

City of Gahanna

Meeting Minutes

Planning Commission

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

Pam Ripley, Deputy Clerk of Council

Wednesday, September 13, 2023	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 September 13, 2023. The agenda for this meeting was published on September 8, 2023. Chair Thomas Shapaka called the meeting to order at 7:00 p.m. with the Pledge of Allegiance led by Mr. Wester.

B. ADDITIONS OR CORRECTIONS TO THE AGENDA - NONE

C. APPROVAL OF MINUTES

2023-0152 8.9.2023 Planning Commission minutes DRAFT

A motion was made by Hicks, seconded by Mako, that the August 9, 2023 minutes be Approved. The motion carried by the following vote:

- Yes: 5 Hicks, Greenberg, Mako, Shapaka and Suriano
- Absent: 1 Tamarkin
- Abstain: 1 Wester

D. SWEAR IN APPLICANTS & SPEAKERS

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

Present 6 - John Hicks, Michael Greenberg, James Mako, Thomas W. Shapaka, Michael Suriano, and Thomas J. Wester
Absent 1 - Michael Tamarkin

E. APPLICATIONS - PUBLIC COMMENT

<u>V-0019-2023</u>

To consider a Variance Application to vary Chapters 1143.08(c), Side Yard Setback of the Codified Ordinances of the City of Gahanna, to allow for a garage installation on property located at 150 Regal Place; Parcel ID: 025-003475; Current Zoning SF-3; Tracey Parks, applicant.

Maddie Capka, City Planner provided a summary of the application; see attached staff presentation. Capka said the variance application is a request to allow a 16 by 24-foot attached garage to encroach 3.5 feet into a 7.5-foot side yard setback. This side yard setback is consistent for all sites that are zoned Single Family-3 (SF-3). The applicant originally applied for a building permit for a garage in June. At that time the garage was compliant with the zoning code and was located outside of all setbacks. The applicant states that their initial calculations were incorrect, and the garage is 11-feet closer to the side property line than what was originally approved. Which is why they applied for a variance. The proposed garage will be located at the end of the existing driveway and will be attached to the north side of the home. The applicant submitted a drawing that shows that the proposed garage will match the existing structure in height and will match the existing roof line.

Planning Commission must show that all three variance criteria are met to approve the variance. There are special circumstances or conditions that apply to the land, building or use. Granting of the variance is necessary for the preservation and enjoyment of substantial property rights. Granting of the application will not be materially detrimental to public welfare or injurious to property or improvements in such neighborhood. The applicant states that this location for the garage was chosen so it could be constructed on top of the existing driveway and attached to the northern side of the house. All other properties except for one on Regal Place have either garages or carports. The addition is compatible with the surrounding area. Additionally previous variance applications for additions within the side yard setback in the SF-3 district have been approved within the past three years.

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

Applicant Tracey Parks, Franklin Garage Builders 1864 County Road 156, Ashley Ohio representing the property owner. The garage will improve the property value, and security for the homeowner. It will match the home with siding and shingles. Parks is available for questions.

Clerk confirmed there were no comments from the public.

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

Chair called on questions from the Commission; Shapaka asked if there was a discussion with the neighbor to the left. Parks said there was discussions, and they had no problems with the garage addition. It was requested that the garage wall closest to their property be a fire rated wall. That is included in the plans.

A motion was made by Suriano, seconded by Greenberg, that Variance V-0019-2023 be Approved. The motion carried by the following vote:

Yes: 6 - Hicks, Greenberg, Mako, Shapaka, Suriano and Wester

Absent: 1 - Tamarkin

DR-0017-2023

To consider a Design Review Application for a Master Sign Plan for property located at 680 Buckles Court, Crescent at Central Park; Parcel ID: 025-013811; Current Zoning SCPD; Gahanna Medical Office Building; Sean Alley, applicant.

