council*

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Wednesday, December 7, 2022

7:00 PM

City Hall, Council Chambers

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#### A. CALL MEETING TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

Gahanna Planning Commission met in regular session on December 7, 2022. The agenda for this meeting was published on December 7, 2022. Chair Michael Tamarkin called the meeting to order at 7:01 p.m. with the Pledge of Allegiance led by Shapaka.

**Present** 6 - John Hicks, Michael Tamarkin, Michael Suriano, Thomas J. Wester, Thomas W. Shapaka, and James Mako

**Absent** 1 - Michael Greenberg

#### B. ADDITIONS OR CORRECTIONS TO THE AGENDA - NONE

#### C. APPROVAL OF MINUTES

[2022-0330](#)

Planning Commission minutes 11.16.2022

**Motion was made by Hicks, seconded by Suriano, that the Minutes from November 16, 2022, be approved.**

**Motion carried with the following vote:**

**Yes:** 6 - Hicks, Tamarkin, Suriano, Wester, Shapaka and Mako

**Absent:** 1 - Greenberg

#### D. SWEAR IN APPLICANTS & SPEAKERS

Assistant City Attorney Matt Roth administered an oath to those persons wishing to present testimony this evening.

**E. APPLICATIONS - PUBLIC COMMENT**

[DR-0023-2022](#)

To consider a Design Review Application for a building design for property located at Crescent at Central Park - Lot 2; Parcel ID: 025-013773; Current Zoning Select Commercial Planned District (SCPD); Todd Kimling, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. Blackford shared that the request is for a property that was previously seen in June of this year. The renderings provided at that time had the building color as Alaska white velour. They are proposing to change that color to Brampton, brick graphite. There are no other changes requested. The commission has approved similar colors in this general area. We do have design review districts that talk about materials and colors. Color palettes are not identified in the code. It says that there should be harmony within the colors of the buildings. Staff recommends approval.

Chair opened public comment at 7:07 p.m.

Applicant Larry Canini with Canini Associates, Master Developer of the project. Canini said that he serves as kind of the Architectural Review Committee for the development, and he is satisfied with this request. As the development team they are working on the sign package and getting it ready for submittal.

No comments from the public.

Chair closed the public comment at 7:08 p.m.

Chair called on questions from the Commission; there were none.

**Motion was made by Wester, seconded by Suriano, that the Design Review be approved.**

**Discussion on the motion: Suriano said in regard to design review he believes the commission is looking for consistency with materials and in looking at the Buckles tract and this development and the buildings there, this palette is neutral. It is in grays and steels and an iron spotted brick that has texture and tends to have a lot of life to it. It is really a handsome treatment especially for brick tones.**

**Motion carried with the following vote:**

**Yes:** 6 - Hicks, Tamarkin, Suriano, Wester, Shapaka and Mako

**Absent:** 1 - Greenberg

[DR-0024-2022](#)

To consider a Design Review Application for a Site Plan for property located at 6579 Taylor Rd; Parcel IDs: 027-000008 and 027-000150; Current Zoning OCT; Taylor Road Commercial Park Project; Robert LeVeck, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. Blackford said the project was originally approved in April 2021. It is zoned Office, Commerce and Technology (OCT) and it's now two parcels. When Planning Commission originally saw this it was one parcel. They have subdivided it. When you go through the original approval process sometimes you need to modify it slightly to keep up with market demands. And today's request is straightforward; it's doing some parking lot revisions. There is no change of use. There's not a change to the architecture or the colors. They have some additional parking spaces and some additional landscaping, three alterations of 47 additional spaces. You can't have too many parking spaces, so adding a few additional. We see that quite frequently. Those parking spaces are divided between the East and West parcel. They removed some landscaping, and they're adding a significant amount of landscaping well above and beyond. There are no variances needed. This exceeds the minimum parking requirements and greatly exceeds the minimum landscaping requirement. Staff recommends approval.

Chair opened public comment at 7:15 p.m.

