



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

Donald R. Shepherd, Chair
Bobbie Burba, Vice Chair
David K. Andrews
Kristin E. Rosan
Thomas J. Wester
Jennifer Price
Joe Keehner

Kayla Holbrook, Deputy Clerk of Council

Wednesday, April 13, 2016

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, April 13, 2016. The agenda for this meeting was published on April 8, 2016. Chair Don Shepherd called the meeting to order at 7:00 p.m. with the Pledge of Allegiance led by Bobbie Burba.

Present 7 - David K. Andrews, Donald R. Shepherd, Bobbie Burba, Kristin E. Rosan, Thomas J. Wester, Jennifer Tisone Price, and Joe Keehner

B. ADDITIONS OR CORRECTIONS TO THE AGENDA

C. APPROVAL OF MINUTES:

[2016-0126](#)

Planning Commission Minutes - March 23, 2016

A motion was made by Wester, seconded by Burba, that these Minutes be Approved. The motion carried by the following vote:

Yes: 7 - Andrews, Shepherd, Burba, Rosan, Wester, Price and Keehner

D. HEARING OF VISITORS - ITEMS NOT ON AGENDA

None.

E. APPLICATIONS/PUBLIC HEARINGS: None.

F. UNFINISHED BUSINESS: None.

G. NEW BUSINESS:

[DR-0008-2016](#)

To consider an application for Certificate of Appropriateness for amendments to the original design for property located at 505 Morrison Road; Parcel ID No. 025-001131; Kindred Artisan Ales / Jeff Berling, applicant.

Gard stated that this is an application to amend DR-0008 of "2015". This is the original group plan for this building and has had 8 changes to the original approval. The changes include sign over front door has been changed; the painted sign on the wall was eliminated; there is now a main door at the end of the roll up door; gooseneck lights have all been eliminated; patio seating was extended; window was not put in as approved; decorative railing was changed to pipe railing; tasting room sign has not been installed. Final inspection was conducted and observed changes and informed the contractor that these changes were going to have to come back to Planning Commission due to not being approved.

General contractor present, Jeff Berling, 2323 West Fifth Ave., Columbus. Referencing approved drawing from designer for meeting. Applicant Jeff Berling said the following: He has worked with Kindred for months with a particular budget in mind; however, after meeting with the designer and came up with the design, it was priced out over budget. It has since been attempted to keep the look as close to the approved plan as possible, but dropped the price 20%. To do this, they eliminated some things and a few things were changed. The changes include the window was cut in half so you couldn't see in the storage, the sign above front door has individual letters and was able to put it on with four screws, providing a benefit as to looks and costs. The new look has two pieces of metal which were powder coated, accomplishing what they wanted to see. They expanded the beer garden and seating area, which was originally tucked in between two buildings, so that the bartenders could see outside. The railing was previously a very decorative and expensive wood design, which the owners decided they didn't want to have to maintain and also wanted to reduce costs while keeping an open look. The added service door was a building code requirement during submittal because there had not previously been an exit door close enough to the restrooms in case of an emergency. Lastly, they didn't want the tasting room sign, so decided to take that off as well.

Andrews said this isn't the first time you've done a building, so do you go to other cities and not do it as planned? Applicant Berling said we made some changes based on some limitations. Andrews made the following points: The plans which had already been approved were signed by applicant contractor, so should have come back to ask for permission if can't complete the plans as approved rather than just making the decision to make changes without permission. Andrews

asked if changes can be made without Planning Commission Approval, then what is the point of having such a commission and what are they supposed to say to other businesses that do not follow the rules or may try to do the same thing; there needs to be consistency.

The new sign is smaller and you can barely see it, which detracts from the ability to advertise your business. The budget is figured before you come to Planning Commission, if you add or change those plans, it costs more money. Since other items were not completed as planned, what assurance does the commission have that the new railing stated here will still be added as described.

Applicant Berling said Andrews had good points. Applicant Berling went on to say this is his first experience in Gahanna, and that normally they would not re-submit in other cities for such changes. Additionally, Applicant Berling didn't think the changes would go over budget. Applicant Berling apologized for not getting permission for the unplanned changes. Applicant Berling continued to say things changed beyond his control and above his head. Applicant Berling feels the sign could have been bigger, and that he had put vinyl sign up before and it looked good. Andrews said he liked original plan and is disappointed with the changes.