Maddie Capka, City Planner provided a summary of the application; see attached staff presentation. Capka said the application is for a Master Sign Plan (MSP) at 680 Buckles Court North. Lot-2 of the Crescent at Central Park development. The site is zoned Select Commercial Planned District. The project had final development plan, design review, and variance applications approved in 2022. While signage was shown on these plans it was not under the purview of Planning Commission at the time. It was just preliminary. The site contains one two-story multi-tenant medical office building with five tenant spaces. While zoning code was revised a couple of months ago with specific sign standards for multi-tenant developments with no MSP, the applicant is requesting a master sign plan to allow for larger signage than what is permitted in code. The MSP application includes nine wall signs and one ground sign. Four of the tenant spaces will have two wall signs each. Four are along the rear of the building adjacent to I-270. The other four are in the front of the building. The final wall sign is located on the southernmost side of the building. Capka showed the previously approved sign renderings for reference. They are around the same size as what is proposed. Capka highlighted the MSP. The maximum wall sign length is 20-feet for seven of the nine wall signs and 28-feet for the remaining two signs. The maximum wall sign height is between four and seven feet. The ground sign is nine feet four inches tall, which includes the masonry foundation. The sign contains five double-sided sign cabinets. One per tenant, total sign area not including the base or structural elements of the sign is 40.44 square feet. Tenants are not restricted in font design, logos or colors which is standard in previously approved MSP. The landlord

approval is required prior to applying for a sign permit and applicants must prove that they have landlord approval when they apply. Capka shared the prohibited sign types, code requirements and the MSP requirements for wall signage and monument signage. The request does fall within this requirement, and it meets the minimum setback requirement of 15 feet from the right-of-way. There are five total sign cabinets. Capka showed the elevations. The sign that is facing the southwest is the front of the building that is adjacent to Buckles Court. The elevation facing northeast is adjacent to I-270. Capka showed the proposed ground sign and the proposed location of the wall and monument signs. Capka showed the evaluation criteria for MSP. Staff recommends approval of the MSP as submitted. It meets all applicable code requirements and encourages consistent signage and the wall signage while large is in scale with the building size. The ground sign only exceeds maximum height by 16 inches and meets all other applicable requirements.

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

Applicant Larry Canini, Canini & Associates, P.O. Box 887 New Albany, and Todd Kimling, Noon Development. Both are available for any questions. The goal is to have the doctors become a part of the project, so they are owners within the project. That is critical in keeping them beyond the tax abatement and all the other things that can occur that cause practices to leave.

Clerk confirmed there were no comments from the public.

Chair closed the public comment at 7:17 p.m.

Chair called on questions from the Commission; Wester asked about the elevations of sign D, facing southwest and sign H, facing northeast. It calls for 120 square feet. But the numbers down below 28 by four come out to 112. Canini said that might be an error by the sign manufacturer. Canini said it appears that they are listing the square footage as the maximum allowed. But their measurements are coming in just under that. He believes the sign company was showing, was the maximum allowed. Todd Kimling, Chattanooga Tennessee said that when the tenant submits a sign package it will be the 112 square feet although the elevation has a maximum of 120 square feet. Wester asked Capka if it is a problem. Capka said it is not a problem. If she were to receive a sign permit for this tenant space, she would only allow 112 square feet based on what is in the MSP. It could be revised to change that to 112 square feet but does not think it would cause any permitting issues.

Mako asked to be walked through what that process for a tenant to apply for an MSP would look like. Canini said that because all the practices are in essence partners in the real estate Noon Development serves as a partner as well as the landlord, and property manager in a sense. They have already blessed all of the applicants. Kimling said they could provide a letter from the landlord on each individual MSP package with the MSP permit application.

Suriano asked if the signs are internally lit, and if the monument sign is lit. Kimling said they are internally lit and back lit.

Shapaka said when the applicant was here prior there was one pole sign with all the tenants listed along the highway and asked if they are replacing that sign. Canini asked if he was speaking of along the freeway visibility? The only sign they touched on when they were here for the preliminary plot for Buckles Court was and it still remains; is a 20-foot strip of land between what is lot 1A and this particular lot that 20-foot strip is being held for the purpose of them returning to the commission in the near future to propose relocating the paper billboard sign that is along Hamilton Road at Tech Center Drive. There are two Lamar static paper billboards. They have started excavation and doing the fill work for that project. One of those billboards now falls within one of the retention basins that has begun to get carved in and the other one's just a little further north almost to the ramp. They are removing those billboards to the 20-foot strip along I-270.