Applicant Ryan Grassly, Kimley-Horn 7965 N. High St., Ste 200, Columbus, Civil Engineer representing Robert LeVeck on the project. It was approved in April 2021 and since then, it was split and the people that are purchasing the Western building want more parking. They are trying to accommodate that. He is available for questions.

No comments from the public.

Chair closed the public comment at 7:15 p.m.

No questions from the Commission.

**Motion was made by Mako, seconded by Wester, that the Design Review Application be approved.**

**Discussion on the motion: Tamarkin said it is good news to be adding parking spaces and good news that a tenant has requested more spaces. It means that they are going to have more employees and the building will be occupied and more employees is good for our community.**

**Motion carried with the following vote:**

**Yes:** 6 - Hicks, Tamarkin, Suriano, Wester, Shapaka and Mako

**Absent:** 1 - Greenberg

[V-0034-2022](#)

To consider a variance application to vary Chapter 1141.08(a) Yard Requirements of the Codified Ordinances of the City of Gahanna, for a room addition for property located at 1148 Summer Hill Circle.; Parcel ID: 025-011549; Current Zoning SF-2, Brent Clark, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. Blackford shared the request is for a variance on a corner lot. They are requesting a variance to add an addition. The setback requirements for corner lots or two front yards is 40-feet each. The 40-foot setback eats up a significant amount of property. When looking at setbacks it is much more difficult to locate a building addition meeting current code than an unattached structure like a shed or unattached garage. There are flows to the home and that dictates where some of these additions can go. It is a fairly minor encroachment. It is still providing a 35-foot setback. Blackford showed the east elevation which would be viewable from the road. Staff recommends approval.

Chair opened public comment at 7:20 p.m.

Applicant Brent Clark with Clark Custom Builders. He is available for questions.

No comments from the public.

Chair closed the public comment at 7:20 p.m.

No questions from the Commission.

**Motion was made by Hicks, seconded by Shapaka, that the Variance Application be approved.**

**Discussion on the motion: Suriano is in support of the variance. It is minor in nature, and we run up against this with corner lots. The required setbacks of which is essentially two front yards. He thinks the addition is going to have a positive impact on the house and he doesn't think it negatively impacts the immediate surroundings or environment.**

**Motion carried with the following vote:**

**Yes:** 6 - Hicks, Tamarkin, Suriano, Wester, Shapaka and Mako

**Absent:** 1 - Greenberg

[V-0035-2022](#)

To consider a variance application to vary Chapter 1155.04(b)(1) and ORD-0069-2009 of the Codified Ordinances of the City of Gahanna, for property located AT 0000 Claycraft Rd/Science Blvd.; Parcel ID:

025-013620; Current Zoning OCT; VRGII Claycraft Rd. & Science Blvd. Project; Jordan Fromm, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. The request is for property in the industrial zone. It is a corner lot on Science Blvd. and Claycraft Rd. Planning Commission might see variances associated with a development. In this case this would be to help spur economic activity on the property. They are requesting a variance to allow for a 10-foot setback. The property is zoned Office, Commerce and Technology (OCT) with an overlay and the overlay for the most part is the same as Code. This overlay states that if a portion of the lot that has frontage on Science Blvd the setback gets narrowed down to 10-feet. That is because the lots on Science Blvd back up to the former landfill site and the overlay text because of the landfill that restricts where you can build, you get a reduced setback. It didn't go the extra route of saying that on Claycraft Road that would apply. This is the one parcel that has frontage on Claycraft Road and backs up to the landfill. They are asking for a 10-foot setback on Claycraft Road. That would already exist without a variance for Science Blvd. They would like the same setback on both corners of the property. The lot is about 150-feet at one of its narrower points along Claycraft Road. If you have a 75-foot front yard setback, that only leaves 75-feet to put building and parking, which makes it pretty much non developable without this variance. This was reviewed by engineering. With the reduced setback on the roadway, there weren't any issues at this time with site triangles. That would be evaluated further upon final development plan. In staff's opinion there are special conditions with this being a very narrow lot that wasn't due to the applicant parceling off things oddly. It's just where the landfill is, and without the variance, the property really becomes very difficult if not impossible to develop. Staff recommends approval.

