



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

Bobbie Burba, Chair
Thomas J. Wester, Vice Chair
John Hicks
Joe Keehner
Jennifer Price
Donald R. Shepherd
Michael Suriano

Kayla Holbrook, Deputy Clerk of Council

The Commission may caucus at 6:30 p.m.

Wednesday, November 15, 2017

7:00 PM

City Hall

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

Gahanna Planning Commission met in Regular Session in the Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio, on Wednesday, November 15, 2017. The agenda for this meeting was published on November 9, 2017. Chair Bobbie Burba called the meeting to order at 7:00 p.m. with the Pledge of Allegiance led by Shepherd.

Present 6 - Bobbie Burba, Thomas J. Wester, Joe Keehner, John Hicks, Michael Suriano, and Donald R. Shepherd

Absent 1 - Jennifer Tisone Price

B. ADDITIONS OR CORRECTIONS TO THE AGENDA

Assistant City Attorney, Kristin Rosan, said Z-0001-2017 and V-0011-2017, it came to the City's attention that there was an issue with zoning signage required to be posted; code requires hearing date and signage on each street frontage be posted; applicant requested these be postponed because the Commission cannot vote this evening due to signage. Items voted.

C. APPROVAL OF MINUTES

[2017-0236](#)

Planning Commission Minutes - 11.1.2017

A motion was made by Shepherd, seconded by Hicks, that the Minutes be Approved. The motion carried by the following vote:

Yes: 5 - Burba, Keehner, Hicks, Suriano and Shepherd

Absent: 1 - Price

Abstain: 1 - Wester

D. SWEAR IN APPLICANTS & SPEAKERS

Assistant City Attorney Kristin Rosan administered an oath to those persons wishing to present testimony this evening.

E. APPLICATIONS - PUBLIC COMMENT

Z-0001-2017 and V-0011-2017 were voted on under Additions or Corrections to the Agenda.

[V-0012-2017](#)

To consider a Variance Application to vary sections 1171.03 (h), Fence Standards; of the Codified Ordinances of the City of Gahanna; to allow a privacy fence in the side yard; for property located at 883 Hunters Glen Drive; Parcel ID No. 025-008714; Samuel Mike Offord, applicant.

(Advertised in the RFE on 11/9/2017)

Blackford gave summary of the application; variance is to side yard requirement in code; privacy fence not permissible in side yard; code permits a 42" tall fence with an open face of at least 30%; showed a site plan; there is a letter of support from adjacent property owner; they ask for the item to be continued; but they are in support; reviewed variance criteria; applicant will be required to move the hot tub should that need arise from the City; asked for that to be a condition; required whether the fence is required or not; staff recommends approval with relocation of hot tub from easement at owner's expense; relocation of fence from easement at owners' expense; and replacement of fence in side yard not permissible if hot tub removed; new fencing must comply with code; also may wait to limit style and material of fence and/or require planting adjacent to Hunters Glen Drive; up to Planning Commission.

Chair opened public comment at 7:13 p.m.

Applicant, Mike Offord, 883 Hunters Glen Drive; knows there is an issue with the easement; spoke with Mr. Reynolds and have moved the hot tub back from boundary lines so it would not impede any work if needed; applied for the fence permit originally, put down 72" and it was approved; thought it was already approved for; many reasons for wanting privacy; some issues with the neighbor; he wanted the fence to go up; also a lot of safety issues with kids in the neighborhood; get a lot of traffic; afraid someone will peak through the fence; recently learned that his neighbor and another individual wrote a letter and stated reasons to not have this approved; Mr. Evans - have tried to work with him; fence permit shows it

was approved to go to the end of the yard; the letter doesn't state it was his idea originally; said he would even pitch in on the cost; has been a great neighbor; shrubs he said he put in, he said he could move them to be around his fence; offered to put in additional shrubbery; also the letter said the fence would be unsightly; have a brochure to show the fence; also there was a letter from a Diana Redman; said have gone by the rules and raised his kids to do the same; got all permits required to build this fence; have never spoken to Miss Redman; maybe she has a relationship with Mr. Evans; only issue to discuss is whether or not it should be open faced or privacy; the fence permit contained a drawing and measurements; it was approved; a contractor has already started the work and put posts in; the permits showed we could do that; waiting for approval for the 30% on the variance; need to drop in panels and the fence is done; hopes you approve this variance.

