

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, August 12, 2002**

**Immediately Following Previous Committees or**

**8:45 PM**

**Council Committee Rooms**

## **Committee of the Whole**

*Robert W. Kelley, Chair  
Karen J. Angelou  
L. Nicholas Hogan  
John McAlister  
Debra A. Payne  
David B. Thom  
Michael O'Brien, ex officio*

**Members Present:** Debra A. Payne, Robert W. Kelley, John McAlister, L. Nicholas Hogan, Karen J. Angelou, Michael O'Brien and David B. Thom

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**ADDITIONAL ATTENDEES:**

Mayor, White, Murdock, D'Ambrosio, Komlanc, Wetherholt, Mitchell, Sherwood; residents and press.

**Carried Over From Last Meeting:**

**Old McCutcheon Road Rededication:**

This matter was postponed for two weeks.

**PRESENTATIONS:**

**Creekside - Design and Cost Estimate**

White gave a presentation "Creekside Redevelopment - A New Heart ... for Olde Gahanna". (Presentation and information are available in the office of the Clerk of Council.) Total cost estimated at \$1.29 Million; are asking Council for approval to bid Creekside Phase II at an engineering estimate of \$1,294,000.

Recommendation: Motion Resolution, permission to bid; Consent Agenda.

**PENDING LEGISLATION:**

**ORD-0154-2002**

TO ZONE 38.8+/ACRES OF NEWLY ANNEXED PROPERTY AS SF-3 ROD, SINGLE FAMILY RESIDENTIAL OVERLAY DISTRICT; FOR PROPERTY LOCATED ON THE NORTH SIDE OF TAYLOR ROAD IMMEDIATELY EAST OF RICE AVENUE; HOMEWOOD, BY J.C. HANKS, APPLICANT.

J.C. Hanks, Homewood Corporation, said they are prepared to respond to a number of questions that have been raised; houses will have basements; work with soil situation experts. Linda Menerey, land planner, 2564 Andover Road, Columbus, presented document titled "Changes to Plan Since Last Submission", Plan Modifications and Deed Restrictions, Engineering, Modifications by the City and Facts, and reviewed them.

Menerey continued that the lots are not smaller than those in Rathburn Woods; less than 2 per acres; 1.85 per acre; after talking with the Mayor and others made open space more visible to all lots; 49 lots; Mayor and others suggested the opportunity to get more people seeing the open space would be a plus; 49 lots direct open space to the front or back, back or across the street see open space; accessibility; all streets have a window or front on the reserves; average lot size is 14,278 sq. ft. She continued that after discussion with the Fire Department have made boulevard entrance; working with ODNR for 4' high fencing of Buttonbush swamp to protect preserve; defined language in deed restrictions regarding conservation easement and what is permitted/restricted; creating educational brochures; fencing also addressed in "Declaration of Covenants, Easements, Conditions and Restrictions for Foxwood"; addressed on page 8; Design Review Board to have authority to prohibit fencing; certain types in certain areas. Menerey continued that all homes will have basements and natural fronts and 2 car garages with opportunity to have 3 car.

Hogan questioned what kind of permit in a preservation zone; our design review board; the City's. Menerey said you cannot build a fence in a preservation zone; homeowners association would do the design review; language conservation fencing protected measure so dogs can't get in and deer out. Kelley said a split rail fence has been proposed around the conservation easement. Thom asked what the difference is between a preservation zone and a conservation zone? Hanks said he understands a preservation zone is actually an animal created by the City of Gahanna; conservation zone is similar but created or identified by ODNR; Gahanna not apply conservation easement; State have broad powers; powers vested in state. Angelou said DRB cannot override our Planning Commission. Hanks said it would be a community group; all deed restrictions can be overridden by the City. Thom said the City does not have design over residential. Angelou said anywhere, any City ordinance, overrides. White said that first they would work their design review then have to come to City because we require fence permit; then because we require fence permits would have to check to see if it is to code, and if not a variance would have to go through the Planning Commission. Angelou said in all declarations if not in compliance code takes precedence; be specific with fences and decks. Hanks said they will cover it. Hogan asked with the lots that back up to the preservation zone how much distance is there between in the back yard up to the preservation zone. Menerey presented drawing because she said they expected this question with decks showing different scenarios and there would still be close to 30' to use before the preservation zone; lots are approximately 137.1/2' deep; have 30' foot front setback and 30' rear setback or preservation zone. Upon question about basements and remediation soils, Menerey introduced Dan Ferguson, BBC & M; said an effort has been made to delineate poor soils; water in the southeast and northeast corners; soils where the proposed houses would be located are very good; do not anticipate any problems; feel there are no weak soils. Menerey said they did do additional borings and test pits; modified drainage pattern directed into proposed streets; site takes water from adjoining properties and drainage will be enhanced on parcels adjacent to the development; storm water will be directed away from Reserve "A"/Buttonbush swamp. Hanks said he understands the concern with soils and that is why they did the additional borings. Menerey said items 2 thru 6 under Engineering all have to do with drainage; have thoroughly researched this; Greg Comfort come up and go thru those points. Comfort said we are increasing and accommodating water coming off Rice Ave.; better way to Taylor Road; bring better storm drainage; bigger pipe to tie into system; drainage will be back to Taylor Road; routing the way water get out of the subdivision by the various drainage methods; will have rear yard drains to keep the water away from the proposed houses to an area that will have no impact; taking all drainage front of houses and routing it to pond; not thru swamp; protect from oil and pesticides; will work with grading also around swamp. Menerey said the City has extended the sewer line and improvements to Taylor Road have been completed which is very helpful. Comfort said they met with Wetherholt and his preference for drainage was to not go for a center drain; not down center; put west side of property; not want water running in the middle of the street.