Chair opened public comment at 7:26 p.m.

Applicant Jordan Fromm said that from a market standpoint several years ago they brought this issue up to Mr. Blackford and the engineering staff. They generally had similar perspective that the right-of-way issues would not exist and that this setback matches the Science Blvd setback. They were waiting to see if they had a qualified group to look at the site. Then, they would have the responsibility to pursue the variance. What they have heard from the market over the last several years is to let them know when it is set and ready, then they will look at it. Having this setback match the Science Blvd. setback makes it more developable and assists them in making sure a qualified development can come into place and that there would be enough distance from the rear setback or the rear line of the property making it feasible and safe development.

No comments from the public.

Chair closed the public comment at 7:27 p.m.

Chair called on questions from the Commission: Tamarkin asked if there are any other 10-foot variances on Claycraft Road and if the commission is opening themselves up for potential trouble down the road. Blackford is not aware of any, and in this case, he does not believe we are opening ourselves up because there are some very unusual circumstances that would warrant it. This is a unique property, and Claycraft Road is largely built out. He doesn't think they will see a bunch of new development. Most of the parcels are a bit larger and more of your traditional rectangle shape.

Suriano said the property is unique in the sense that it is a corner lot that backs up to the landfill. Blackford said it is a corner lot, very narrow and does already have built into the overlay text, the same variance for the portion on Science Blvd.

**Motion was made by Suriano, seconded by Hicks, that the Variance Application be approved.**

**Discussion on the motion: Suriano is in favor of the variance and thinks we've kind of outlined and discussed the setback from Claycraft on the narrow lot that backs up to a landfill. He thinks it can significantly impact the way to develop this property for highest use. He said his comments are from this corner on because it's unique.**

**Motion carried with the following vote:**

**Yes:** 6 - Hicks, Tamarkin, Suriano, Wester, Shapaka and Mako

**Absent:** 1 - Greenberg

**F. UNFINISHED BUSINESS - NONE**

**G. NEW BUSINESS - NONE**

**H. OFFICIAL REPORTS**

**Assistant City Attorney - none**

**Director of Planning**

Blackford shared that at this time there are no items for the December

21, 2022, meeting.

### Council Liaison

Blackford shared that the rezoning for property on Granville Street that the Commission recommended to Council heard public comment and will have a vote on December 19th. Council heard public comment this week on the 2023 Budget and if everything goes as planned that would be voted on December 19th.

Sheetz has filed an appeal to the Board of Zoning and Appeals (BZBA) of the Planning Commissions denial of their conditional use application. The date of the BZBA meeting is still to be determined.

### Chair

Chair called upon the Mayor for comments: Mayor Jadwin shared that the architectural and engineering process has begun on 825 Tech Center Drive. There was a kickoff meeting with the team from Michael Schuster and Associates. An RFP was sent out for a construction manager at risk. The RFPs were scored, some candidates were interviewed. Hopefully the team will be deciding soon in order to take a contract to Council.

A couple of weeks ago, Council approved a request for revised development agreement for the Crescent at Central Park. That development agreement modified the number of rental units. It increased it to 296 and increased the use for medical office that will go on that northwest portion of the property and reduced commercial use there to accommodate the expanded residential use. That project continues to move forward as well. She believes there will be five medical office buildings on that northeast corridor and a potential new medical office building on the northwest corridor. It continues to be a project that evolves as a medical campus and a big attraction. It's leading us to look at other things that we're doing in that area to how we can complement it.

Chair called upon Hick for CIC comments: Hicks shared that at the *Business First* Breakfast on Friday, November 18th Gahanna Community Improvement Corporation announced that they are in contract to acquire 4 acres plus or minus in the Creekside area for a mixed-use redevelopment project. There are articles in the *Business First* and last week's *Rocky Fork Enterprise*. It is still in the infancy stages as far as contract negotiation. No developer agreement, nothing of that sort, no renderings or final development plans.