Price said appreciates position that Applicant Berling is in. Price acknowledges that Columbus is different and that smaller city is more involved. Price said she'd like to see funding is coming together, and cuts have to be made, make that known. Applicant Berling said he hadn't placed into the slide presentation the original condition of the building, but to please recognize that this is still a big improvement. Price agreed that yes the building is aesthetically more pleasing and acknowledged that she was aware that the business had great opening. Price asked if there are key elements that might still be on the drawing board which would marry the initial plans, such as the tasting room sign, to the current building in the future after gaining cash flow. Applicant Berling said he has had a couple of negative comments regarding the sign on the front door, so it is fair to say they would try to modify that in a reasonable way by making it taller and wider. Price said this visibility is critical component to business. Applicant Berling said tasting room sign was ready to go on the building, but the owners didn't want it on the brick because didn't like the look of it. Price said the Kindred sign needs to be made bigger due to community feedback saying that they can't see sign and therefore don't know what went in that location. Price reiterated that it's important to the business owner to have this feedback because it's the best interest of business as well as getting the building closer to the approved design. Price then addressed the railing which was a major

aesthetic and asked if that would be changed in the future. Applicant Berling said pipe cannot be changed to be more appealing at this point. Price said as resident and commission member, she can acknowledge some changes are not a big deal, such as losing the lights over the utilities. However, Price did go on to say that there needs to be a continued effort to correct signage issues to at least remedy the sign and the railings so that the overall building can be a closer representation as to what was expected to be built. Applicant Berling asked about the tasting room sign and Price said she liked the sign on the brick because the contrast enhances the brick and helps identify the business. Applicant Berling said this sign is not a cost savings, so he can talk to the owner since that's an easy fix. Price said tasting room sign should be added for visibility, as well as trying to better the fence and enlarge the Kindered Ale sign above the main door. Price said she knows it can't be done immediately, but would like a plan, knowing the fence is the most expensive, but signage needs to be addressed quickly.

Andrews said it's our job to make sure owners and contractors do what they say and follow the code and what has been approved. Price said she can live with the immaterial items, given the point that they are at with a business owner making this investment.

Wester said he agrees with Andrews. Wester says he is looking at the projects thinking there is a shared responsibility because owes a duty to the citizens of Gahanna to approve and ensure what has been approved and publicized. Wester stated it upsets him that it's been a year with no communication regarding the changes. Applicant Berling said that was not intentional and that he is in good standing with the building dept. due to contact with them. Applicant Berling assured this won't happen again and will work with them to get through this.

Price said she works for the Ohio Economic Development Association and is therefore able to understand that Applicant Berling is apologetic, while also pointing to previous work experience with other cities not being as strict. Price said this is a learning experience for all involved and that maybe more instruction on adherence should be given by commission to first time businesses/contractors in Gahanna. Price acknowledges a learning curve for first time business owners and that she has an appreciation for such business in Gahanna. Price said that since this is not a big business which disregarded their approved building plan, this situation calls for trying to remedy the problems the best way for all which she feels Applicant Berling is attempting to do. Price said now the focus should be to change key elements and reincorporate some critical elements, should have received permission to deviate, but wants to point out it's not malicious.

Keehner said he's more liberal on small businesses verses bigger business which sometimes show an arrogance as to following Commission's approvals. Keehner said he went by the building to fully form his opinion and not having the tasting room sign is no big deal, building is aesthetically okay as is. Keehner went on to say the middle sign is low key, which may be the desired effect, but does seem small in comparison of the doors. Also, Keehner feels eliminating the lights is not major deal and that eliminating the tasting room sign is even a positive. Keehner does have questions regarding redoing the piping and whether or not outdoor seating would violate the current code because currently does not look like an outdoor eating area. Keehner's concern is that the railing doesn't do a good job showing a beer garden or an outdoor eating area which causes issues with approving things like this after-the-fact without exchanging information with the city. Keehner points out that this is an issue in terms of precedent, but overall he is more lenient with small business. Applicant Berling said always had a beer garden planned, but because it was stuck in hole, they decided to move it forward and will have tree stumps as seats or chairs.

Rosan said the building is an incredible improvement over what was there. Rosan also said that Planning Commission has seen these situations in the past, for whatever reason, and we have history of eventually approving the revised application whether by a large or small business. Rosan said she hopes the Planning Commission's viewpoint is more helpful, supportive, and collaborative than punitive to a new business within the community. Rosan said they are lucky to have this new business and should want to help its growth. Rosan said despite having a wish list of what they may want to see, she knows it's not possible and would like to collaborate on what the business is trying to achieve.