A motion was made by Hicks, seconded by Wester, that the Design Review DR-0017-2023 be Approved. The motion carried by the following vote:

Yes: 6 - Hicks, Greenberg, Mako, Shapaka, Suriano and Wester

Absent: 1 - Tamarkin

DR-0018-2023

To consider a Design Review Application for a carport for property located at Buckles Court North; Parcel ID: 025-013811; Current Zoning SCPD; Crescent at Central Park - Lot 2; Bob Elliott, applicant.

Maddie Capka, City Planner provided a summary of the application; see attached staff presentation. The application is on the same site as the previous application. The applicant is requesting approval of a design review for a 20-foot by 60-foot non-enclosed carport covering six existing parking spaces. No parking spaces are being removed or added as part of this application. All parking requirements are still met. The carport is located on the south side of the property adjacent to Reserve C. Reserve C is a wooded area that will remain undeveloped. A variance was granted in 2022 for a zero-foot setback along the southern property line. Although the carport is along that property line no additional variance is necessary. The primary color is matte black to match the existing medical building. Capka showed the site plan. The carport is in the upper right-hand corner of the site plan and is approximately 180-feet from the right-of-way. Capka showed the standard design review criteria and the design review criteria for District 3. The one District 3 criteria to consider is the color scheme should be designed to ensure universal harmony on all commercial developments. Staff recommends approval. The request is minor, and the color of the carport is consistent with the main building. All other applicable code requirements are met.

Chair opened public comment at 7:28 p.m.

Todd Kimling, Noon Development, 715 Market Chattanooga, Tennessee is available to answer any questions.

Clerk confirmed there were no comments from the public.

Chair closed the public comment at 7:29 p.m.

Chair called on questions from the Commission; Mako asked if the carport is being added as an amenity to the site. Kimling said yes, it is a medical office that has a surgery center component. It is for the physicians that are also owners in the building to have the carport. It is standard for medical building that have the surgery center component.

Suriano asked it if was painted steel? Kimling said the photo is a standard photo from the manufacturer it would be black to match the theme of the building.

Shapaka asked the administration if the applicant came back and wanted to add solar panels on top of the carport do they have to come back and get a permit. Capka said they would need a building permit. Shapaka asked if they wanted to add a car charger station would that come before the commission. Blackford said it would be a building permit for electrical. He doesn't believe those spaces are typically any larger than a normal parking space. If they were larger and change the parking lot layout technically code says that would have to come before the commission. But if it is just putting a charging station and they are not losing any spaces it would be an administrative permitting process.

A motion was made by Greenberg, seconded by Suriano, that the Design Review DR-0018-2023 be Approved. The motion carried by the following vote:

- Yes: 6 Hicks, Greenberg, Mako, Shapaka, Suriano and Wester
- Absent: 1 Tamarkin

F. UNFINISHED BUSINESS - NONE

G. NEW BUSINESS

i. Zoning Code Rewrite - discussion

Director Blackford updated the commission on the zoning code rewrite. There will be an opportunity for public participation at the Mill Street Market on September 24, 2023. There will public participation boards to talk about the zoning code rewrite. They will collect that data anticipating in October or November in-depth workshop with Planning Commission in City Council. Staff continues working on some edits to the draft zoning code and want to make sure that they are headed in the right direction on two or three topics. One of the big topics will be uses. It is an important topic in the city. When a community in which vacant land is running short and infield development puts a premium on smart redevelopment. Maybe some architectural discussions and signage will be addressed also. Tonight's agenda is a good one to bring up. The last item was a carport. Some of these changes code says you are changing around your site plan even if you are not expanding your parking area, but you're just changing how you are striping. Technically that must come before Planning Commission. Staff would like to know what the thought is for some administrative approvals in code. The two main applications the commission sees are final development plans and design reviews. They have some of the same materials, possible combining those applications to make it more simplified but then really having two different permitting paths. A Planning Commission permitting path and an administrative permitting path. Some of the code changes already with subdivision without plat being administratively instead of always coming before Planning Commission. Staff wants to get an idea again if they are on the right track. They were thinking about administrative approvals on items like carports, pavilions, maybe accessory structures, or small building additions. Staff thinks with the right code language they could be administratively approvable. A lot of zoning code is subjective as to how to come to a determination. They are thinking of modest editions like 5,000 square feet or less. Maybe something with lighting standards, landscaping standards and if they meet the standards, it would be appropriate to be an administrative approval process in the future.