There was discussion about the private drive and Council members stated they were not at all in favor of this. Comfort said the road would be built to public standard, just not be as wide. Hogan asked why it can't be a 26' street? Discussion. Menerey said they did not want to go into the lots to the east; also take out more wooded area that people wanted preserved; not want to clear that 50 or 60 feet of right of way; preserve trees for their screening. Hogan asked who would plow snow? Hanks said it is addressed in the deed restrictions on page 18; all homeowners be assessed a certain amount to cover things such as snow removal; homeowners association will be assessed; contract with a snow removal service and garbage service. Angelou said she has a real problem with the private drive; Thom agreed; said we have had nothing but trouble with private

streets; okay with first owner, but when resold people don't want that responsibility; creates more problems. Mayor said she discussed this with John Bain; told him she didn't like it; just creates more problems; what about street lighting too; maintained by the association; is not for this. Hogan asked how the City can maintain the sewer; we end up with no control. Thom said it will open up a hornets nest down the road; same as with condo associations; down the road they will want City services. Hanks asked what the narrowest road in the City is? Wetherholt said 18' or 19' feet; but on some rural road. On street parking was discussed for the 5 houses proposed on the private drive. Thom asked about the possibility of just eliminating those 5 houses. Hanks said none. There was discussion about a smaller public street with a variance; not have to be 26'. Hanks said if they could work it out and make the street a 26' road and make it public, Council would prefer that. Council members said yes; make it wider and make it public. Comfort said 26' is awfully wide, what about 22'; would that be acceptable; what City of Columbus is putting in their traditional neighborhoods; aesthetically would be more pleasing at 22"; can apply for variance. Sherwood said the width of the road does not have any bearing on the zoning for the property; can approve the zoning and address the road width at a later date. Kelley asked if there was an area that Council members could look at with the narrower streets. Hanks and Comfort will email Council areas where they can see the narrower streets and see how they fit in the development. Sherwood said it would be a Councilmatic variance; just setting the pattern of zoning now.

Hogan asked if the ponds are retention basins; Comfort said they are ponds.

There was question about what remediation would be done if there were problems with water in basements. Ferguson said they tried to address this in the design phase; very little ground water except for the poorly drained areas, and we are just not developing those sections. Comfort said that is why they did extra borings; did 29 concentrated to figure out where bad areas are and then not build on them; usually only about 5 borings for an area this size; did about 5 times the work. There was discussion about how much sump pumps run in the area; battery back up sump pumps be good.

Angelou asked about Trinity Homes; where is it in the Homewood line. Hanks said they are owned by the same family; Ambassador can be larger and more luxurious; bigger and nicer; but share floor plans; Trinity is more flexible; just put the Trinity brochure in with original information; the same family Homewood parent company; build as nice a home as Ambassador; equal or the same quality house.

O'Brien asked if the basement walls could be poured instead of cinder block. Hanks said he did not know that. O'Brien asked who would know? There was discussion about coating the block of the basement walls; wrapping it.

Meneray reviewed the facts listed in the "Changes Since Last Submission"; lots are not smaller than Rathburn Woods; not bulldozing environmental features; ODNR does not oppose the rezoning; land is suitable for development; soils consistent with those in Farm Creek and Rathburn Woods; residential overlay district (ROD) is mechanism that provides language and controls to enhance and protect these vital areas; preservation zones. Angelou said the preservation zones can only be a plus; is an amenity. Hogan asked how the City would control the preservation. Meneray said it should really say that it will be policed by the City. O'Brien said we do not want to see anything like what has happened in the past when a developer came in and cut down over 100 year old beech trees before the City was aware; must preserve the preservation zone here. Hanks said that they know that one of the purposes of the preservation zone is to protect the trees; also the swamp; will in no way disturb any trees or the swamp; want them there; amenity. O'Brien continued that these houses will be so close; have great concerns

about the swamp; pristine, fragile natural area that no amount of time can restore; cannot be replaced; concerned that ODNR doesn't oppose this zoning; must be very careful; before we destroy a part of natural history. Stu Lewis, ODNR, said they have met with Homewood and will be very involved in the building process, watching that nothing will be destroyed or disturbed; have worked with areas like this before and will take the utmost care; do need to take care that only non-invasive plants are planted around the area; do not want them to invade the preservation zone; will police that; have to have only approved plantings. Hanks said that Homewood will be printing instructional brochures about the preservation area. Lewis said they will be out walking the perimeter of the preservation zone on a regular basis.

There was discussion about the proposed walkway around the Rice Ave. pond; should it be done; people could be walking thru yards in Rathburn Woods. Hanks said this was put in to create connectivity and add safety. McAlister said he thinks it should be there; he would want it; take advantage of the connectivity. Thom said he thinks it is a nice feature; should probably deal directly with those homeowners that it would effect.

Menerey and Hanks said they would be emailing Council with areas where they can go see the narrower roads to see how they fit in; also need a new site plan changing the private street into public; text needs to be changed.

It was agreed to put the rezoning on the Regular Agenda; if information is not available it will just be postponed to the September 3, 2002 Council meeting; if information is ready then Council can proceed to vote on it at this coming Council meeting; if Homewood wishes to have it postponed they will submit that in writing to the Council office.

**Recommended for Adoption**

**Donna Jernigan, CMC/AAE, Deputy Clerk of Council**