Chair called for public comment, there was none. Chair closed public comment at 7:21 p.m.

Shepherd asked if this were a pool versus a hot tub, would require a 6' fence; Blackford said there are pool fence requirements; Shepherd said believes it should be treated the same; Blackford said permitting for a hot tub is little to none; is different now; not as extensive as a pool; Shepherd asked how the hot tub ended up on the side yard; Offord said it is where they tend to gather; seemed practical to put where they hang out; second factor was the cost; wire to run to the unit was expensive and it was left in the original spot; Shepherd asked if there was separate permits for the hot tub and fence; Offord said yes, they were separate and had to get electrical permits; on fence permit, put down that it was a 6' fence and it was approved; presented the application that was approved; Blackford said there are alternatives to the fence, like landscaping; 4' is listed on application and then scratched off and listed as 6'; understands applicants perspective of believing it is approved; is good to ask for variance for height and opacity of fence; is more than just a typical privacy concern because there is a hot tub; Shepherd asked the dollar amount to move the hot tub; Offord said close to \$1,000 for just the electric alone; was close to \$900 to move the wiring; not sure what the labor would cost; Shepherd asked if his medical issue will be short term or long term; Offord said long term; some nights it is needed; does make a difference; Shepherd asked if the applicant would be okay with the condition of the fence being moved if the applicant no longer owned the property; Offord said okay with that; Keehner asked about the easements; Priestas said believes it is out the easement, but fence will encroach; Keehner said neighbor was concerned with placement of fence; Offord said neighbor was originally okay with everything; recently he had a change of heart; did not know until he read his letter; would be

an issue to move it because the contractors have already started; we are fighting the weather; would be a larger issue if we had to move it back; Keehner said it is his house, will not be the style police; Suriano asked if there are any utilities in the easement; Priestas said sanitary sewer; Suriano asked about the post foundation depth; Offord said it was hand dug to not go too deep; Suriano asked why he did not consider larger trees or natural screening; Offord said it is very visible; we are going to put shrubs up to make it look less conspicuous; would like the privacy part to avoid any issues in the future; does have people cut through the yard; Suriano asked to see the brochure of the fence material; Offord said neighbor and him both thought it was also serve a security purpose in that area; Wester asked how much fence we are putting in; Offord said 100'; Wester said one drawing shows it going back to the property line and angling, the next shows it calls for a 6' privacy fence but appears to terminate at the back of the house; Offord said was showing where we are asking for it to be fully covered versus open; we are asking for the full closure; Shepherd said saw pre-printed in the fence permit application it was 4' and is now scratched out and says 6'; not sure who did that, not initialed; could appear someone changed this after the fact; Offord said the drawing on the next page it says 6'; Blackford said this is the first time they were made aware of any fence permit; looking for the hard copy of our file; Shepherd asked if he thought about landscaping for the openness with the fence; Offord said those were running from \$30/each for those shrubs; costly; will still put landscaping in, but will not be as much as that would need; Shepherd asked about savings from a shorter open fence; Offord said also wanted to eliminate other issues related to kids in the area; Burba asked which one of the fences in the brochure he is getting; Offord pointed it out; Shepherd asked about the letter from Mr. Evans; finds it hard to believe it was hard to sell his home; he was in support of a 6' fence or smaller and what material; Offord said either; Blackford said spoke to neighbor and his concern was the way the homes sit; a fence is allowed, and some vegetation was put in; he understood that the fence would start with his home versus the applicant's; believes there was a misunderstanding from the neighbors' comments; explained to him in previous discussion what their side yard meant; Offord said explained to him it would be to his side yard; Shepherd asked how close the hot tub is to the fence and the front yard; Offord said 10' from front of house back, and 3-4' from hot tub to fence; Shepherd asked about moving fence; Offord said believes it was already approved and has started work; Shepherd said applicant is asking now to change the opacity which may require placement to change; Priestas was unable to find fence permit; Shepherd said looking at moving fence back; said we will need to make a couple decisions; Offord urged the Commission to see it from his point of view; believed this to be approved; made plans and spent money so far; would be a shame to