Suriano asked if Mr. Blackford was referring to administrative approval and in the instance that an application would meet zoning code. Blackford said yes when it meets zoning code. If there was any variance because the parking space sizes were too small, then that variance would come before the commission. Just like you see with signage you're not approving the sign necessarily, but you are improving that deviation from code. It would be for cases that meet the new code standards. If they meet code, it could be approved by staff rather than going through a public hearing process.

Greenberg asked if there will be some size standards, like for carports. Blackford said yes. They would be working on some language and then covering that language in detail because that is a major change to how things are currently processed. A carport or pavilion is a structure and not a building and there is not technically square footage. There could be placement criteria associated with it.

Suriano asked if there would be provisions in the code in the instance where you know we try to dot all the I's and cross all the T's or invariably you can't think of every instance. Things such as re-striping, buildings, or accessory structures that are less than five thousand square feet. Invariably there may be something that falls in that criteria that would technically meet zoning code but maybe administration might see that this is something adjacent to X use. His suggestion would be making some provisions in the code that would enable administration to have some flexibility to escalate it to Planning Commission if needed. Blackford said there is some old language that might need to be modernized. Staff will research and find some good code language. Suriano said he doesn't have any issue with something like restriping, that should be readily approvable by administration. Staff will work on some language and bring it back to the commission.

Shapaka said they are letting the public be aware of an issue and giving them an opportunity to make a comment. When something is administratively approved, the public loses that ability to voice their opinion. All these little things and all the other administrative stuff seems like a good procedure. When does it become a point to where it might be a public concern. How does the public know when their neighbor's building something and it looks like it got through, and they want to voice an opinion on it. He asked if that would trigger something in the verbiage that would have to come before a public hearing? Blackford said it is only the planning process that requires public hearing. The engineering processes, building permit processes are all administrative.

Blackford said the Land Use Plan and the new zoning code encompasses the direction that the community wants to go. He believes that when you have legal documents that are reflective of the community desires, why are you taking things to hearing if they meet the code. In his opinion it is variances, conditional uses, and rezonings, where you are asking for something that is not allowed in code. That is the public hearing participation. When something meets code, you cannot really deny it. Shapaka said the public awareness of what code says and getting educated on that is pretty much their first line of defense. Blackford said absolutely. The city has never rewritten the zoning code. It has always been amendments. There was public participation with three or four public meetings for the land use plan. There has been online engagement for the zoning code changes. He has discussed it three or four times with at planning commission meetings. There will be multiple public hearings with public participation and probably more online engagement. In staff's viewpoint if you are meeting code what is the benefit of going through a public hearing process. They also need to be careful weighing what is appropriate development to be administratively approved and what is not. They do not want to do is go from zero to 60 and try to say now there is no public hearings. Some of the more minor ones like seen tonight where typically there is not a lot of public involvement and participation.

Mako commented he is glad that they are having this discussion and that code is being updated. Approving things administratively expedites processes. If an application meets code, it makes sense to review administratively. He asked if going in this direction will cause a burden to staff. Blackford said it will make it easier for staff. Because they are doing the same review that they are doing now. It is the amount of time it takes to write a staff report and prepare a presentation for the public hearing. There might be a lot of back and forth between applicants wanting expedited timelines and concern about scheduling for hearings. It creates a lot of back and forth between various staff members and the applicant. If it is new development, something that is more impactful those still go through the public hearing process. When it is minor things, it would save staff time and energy. He thinks it would mean a tremendous amount to the community, the business community, and developers. All the national trends and MORPC say zonings need to be more permissible and there needs to be more administrative processes.