Andrews said he is not against the business. Andrews pointed out that Gard's job is to check on the status of approved buildings and that her notes state the building drastically changed from the approved plans. Andrews then asked what does supporting the business say to Gard that we are cutting out her legs from under her from doing her job. Andrews then asked what is stopping other people from doing the same thing. Andrews suggested asking Ewald, the City Attorney, what we should do when people don't follow plans. Applicant Berling said he put together the presentation of 8 changes and that Gard only had 3 areas of concerns. Applicant Berling said he took it a step further to bring changes forward. Andrews said the sign needs to be put up as originally planned.

Shepherd asked the City Attorney if we don't approve this, then where

do we go from here and would the business still have its occupancy permit. Ewald (City Attorney) stated there are two options: invalidate the DR or hold them under penalty of code as a misdemeanor. Shepherd asked the members if they want this matter to go to workshop and all agreed. Shepherd said the changes made drastically changed the approved plans and that he would have never approved this current building or would have at least had strong complaints. Shepherd asked if the business had a sign company do the front signage and Applicant Berling said they used a company that is not specifically known as a sign company. Shepherd told commission members to send desired changes to Gard in the next couple days. Shepherd likes the tasting sign and said this current railing makes the business look cheap. Shepherd referred to the following quote: It is easier to ask for forgiveness than it is permission." Shepherd said he considers it almost an offense that a commercial builder would say to his face that they make changes and nobody cares because Shepherd said such people know the business and what they can get away with to line their pockets. Applicant Berling said he was offended by that comment and asked Shepherd to retract it, but Shepherd said no. Shepherd went on to say that Applicant Berling, as a contractor, has a fiduciary duty to the owner to save them money, but that duty is with applicant and not the city. Shepherd reiterated that all commission members should send their desired changes to Gard by Friday. Shepherd said he wants to see changes for the beer garden as well for the workshop on Wednesday, April 27. Shepherd told Applicant Berling that the desired changes will be submitted to him after Gard receives all comments and figure out a game plan and draw specific plans.

A motion was made by Rosan, seconded by Price, that this Design Review be Postponed to Date Certain to the Planning Commission, due back on 4/27/2016 with a workshop prior to the meeting at 6:15 p.m. The motion carried by the following vote:

Yes: 7 - Andrews, Shepherd, Burba, Rosan, Wester, Price and Keehner

[DR-0009-2016](#)

To consider a Certificate of Appropriateness for a building design for property located at 700 Vista Drive; Parcel ID No. 025-004295; The Vista at Rocky Fork Apartments / Charles Fraas / John Riat, applicant.

Gard stated that a request has been made to build storage shed/garage on the Vista at Rocky Fork Apartments property. There had been a shed behind the property at Vista Plaza but when Fresh Thyme was approved, the shed was removed. Since then, Vista has been looking for a location to store equipment for maintenance of the apartment complex. Therefore, requesting to install an 8 bay garage and storage shed on the property. Pictures were shown of the proposed building location. Some parking would be eliminated by building this storage facility, but the usefulness of the structure, being

very close to clubhouse, and being within the interior of property are positives to possible building. All elevations and materials for the proposed garage will match exterior and interior of existing building. Mr. Fraas is present with materials board to later show color samples.

Charles Fraas from Casto (with John Riat from Casto): History of the site was already given and we previously did have a maintenance facility on the property which had to be torn down. Since then, we have been struggling with a place to put a new maintenance structure which would allow maintenance to work with management and allow for timely fixes. Due to popularity, decided to build a 12 bay garage with floor plan with 5 connected heated bays for maintenance to use, while the other 7 bays will be available for rental by tenants on the property. Aesthetically will be exact same size and color and sign as on apartment building: same siding, shutters, shingles, and light fixtures. Trying to have the most important angle seen when driving in, on that elevation, be the least impactful so that doors to the bays can't be seen until at the south or southeast side of structure. Again, the rest of structure will be shutters and siding. It is critical to have maintenance on site to manage upkeep of apartments, but we tried to match stylistically and be compatible with the area.

Rosan said they always do a great job.

A motion was made by Andrews, seconded by Burba, that this Design Review be approved. The motion carried by the following vote:

Yes: 7 - Andrews, Shepherd, Burba, Rosan, Wester, Price and Keehner

[DR-0010-2016](#)

To consider an application for Certificate of Appropriateness for building design updates and signage updates for property located at 77 Granville Street; Parcel ID No. 025-000009; Wendy's Restaurant / Doug Kincaid, applicant.

Gard said Wendy's would like to totally revamp current building at the same current location. Gard showed pictures of proposed new look for Wendy's. The atrium will come off the front and the pavement remain same but with overlay and restriped. New cosmetic changes include new signage, enclosed windows, east side where the drive-thru is will have new awnings over windows, new tile will be laid. The remaining brick will stay with more signage visible on the 3 main faces of building.