Chair comments: Tamarkin stated for the record the following comments about the Sheetz appeal. And he encourages some other discussion. The appeal was filed by the Vorys Law firm. He said he has a friend at the Vorys Law firm, and he rides on their Peloton Team. He doesn't know any of the three attorneys listed on the appeal. In the appeal, Section 2A in bold print they list here the Planning Commission was required to approve the application because it easily satisfied the plain terms of the zoning code. If we're required to approve something, why do we exist? In his opinion, the commission is not required to approve anything. He feels that language is wrong. They talk about the four reasons for a plan. The Planning Commission shall approve an application for conditional use if the following conditions are met. Number three: the proposed development will not have undesirable effects on the surrounding area. Number four: the proposed development will be in keeping with the existing land use, character, and physical development of the potential of the area. He wishes he had a little more information and would have done this a few weeks ago when Sheetz was here. He wants to put it out there now and put it on the record. Number three, about having undesirable effects. The attorneys are certainly taking the approach that it will not. He would like to dispute that a little bit. At 3:45 am on October 30th, three days prior to the Commission meeting, it was reported that eight men with semi-automatic weapons came out of a Sheetz gas station on Cassidy Ave and opened fire, 20 shell casings were found. An innocent bystander in a passing car was thought to be struck by a stray bullet and killed. The deceased, who is from his hometown of Youngstown, was the valedictorian of his high school class at Girard High School and an honor student at Youngstown State University. You can't always blame the retailer for customers' behavior. As you all know, he has been a retailer for most of his professional career. He has seen it all. And again, you can't necessarily hold the retailer responsible for what happens and behavior of their customers. But a certain type of business can be a magnet for trouble. A 24-hour business in a neighborhood that does not have other 24-hour businesses just can cause and become a magnet for that kind of behavior. Number three, for the conditional use. Does the proposed development have undesirable effects on the surrounding area? It is certainly very possible. Number four, the land use, is it in character? There are no other 24-hour businesses in the area. There are certainly some at the intersection of Morse Rd and Hamilton Road, but there are none in the vicinity of the Johnstown Road roundabout. All those businesses there, three restaurants, close early. None of them are even 2:00 am businesses that you might see in the Morse Road commercial area. The Barn closes at 10 pm during the week, and 11 pm on the weekend. Highbanks might stay open until midnight. He thinks the Donatos also closes early. There are no

other businesses in the area with so many lights, so many signs, and there's certainly no other businesses in the area that will draw all night traffic. When he talked to his friends and neighbors, everybody is opposed to this. There is nobody he has talked to who thinks that this development is a good idea in this location. Last weekend, he ran into Sloan Spalding, the mayor of New Albany. When he found out Tamarkin was on the Gahanna Planning Commission, he asked what's going on with their Sheetz. He did not know, but Tamarkin told him that the Commission turned it down. He said that's good, as he was not in favor of this development there, and he stated that he mentioned to the New Albany Company that this was a bad use of this land.

Tamarkin wishes he had been a little more verbal in these things. He was aware of the shooting on the Cassidy Rd Sheetz when the Commission met. He did not bring it up. He didn't have many details on it. He went and looked into it a little later. But in his opinion, he hopes that BZBA considers this project and considers this land and respects what the Planning Commission decided in their meeting.

#### **I. CORRESPONDENCE AND ACTIONS**

BZBA Appeal of the Sheetz Conditional Use denial from Planning Commission on November 2, 2022.

#### **J. POLL MEMBERS FOR COMMENT**

Hicks encouraged the Planning Commission members to attend the BZBA meeting once it is scheduled. There have been opportunities in the past for Planning Commission members to speak. They have been called upon by the BZBA members. In being involved in a few of these over his 10 years, he said the Commission's words in the meeting and rationale are used in the deliberation. They will be used by the plaintiff to support why the Commission's ruling should be overturned, and they'll be considered by the BZBA on whether it should be upheld or overturned. The more the Commission can distinctly say why it is opposed to or in support of a project in the record will help in those meetings.

#### **K. ADJOURNMENT**

There being no further business the meeting adjourned at 7:45 p.m.