have to change that; moving the fence would be a cost not his responsibility; Rosan said reviewed fence permit; code permits a 6' fence; what was approved was not what the height was; under code it could be either; said Gard said on application the height was not an issue; asking that it is approved for height and opacity so it is clear; location and height is not an issue; opacity is the issue on the table; Shepherd said good to know; Blackford said code does restrict 6' high fences in side yard only; does an incorrect approval grant that right; always best that a variance memorialize what would come into question years down the road; Keehner confirmed the vote; Rosan clarified; permit said 6'; staff is requesting the variance be for the height and opacity; not withstanding what is in the permit; location of fence has already been approved and applicant has relied on that; Keehner said in terms of safety, it makes sense; in terms of aesthetics, makes more sense to move it back; relying on the safety factors; Rosan said fencing requirement for pools but it does not mention hot tubs.

A motion was made by Shepherd, seconded by Wester, that the Variance be Approved with the conditions that the fence be 6' and if the hot tub is ever removed that the fence be removed.

Discussion on the motion: Keehner said votes yes for safety but wishes the applicant would push fence back for the aesthetics; and that it not require another permit; Wester said will be voting yes, feels much like Keehner; feels backed into a corner; heard the hot tub was moved and there was an expense and it couldn't be moved to back; seems like we got the cart in front of the horse; wonders how we got ourselves into this; Shepherd said will support this; typically not fond of variances; thinks there is a safety issue here; too bad that we don't encourage them to place their hot tub in a different location to avoid some of this; supports for safety; Suriano said also supporting but encourage the use of natural shrubs to soften the fence; expense of moving would agree with Mr. Keehner; would encourage softening it if that is not possible.

The motion carried by the following vote:

Yes: 5 - Burba, Wester, Keehner, Suriano and Shepherd

Abstain, COI: 1 - Hicks

Absent: 1 - Price

[V-0013-2017](#)

To consider a Variance Application to vary sections 1167.15(b), Building Lines Established and 1153.01(c)(3), Development Standards, Side yard, of the Codified Ordinances of the City of Gahanna; for parking setback from right-of-way and side yard setback of ten feet; for property located at 1075 E. Johnstown Road; Parcel ID No. 025-011936; The Emilia School; Mike Balakrishnan, applicant.

(Advertised in the RFE on 11/9/2017)

Blackford gave summary of the applications; site was former home of a daycare; north of intersection of Beecher and Dark Star; north is Dogs Only; this is an existing daycare facility; built back in 2000 for purpose of daycare; they have a straight forward request; doing a very minor parking lot expansion; design review for painting of building; some significant planking on front facade; their lot has been altered due to right-of-way; there is some planting and a little bit of construction; parking spaces would not be noticeable to front yard; reviewed variance criteria; site was built for daycare; has been operating that way; anticipate zoning code changes in future and will look at large front yard setback; not how we develop today and how we want to go in the future; anticipate future code updates to be in line with this request; existing building is staying where it is at; showed the design review; existing roof is staying; site is getting a face lift.

Chair opened public comment at 8:10 p.m.

Applicant, Bhakti Bania, trying to come in and give a face lift and have new branding; adding a lobby entry; existing building is stone and tan; used to be the Goddard School; want it to be a soft white; the composite slab enclosure around it will give it a vertical appearance; ties into what we are doing inside; have to extend our sidewalk and had to relocate some parking spaces; we lost three and added three; there was previous setback right-of-way that was moved; effected parking; playground is staying in current location.

Chair opened the floor for public comment, there was none. Chair closed public comment at 8:13 p.m.