Dave Kincaid, applicant, with Interstate Construction, 3511 Farmbank Way; Grove City: General Contractor and representative for the Wendy's project. The current project is for significant renovations to existing franchisee owned Wendy's interior and exterior. The franchisee owns 6 current Wendy's locations. The renovation will be a

complete refresh of exterior and complete make-over of the interior including updated ADA accessible restrooms, enhanced dining room environment, a reconfigured kitchen creating a better working environment for employees, and new HVAC systems for a better environment for all. The exterior's dated copper panels will be removed and replaced with siding, an addition will be added to the front which will include a picture window, the exterior tile will be used as accents, the current trusses will be removed reducing the current overhang and creating nice clean lines on the building with a small overhang, and some LED lighting will be added in small soft lit area around the building. This location of Wendy's is store number 18, so it is a very early store. Mr. Zancheck, the franchisee, trained at this store when he was younger and his first to Mr. Zancheck, the franchisee, trained at this store when he was younger and his first to own; therefore, wanted to do significant renovations for the last year. The changes, such as the kitchen being almost gutted, will make for a better environment for employees and the community.

Keehner asked if this is part of Wendy's new image update or if just changes desired by franchisee. Applicant Kincaid said yes this is part of the Wendy's brand updates. Keehner then asked if this location has historical significance, why not preserve it. Dave said these changes were based on the determination of the look to be dated, with what is being primarily removed not having historical value. Keehner said that he thinks restaurants have changed, which causes him no major issues, but that this location is in Olde Gahanna; therefore, it can be argued that the aesthetics does not need to fit in with a certain look because the area has great diversity valuing architectural history. Keehner asked if along with the major interior and exterior changes, are there any considerations for outdoor seating to make this Wendy's more pedestrian friendly since not seen in the design. Applicant Kincaid said a front patio area was discussed, but franchisee is more concerned with indoor seating for the whole year. In addition, Applicant Kincaid stated there are concerns with the weather and having seating/umbrellas so close to the sidewalk because of potential damage to sidewalks, etc. Andrews said agrees with Keehner on outdoor seating since the restaurant is downtown.

Burba asked if the red on the front the design/sketch provided was a sign. Applicant Kincaid said it's a constructed element finished with red efface and the sign is then applied to the outside of that. Burma then asked what will be done with the other pole sign. Applicant Kincaid said the current pole sign will remain but will get new face. Gard said pole sign is grandfathered in, so doesn't conflict with current signage as suggested by Burma. Shepherd asked if the already existing business is entitled to 75 additional square feet. Shepherd also asked that if the current sign is being changed, why was it not

also submitted. Wester said this is similar to situation at Speedway, and therefore this should go to workshop if the sign is to be changed since such a change was not previously submitted. Ewald's opinion was requested to take look at the existing code to make sure same treatment applied as everyone else. It is proposed to take this matter to workshop and provide an opinion.

Wester said he's being cautious on the outdoor seating matter already discussed because had a similar situation within the last 18 to 24 months. Wester stated that he would like to have confirmation that outdoor seating is or isn't going to be constructed.

Rosan asked about the mechanicals on the roof as to whether or not will be visible or if the roof is going to hide them since not clarified in the new renderings. Applicant Kincaid said the "pyramid" does raise up slightly, but while there will be better screening than what is presently there, he is unsure if it will totally screen the mechanicals due to age of the building. Currently the top of the building is 15' feet, so it's being raised 9" from the front, but from the back it will probably be similar height to what is now. Rosan stated that this is essentially an assumption since a new piece of equipment might be a lot bigger than the 20 or 30 year old unit being replaced. Applicant Kincaid said that newer commercial roof top machines tend to be smaller and able to be better packaged or compact. Shepherd stated that he would like to see a drawing of proposed new machines with their dimensions to see if it's an eye sore. Shepherd said this had happened on another building and caused them to build something around the machines because they stuck up so high and were ugly to look at. Rosan said the commission does not need fancy drawings, just want assurance to make sure it's not bigger. Rosan discouraged seating along Granville Road because not much of set back from the road available and is therefore a safety concern. Applicant Kincaid said owners/franchisee agree which is why they decided against outdoor seating at this specific location. Shepherd said could have an island seating made in a sector of the parking lot or off to one side so as to still have enough parking space. Applicant Kincaid said in representing owner, safety is a primary concern on this suggestion because would lead to employees having to tend to tables and navigate traffic to do so in addition to the same safety concerns for customers dining at such seating. Applicant Kincaid said sees operational issues for the franchisee and Wendy's corporation because it is a super safety conscientious company.