Shapaka asked if something comes, if we don't do this or if there's a level that it comes in. He is just looking for accountability, if that could be sent to the commission and they can just review it real fast and say yeah there's no issue with this at all, do it administratively. Is there a level in that flow chart for that possibility of bouncing it off the commission. Roth asked if he was saying that the application would be presented informally to Planning Commission. They would say yes, we want to hear that one or no go ahead and do it administratively. Shapaka said, yes. Blackford said he has not had any experience with situations like that and does not know if that would even be something the commission could do. It would then be outside of a meeting making comments and sort of impromptu votes on a request. Roth said it would be making decisions outside of a public hearing if that was done. Blackford said they can investigate it and see if they can find some examples from other communities.

Hicks said he would not be in favor of a pre-approval. The planning department does not report to the commission. Either they send it to the commission, or they don't. In looking at Charter about what the powers of the Planning Commission are,it's vague, but it does use phrases like buildings or other structures. If it can be further defined or clarified in code that would be helpful. He is in favor of the principle of what is being discussed. So, if the process can be made more efficient for a homeowner or a developer, he is in favor and would like to hear and learn more and move forward with it.

Blackford wanted thoughts on parking. Traditionally zoning codes have minimum parking requirements. Gahanna code does and it is done on a very general basis. You cannot do it based on tenants. Tenants change so it is done out of use. A lot of zoning codes say if you are a big box retailer you have got to have one space per so many square feet. It does not matter if you're Kmart or Costco. You still must have all that parking. We know the parking needs of a Kmart and Costco are very different. A lot of the modern zoning codes do not have any minimum parking requirements. They may have maximum parking requirements, or they might just leave it up to the developer to determine what is the appropriate amount of parking. The zoning code consultant who does this on a regular basis is proposing to have no minimum parking requirements for commercial development. For residential there would be requirements. If that is not something that the commission thinks might be appropriate in Gahanna staff can work on alterations to code. In the last four and a half years there have been 10 parking reduction variances, all have been approved. Blackford believes the majority of those have been in the industrial area. Maybe they need to look at it and reduce the parking requirements. Is it appropriate. He is concerned about going with not parking limits, because recently there was the High Bank Distillery in a shopping center. Prior to opening the lot was not more than half full. Once opened, from a zoning standpoint there was more than enough parking. Zoning codes are not good at predicting how much parking is needed. You do not want to see large parking areas that are sitting empty. Especially when we are looking at a lot of infield development. You need to be smart with maximizing the potential of those sites. They have done some research and there are lots of codes that allow for administrative deviations when the tenant or the developer has been able to provide market analysis on their use. Blackford asked if the commission feels it could be appropriate to allow some administrative flexibility on parking if applicants or developers were able to provide some analysis. The more barriers and kind of unknowns that can be eliminated, even if it is small does help Gahanna recruiting certain businesses.

Suriano noted that when working in downtown Columbus there is no parking requirement. He has built buildings with no parking, appended parking. There is the rationale that it has high walkability and different options for transit or proximity to structured parking downtown. Super high density urban spaces can get by without a car. Gahanna or Columbus in general is a car-based culture. He would support a reduction in the parking zoning requirements. He thinks the city zoning requirements for parking are way too high. Typically, it is one and a half spaces per unit on a residential. You might see three per thousand square feet for office. He thinks zero parking requirement might be setting the city up for some craziness. Blackford asked what level of flexibility it can be. Staff can bring a proposal forward to the commission.

Shapaka said in looking at laying out a parking lot, he has had a lot of owners write letters saying the use that the tenant has is such a small occupancy they do not need 15 parking spaces. We only need six and are looking for a reduction. Because that reflects in the occupancy, the vast parking lots that we have for some of the grocery stores if that tenant changes and they don't need that requirement of parking are they going to be more apt to tear out that asphalt and put in a green space. If you are going to do a reduction in it the tenant is going to tell you how much he must have. If he wanted to use that minimum requirement because he is filling up the site, but if he does not have to fill up the site and can prove it, then he does not have to have that amount. He has to show that he has land to do it but he doesn't have to develop it. Like the medical center just approved. There was a lot of parking. If they have one tenant then now, they are controlling the parking. They did not have to develop that many parking spaces, but they had no choice because of the current code. It is not zero like Blackford said, it is almost a rational comment of how much they need. It can be looked at and if the square footage gets

changed, we are going to have to have additional parking, but you don't have to develop it at this time.