Shepherd asked if we have sample of the gold; applicant provided them to the Commission but the family and not the exact colors; Shepherd said likes to see final decisions; not sure how to approve a color that he does not see; Blackford said we do not have a set standard for color schemes; Shepherd asked about signage approval; Blackford said is approved administratively unless it requires a variance; Suriano confirmed it is a wood composite material; applicant explained the reason for the selection; Suriano recommends the thicker and more model of wood appearance; asked about the vestibules; the aluminum thins on the sides; applicant said those will match the side but wanted more light to come in; Suriano asked if there is opportunity to move signage to vestibule to silk screen or if we want it above the entry canopy; applicant said there is a landscape element beyond their view; that was the reason for the placement; Suriano asked what the wood slats are covering; applicant said stone only; adding character to it; Suriano said front is vestibule and rear is play space; applicant confirmed; Wester asked

about page 5 of the application and signage; shows yellow signage; said it is called out as #9 in the legend but is not part of this approval; Blackford confirmed; can be a clarification of the approval if the Commission desires; Hicks said his daughter went there and it is a nice refresh; looks good; Burba asked the capacity; applicant said believes we are at 116; Burba asked the age range; applicant said six weeks to 10 years old; Keehner asked where the fences go; in the elevation but not in the plan; not real clear if the fences are facade or if they make a turn and enclose the yard; applicant said there is an existing fence that goes along the property line; replacing just the front piece to go with the facade; applicant clarified they are replacing the entire fence; Blackford said huge change is paint and that is up to the Commission.

A motion was made by Suriano, seconded by Hicks, that the Variance be Approved. The motion carried by the following vote:

Yes: 6 - Burba, Wester, Keehner, Hicks, Suriano and Shepherd

Absent: 1 - Price

[FDP-0008-2017](#)

To consider a Final Development Plan Application for the modification of an existing day care facility, 500 square foot building addition, and expansion and modification of the existing parking lot; for property located at 1075 E. Johnstown Road; Parcel ID No. 025-011936; current zoning Suburban Office (SO); The Emelia School; Mike Balakrishnan, applicant.

(Advertised in the RFE on 11/9/2017)

See discussion under V-0013-2017.

A motion was made by Suriano, seconded by Hicks, that the Final Development Plan be Approved. The motion carried by the following vote:

Yes: 6 - Burba, Wester, Keehner, Hicks, Suriano and Shepherd

Absent: 1 - Price

[DR-0015-2017](#)

To consider a Certificate of Appropriateness Application for site plan, landscaping, and building design; for property located at 1075 E. Johnstown Road; Parcel ID No. 025-011936; The Emilia School; Mike Balakrishnan, applicant.

See discussion under V-0013-2017.

A motion was made by Suriano, seconded by Hicks, that the Design Review be Approved.

Discussion on the motion: Keehner said not overwhelmed by face lift but will not go against it; clumsy but understands logic of not wanting it to look like previous daycare; not going to be aesthetic police; Burba agreed with

Keehner; Suriano said voting yes; face lift will be nice and white will be clean; appreciates the addition.

The motion carried by the following vote:

Yes: 6 - Burba, Wester, Keehner, Hicks, Suriano and Shepherd

Absent: 1 - Price

[Z-0001-2017](#)

To recommend approval to Council a Zoning Application for 7.1+/- acres of property located at 4207 Clotts Road; Parcel ID No. 025-001877; current zoning Estate Residential (ER-2) ; requested zoning Single Family Residential (SF-3) and Neighborhood Commercial (NC); Pinnacle Pointe Village; Doug Maddy, applicant.

(Advertised in the RFE on 11/2/2017 and 11/9/2017)

A motion was made by Hicks, seconded by Wester, that the Zoning be Postponed to Date Certain to the Planning Commission, due back on 12/6/2017.