A motion was made by Rosan, seconded by Price, that this Design Review be Postponed to Date Certain to the Planning Commission, due back on 4/27/2016 with a workshop prior to the meeting at 6:15 p.m. The motion carried by the following vote:

Yes: 7 - Andrews, Shepherd, Burba, Rosan, Wester, Price and Keehner

H. OFFICIAL REPORTS:

City Attorney

No report.

City Engineer

No report.

Planning & Zoning Administrator

No report.

Department of Development

Michael Blackford said the following: Dept. of Development would like feedback on accomplishing a site in Central Park including the Final Development Plan and Design Review like any other project. Seeking feedback on request for various on administrative deviation from the final development plan and design review. Contemplating administrative review of those deviations and as long as those deviations are consistent with the code, and any other guidelines commission may want to impose on a proposed office commerce district. It is important that the use of the proposed property remains solely for office needs, and intend to get as many elements approved and known by commission in order to make site as soon as possible. We don't have a site plan yet, but simply wanted feedback tonight on idea of administration deviations.

Shepherd said this might have value but he'd like to think it through because can see where others would have an objection to the city's involvement. Shepherd asked for something in writing. Blackford said there is nothing in writing yet, but was looking to get feedback on the general idea. Shepherd asked if other communities do this. Blackford said sometimes cities are exempt from their own requirements which

can admittedly cause problems with applicants. Shepherd said his knee jerk reaction is to question how many changes would be authorized. Blackford said that these conditions as to how much can be changed will need to be articulated in a set of guidelines spelling everything out. Blackford said the Dept. would be happy to put thoughts on paper to get more feedback on the matter if tonight's general feedback is willing to consider the request. Price said she can see how it would be helpful, but she needs to understand how you can be shovel ready while asking for a Final Development Plan on a spec building. Blackford said the building would get approved for plans so that if you want to build, simply go build it without needing the public hearing formality. Price asked is this an issue of an approved building. Blackford said the Dept. really wants to know what can be built. Price asked if this can be accomplished in any other way, given the perimeters of this lot are just mark-ups, there could be many possible changes to the wide range of businesses which could potentially use the location without getting all details of plan approved. Blackford said changes may want to be made, but this would be a good selling point and he knows how important easements are in which Gahanna has been ranked favorably in the region. Rosan summarized that the incentive is that we are ready to go for a business with no bureaucracy or fees which will streamline the whole process. Rosan stated she thinks it's a great idea which won't work for all businesses, but if it's successful with pieces of an already known vacant land, gives administration ability to work within the code and if that is an accommodation that no other community offers, that's on them. Blackford said he'd bring forward perimeters in the future but again, on the conceptual level, ease of permitting was a highly positive aspect of this idea because the jurisdiction gains more control over this one factor more than any of the other top ten factors. Blackford has heard from individuals that Gahanna has a reputation that we are easier than some to get permits from and there is not a lot of city owned property. Blackford said he will bring something back. Wester asked if this will be for a specific lot size. Blackford said it is proposed for one specific lot which the city owns next to the Golf Depot. Andrews asked if that

opens the City up to be sued by developers. Ewald questioned if we can do this type of building with the current code and Wester stated he has concerns with setting a precedent. Rosan said Planning Commission does its process in advance, this is just doing everything first so it's easy to buy and develop. Andrews said he'd be mad if he's another property owner. Blackford said wants to set an example and get a list of conditions to follow so as not to circumvent Planning Commission and their role. Shepherd said if get past the legal issues, he thinks it is a brilliant idea. Price said is there another way to achieve end goal, for example by looking at five types of buildings that meet this plan and looking within our code so that this can be built and expedite the process. Blackford said this has been done in the past, to go to a preferred development partner and to say here are five plans that have been approved. Shepherd said it makes it attractive for a spec building.

Council Liaison

No report.

CIC Liaison

No report.

Chair

No report.

I. CORRESPONDENCE AND ACTIONS

[FPU-0001-2016](#)

A Flood Plain use application for property located at 1201 Cherry Bottom Road, Academy Park, Parcel ID No. 025-004304, City of Gahanna Parks & Recreation; Gahanna Junior League Sports, applicant. Administratively approved on April 1, 2016.

Clerk Banning read the application by title.

J. POLL MEMBERS FOR COMMENT

None.

K. ADJOURNMENT

at 8:32 p.m.