

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Monday, September 24, 2001

Immediately following Special Meeting.

9:05 PM

Council Committee Rooms

Committee of the Whole

*Michael O'Brien, Chairman
Karen J. Angelou
L. Nicholas Hogan
Thomas R. Kneeland
Debra A. Payne
Donald R. Shepherd
Rebecca W. Stinchcomb, ex officio*

Members Present: Debra A. Payne, Rebecca W. Stinchcomb, Thomas R. Kneeland, L. Nicholas Hogan, Donald R. Shepherd, Karen J. Angelou and Michael O'Brien

Additional Attendees: Mayor McGregor, Jerry Isler, Bonnie Gard, Press, Isobel Sherwood, George Jackson, Tom Komlanc, Karl Wetherholt, Raleigh Mitchell, Tony Collins, Sadicka White, Tracie Davies, David Lee; Press; Visitors.

ISSUES - Carried Over from Previous Meeting:

GIS Proposals - Presentations by Vendors.

Presentations were given by Malcom Pirnie and EMH&T and are available in the Council office.

PENDING LEGISLATION:

Recommended for Postponement to October 15, 2001

ORD-0143-2001

TO AMEND CHAPTER 1135, DISTRICTS AND ZONING MAP, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain

ORD-0144-2001

TO AMEND SECTION 1136.04, CONDITIONAL USES, OF CHAPTER 226, ER-1 ESTATE RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain

ORD-0145-2001

TO AMEND SECTION 1137.04, CONDITIONAL USES, OF CHAPTER 1137, ER-2 ESTATE RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain

ORD-0146-2001

TO AMEND SECTION 1139.04, CONDITIONAL USES OF CHAPTER 1139, SF-1 RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain

ORD-0147-2001

TO AMEND SECTION 1141.04, CONDITIONAL USES OF CHAPTER 1141, SF-2 RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain

ORD-0148-2001

TO AMEND SECTION 1143.04, CONDITIONAL USES OF CHAPTER 1143, SF-3 RESIDENTIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain

ORD-0149-2001

TO AMEND SECTION 1145.02, CONDITIONAL USES OF CHAPTER 1145, R-4 RESIDENCE DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain**ORD-0150-2001**

TO AMEND SECTION 1147.04, CONDITIONAL USES OF CHAPTER 1147, MR-1 RESIDENCE DISTRICT OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain**ORD-0151-2001**

TO AMEND SECTIONS 1150.03, DOWNTOWN SINGLE FAMILY 1150.04, DOWNTOWN MULTI-FAMILY OR DOWNTOWN SUBURBAN OFFICE; 1150/05, GENERAL DOWNTOWN COMMERCIAL; 1150.06, DOWNTOWN CREEKSIDE OF CHAPTER 1150, OLDE GAHANNA DOWNTOWN DISTRICT OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain**ORD-0152-2001**

TO AMEND SECTION 1151.03, CONDITIONAL USES OF CHAPTER 1151, PLANNED DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain**ORD-0153-2001**

TO AMEND SECTION 1153.01, SO SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT OF CHAPTER 1153, GENERAL COMMERCIAL DISTRICTS OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Recommended for Postponement to a Date Certain**ORD-0154-2001**

TO ENACT CHAPTER 1154, RESTRICTED INSTITUTIONAL DISTRICT, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

Sherwood said there was a change made by Planning Commission; she has corrected ordinance but it will have to be substitute. O'Brien said that he received several emails today from Jim Strong, New Life Community Baptist; have not had a chance to read them.

It was asked when this had to be done, and Weber said by November 5th. O'Brien said this is the recommendation of the Administration and Planning Commission did recommend to Council the adoption of the Restricted Institutional District chapter; is a good document. He asked what Council could review for the church representatives present. Angelou questioned new legislation under federal law; not want this to put us in harms way. Weber said nothing would forbid the church from exercising their religion and their mission to grow; hard pressed to have setback lines having a significant impact on their ability to carry forth their mission.

Steve Resch, Gahanna Christian Ministerial Association President and Pastor of Walnut Creek Presbyterian Church, said understands that it is excellent to standardize a bit but this proposed legislation is too strict because the mission of the church is to expand; if the land usage restricts the expansion of church then some of the setbacks seem to be too large; proposed too wide; churches need approximately 10 developable acres; would have to have 3.8 acres set aside for parking and setbacks. A church has a vision to be in a community for a long time; not just 3 to 5 acres; need as much as possible so church can grow. They would propose that the minimum side and rear yard setbacks be reduced from 50 to 25 feet. White passed out chart prepared by Gard comparing basic zoning districts, residential, commercial and industrial; they all have a minimum lot requirement. Resch said that minimum lot size is not a concession on your part; at least down to 2 acres to develop. White said the setback has to allow for appropriate compatible development; really guides every lot; really restricts lot coverage footprint. White said that anything can be varied, there are issues related to the lot and circumstances that may make a variance possible. Hogan said when we use the word

setback property line we are talking to the closest building; not talking 50 feet around building structure; bringing parking lot within 15 feet; building setback is the problem. There was discussion about Westerville and Dublin legislation and White said that they are regulating different standards for residential and institutional; two sets of standards. Angelou said that we deal with them on a conditional use to allow them in residential neighborhoods.

Mayor said the neighbors were not happy about the proposed addition at New Life; we need something very specific; this is the setback; not a problem. White said schools and churches are in residential districts; if they weren't expanding this would not have come up; issues would not have come up; houses developed at the same time; conflicts started coming up; this is reoccurring; not have appropriate zoning category; development standards to side by side coexist to do their mission also with the mission of the residents.

Rod Dempsey, New Life, said they are faced with a double whammy; proposing a youth center fall within the 50 foot setback, need it to be about 40 feet; strike 1; strike 2 zoning proposal a gymnasium is not allowed; questioned the youth center considered a gym; this is a mission part of the church; reach out to the teens be able to invite them to come into our church; at this point inside the setback. White referenced RLUPA; be careful use not permitted on that same property; building on another piece of property; property building on another piece of property put up a stand alone gym and the church. Mayor said the code is intended so that such as a gymnastics business cannot come in to a residential area.

In response to question Weber said the financial burden is a separate test; broad protection of religious; all land use restrictions an infringement balancing the right of the church and the right of the public to protect the health safety of the community; individual basis. Strong said caution should be used in how Council structures this proposed chapter; left open and undefined not putting any definition still up in the air; less defined more opportunity.

O'Brien said that we just received the emails late today and have not had time to review them and it is almost 11:30 p.m.; would like to continue this discussion at next committees. Stinchcomb suggested that Committee of the Whole be held first at 7:00 p.m. at the next Committees.

Recommended for Postponement to a Date Certain

ISSUES:

E-Mail Guidelines - Electronic Records