The motion carried by the following vote:

Yes: 6 - Burba, Wester, Keehner, Hicks, Suriano and Shepherd

Absent: 1 - Price

[V-0011-2017](#)

To recommend approval to Council a Variance Application to vary sections 1108.01 - General Requirements, 1109.02 - Streets, 1143.07 - Required Lot Area, 1143.08 - Yard Requirements, and 1197.05 - Certificate of Appropriateness Required; of the Codified Ordinances of the City of Gahanna; for property located at 4207 Clotts Road; Parcel ID No. 025-001877; Pinnacle Pointe Villas; Doug Maddy, applicant.

(Advertised in the RFE on 11/9/2017)

A motion was made by Hicks, seconded by Wester, that the Variance be Postponed to Date Certain to the Planning Commission, due back on 12/6/2017.

The motion carried by the following vote:

Yes: 6 - Burba, Wester, Keehner, Hicks, Suriano and Shepherd

Absent: 1 - Price

[CC-0002-2017](#)

To recommend approval to Council, changes to Part Eleven - Planning and Zoning Code, Chapter 1154, Restricted Institutional District, of the Codified Ordinances of the City of Gahanna.

Blackford said this is a straight forward change; would like to add public parks and playgrounds; currently allowed in single family residential areas; technically you can only find or build a public park in single family or in Olde Gahanna designation; parks are allowed by conditional use in residential zoning by right of OG-3; RID allows for religious organizations, schools, and public buildings; not a detriment; may go back and rezone our current parks; they are currently single family; would be the first step

in allowing that; City has purchased RID property in the past and this would allow it to become a park; this is a recommendation to City Council.

Chair opened public comment at 8:33 p.m. There was none.

Keehner said straight forward; Hicks said he agrees.

A motion was made by Keehner, seconded by Wester, that the Proposed Code Change be Recommended to Council for Approval. The motion carried by the following vote:

Yes: 6 - Burba, Wester, Keehner, Hicks, Suriano and Shepherd

Absent: 1 - Price

F. UNFINISHED BUSINESS

None.

G. NEW BUSINESS

None.

H. OFFICIAL REPORTS

Assistant City Attorney

No report.

City Engineer

Priestas said tomorrow hosting open house at MSW from 5-7pm for the West Side Intersection.

Planning & Development

Blackford said would like to talk about color pallets; new to doing some of these; also doing site inspections; do not know what direction we go; have concern with using color terminology; differs with who makes the paint; if there are concerns with white and there are different white shades; does not know the differences; not sure if he has experience to recognize that; might be something we want to look at; other communities do have set color pallets; can discuss in the near future the pros and cons; Shepherd said we used to do that; had a color wheel; Blackford said is something we should consider; Suriano said it will depend on architects specifications; outside of it looking different versus

a color swatch; it will happen; depends on overcast and sun; those are hard things trained or untrained; no way to legislate that; if their specification says white#5 and they give acceptable alternates to that color, or sometimes it says "or similar"; if they come back and say it is a different paint color, would we require a second approval of a material or substitution; Blackford said there is little to no administrative flexibility; have concerns with doing inspections and their consistency with Planning Commission approval; a lot of opportunities for flexibility; Suriano said two wood composites will vary by manufacturer; contractors can get a good deal on materials and it look the same and be swapped out; Blackford suggested we have future discussion on this item; Keehner said same with plantings; Blackford said will be a few growing pains; great time to discuss this.

Blackford said December 1st, is ED411, annual event held at Ohio State on everything economic development; not sure if Council has dollars available; very good half day conference; a lot of region leaders will be there; recommend someone attend if interested.

Keehner said in terms of paint colors and plantings, not a big deal to substitute; plant will die and paint will get repainted; those not a big stickler on; shapes of buildings and like things are more permanent.

Council Liaison

Hicks said Council heard at COTW our recommendation for the sidewalk variance; no one seemed to have an issue with it.

CIC Liaison

Not present.

Chair

No report.

I. CORRESPONDENCE AND ACTIONS

- **Sunshine Law Training - April 24, 2018 - 9am-12:30pm - City Hall. Please let the Council office know by Friday 11/17 if you will attend.**

J. POLL MEMBERS FOR COMMENT

K. ADJOURNMENT

8:51 p.m. by Shepherd (*Wester left at 8:44 p.m.)