Blackford said there is a lot of different thoughts and variables at play. The code in old Gahanna encourages shared parking to reduce on-site parking. It does not say you could have a shared parking agreement and that lessens your requirement. It also says that there can be a 50 percent reduction by Planning Commission. Maybe that kind of language could be incorporated city-wide if the developer is proposing and can show a tenant market analysis. That market analysis of what they need versus what code requires. History shows that when variances are asked for and are granted, if it could be discussed when developers who are looking to come here anything that they can say there is administrative approvals for makes it a lot easier for them to make informed decisions and choose Gahanna.

Wester said parking is only part of the issue. He thinks you have to look at how that developer is going to handle the traffic and how the traffic is going to be impacted by the parking. If you have valet parking somewhere those people are super creative, they can park in places you didn't think they could put anything. He said Blackford brought up High Banks Distillery and they have added to that parking. They have also parked in the unpaved fields. He does not think it can be reduced to a zero need. He thinks a traffic study related to some sort of development that there should be a question saying how you will handle peak traffic on a sold-out night. If you go up to the roundabout on one side is The Barn and on the other side Is High Banks Distillery. Both very popular restaurants and both closed at about 10 p.m. Traffic starts to build up there around four o'clock in the afternoon. Thinking about when Sheetz was in town and how limited that traffic study was. You need to look at the traffic and how you are going to operate it. He does not think it all falls on the city, but the developer. You wish them all the success in the world, but that success is going to create a lot of problems. It should be addressed on paper up front. He agrees with what everyone has said.

Blackford said that is what the city wants to avoid. If they are parking and it is a contentious type of thing and then the city gets in the middle and the city is to blame because it does not have enough requirements. It is kind of that balance of not going to zero but not requiring everything when maybe it is two days out of the year when the parking lot is even close to being full. Finding that balance. If it is a more experienced developer who has done this kind of work, or this is my ninth store they are going to have a good idea and should be able to provide some level of details as to why they can operate at less than what code requires. Staff can look at other zoning codes.

Mako asked if they have looked at other city's parking codes. Blackford said yes. Mako said that the issues that Gahanna is facing with parking is going to be the same in other cities. He thinks that they need to do research and find out what these other communities are doing. Blackford said they will see what might work for Gahanna and see where we are and where we need to be. Mako asked in the past five years if the vast amount of zoning variances had to do with parking if they were primarily commercial/industrial type. Blackford said he believes there were a couple industrial sites, a couple medical office, and three or four multi-family requests.

Hicks agreed with everything that has been said and commented that they don't want to lose sight that current code has requirements for accessible parking. We do not lose sight of you maintaining that or similar requirements. Blackford said the ADA requirements are handled by the building department, engineering department and zoning code. It is best left to them to say what those calculations are. He thinks they change, and he does not know if code has ever been updated to reflect those new those standards from a from a space calculation standpoint. Those would still have to be identified on the plans, they would be reviewed. He could see that going away but it is handled by two departments. There might be language that says you have to meet the ADA standards as determined by appropriate City staff.

H. OFFICIAL REPORTS

Director of Planning

Blackford welcomed Logan Stang, Planning Manager. He has worked in the public sector and the private sector.

Council Liaison

Blackford said city council approved the 2023 Capital Improvement Plan (CIP). It is a new document that replaces the Capital Needs Assessment. The CIP outlines all the major capital projects that the city has. It outlines the asks, the dollars would be needed, and the time frame. It is a very in-depth detailed document. The Parks & Recreation Department has a new Parks & Recreation Master Plan that was approved. Council approved funding for the Department of Planning and a couple other departments for new permitting software. It is going to be a huge benefit to external customers. The software should make it easier to submit applications request, inspection request online and pay for things online. Reducing the amount of touch points and requirements to come into the city.

Greenberg asked what applications are coming up. Capka said there are a couple variances and parks applications. Blackford said there is a rezoning for property behind the Valvoline on Hamilton Road. The rezoning request is for condos.

I. CORRESPONDENCE AND ACTIONS

J. POLL MEMBERS FOR COMMENT

K. ADJOURNMENT

There being no further business the meeting adjourned at 8:19 p.m.