



City of Gahanna

Meeting Minutes

Committee of the Whole

200 South Hamilton Road
Gahanna, Ohio 43230

Monday, February 8, 2021

7:00 PM

Virtual Meeting

Meeting Call-in Details:

513-306-4583

Conference ID: 599 324 380#

A. CALL TO ORDER

Chair Nancy McGregor called the Committee of the Whole meeting to order at 7:00 p.m. All members were in attendance.

B. DISCUSSIONS

1. ITEMS REFERRED FROM THE PLANNING COMMISSION

- a. [ORD-086-2020](#) ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF GAHANNA ADOPTED BY ORDINANCE 198-96 ON NOVEMBER 19, 1996 AND AS SUBSEQUENTLY AMENDED: Changing the Zoning District of a 17.90 +/- acre parcel located off of Hamilton Road PID# 025-013767 from Select Commercial Planned District; to Limited Multi-Family Residential Development; Larry Canini, applicant.

Mayor Jadwin gave an introduction and review of the legislation presented. The proposal is to rezone 14.4 acres of a 100+ acre parcel from commercial to multi-family residential. She outlined the timeline of the legislation to date. There have been revisions to the original foot print and requests to restrict the residential component as of the last committee meeting.

Ms. Syx stated that this is a multi-faceted process and that the issue before Council is for rezoning. There isn't a Development agreement yet, but the developer has offered to deed restrict 4 acres of the commercial property for only office use. There will be a deed restriction for 40 years to prohibit the development of residential property.

Yazan Sahrawi, Attorney, Frost Brown Todd said that everything he has seen thus far is normal in how they proceed. He has looked at some of the larger issues about the development and says that the restriction on further development on the larger portion of the property he feels has been addressed in the deed restriction. Some of the incentives that could be in play (CRA, TIF), those are all useful tools for the toolbox of the

city but are yet to be finalized. This rezoning is the domino that puts some of those issues in place. He offered to be of service to the city on this matter.

Mr. Blackford said that there will be a public hearing on this topic February 15th and a subsequent vote is scheduled. There is a companion piece of legislation with a variance. There is a final development plan and design review that will have to go through Planning Commission as well.

Mr. Underhill, attorney for the applicant presented documents and asked Mr. Blackford to present about the parkland dedication.

Mr. Blackford stated that as part of the variance application review process, Parks & Recreation department was in favor of the offsite 34 acres for park space vs. the 3 acres.

Mr. Underhill presented documentation that shared that a deed restriction would be in place for 40 years that would prohibit further multi family, senior living and single-family residential development. The presentation is attached to the legislative file in the minutes.

Ms. Six said that these are all conceptual numbers, scenarios that they are still currently running.

Mrs. Angelou asked for information on the new community authority.

Mr. Underhill said that new community authorities have been used in many communities. They require the current and all future owners to pay the charges. There is a board that ensures that payments are compliant with state law. They're often 7 member boards that have regular meetings. The funds can be spent on public infrastructure, public park land... it's been used successfully in New Albany. They can include an extra sales tax that could be done.

Mr. Larick asked to clarify that NCA funds can be used for property acquisition.

Mr. Underhill said yes.

Mr. Canini wanted to clarify that the parkland was 34.6 acres and that the sales tax stream is one that the Tanger outlets uses as an example.

Mr. Hodge said that after the last discussion, concerns raised by Mr. Schnetzer, he wanted to make sure we have value enhancing

propositions and that's the purpose of introducing this concept of the deed restriction.

Mr. Ashrawi said that the benefit to the city is that it creates some revenue through income tax and some new infrastructure. The purpose of this rezoning piece of these 14 acres is just the first piece of the puzzle.

Mr. Schnetzer thanked the presenters, staff and applicants. His remaining concerns are around the abatement of the residential housing component. The compensation agreement is complicated. Since this is residential housing and there is limited income tax generated, where will the income to the school come from and could this end up being a net loss to the city.

Ms. Six said this is a non-school TIF so there is no risk to the school for losing out on what they otherwise would have received had there been no abatement in place. They would have to look at the numbers for the CRA. She hasn't seen the numbers so cannot weigh in on that.

Mr. Underhill stated that it would be a 50/50 sharing of income taxes to be applied to a minimum payment required every year during the abatement which is equal to 50% of the abated school taxes.

Mr. Schnetzer so if the school is due \$100 of the abated value, they would be due \$50, and that money would come from different buckets.

Mr. Underhill explained the income tax abatement (see minute 39:00 of the meeting video).

Mr. Schnetzer asked about the future use of the remaining acreage apart from the requested rezone area. He seeks assurance that future development that is being pitched, that they will occur. Is there a way to structure an agreement that if those future uses don't occur, there is a forfeiture of the incentive, and if so, how amenable are the parties to that.

Mr. Ashrawi said that the way he reads the CRA, it entitles any property owner meets certain minimum thresholds to an 80% tax abatement. The best way to control land development is through zoning and deed restrictions and covenants on property. Incentives tied to future developments could in theory be a part of a larger development agreement but he doesn't know that it's common or best practice.

Ms. Syx said that if the development doesn't occur, the developer doesn't get the incentive.

Mr. Schnetzer said that the catch is we have to take a leap of faith but we don't know what the future holds and we have a potential misalignment of interest.

Mr. Underhill said that the great thing is the community partner in Mr. Canini and he wants to do the right thing for the city, which may seem like a hollow promise. Given that this property has been here for 30 years and hasn't seen anything happen, it seems worth the risk to provide a bit of a jump start here and if not, the city isn't out anything.

Mr. Leeseberg said to sit here and ask for guarantees for development, you can't get guarantees and to put that on a development is ridiculous. They are limiting the amount of residential for 40 years. This is a zoning issue and we are beating this horse to death.

Mrs. Angelou said that she has been waiting for this project to move forward. The longer we wait the less comfortable people get. Mr. Canini has been here for quite some time and she hasn't seen a bad product that he has worked on. It is time to move on.

Mr. Schnetzer said that his concerns aren't unreasonable. He wants comfort that the applicant will carry forward their own proposal in light of the fact that we are in a pandemic. Taking a leap of faith is an abdicating of the fiduciary duty to the city. He doesn't feel that this question has been answered.

Ms. Bowers asked for the administration's take on the approaches on the way development pursued. Where infrastructure is built with a development in mind, or development in which we hope to get what we want later. Some information on development theory and how this model is right for us. Next, what is the cost to the city, there are concerns about the line item cost with the school compensation agreement. The school will be owed 50% of the tax value after the development is completed. She asked for line item clarification.

Ms. Syx replied that back in the day cities took a risk and spent millions of dollars of their own building infrastructure that didn't suit development- if the build it, they will come. Cities today have become more sophisticated in their private public partnerships because the burden should not be borne solely by the cities. The reason for the private public partnerships is so that development can be done more quickly. The city has to provide some subsidies to help offset the high costs of development and get what it wants.

Mrs. McGregor asked if there is a way that the parkland be transferred by a date certain.

Mr. Canini said that there is an agreement on file with the city that made an agreement with multiple commitments several years ago. The Buckles family hired him in 2017-2018 to address the uses of this over all site. That gave them the ability to move ahead with the first phase of the project which was building Buckles Ct N. The goal was to have all of this, the zoning completed by the end of 2020, but they didn't make the goal. There are no qualms with this variance change requiring the transfer.

Ms. Bowers said she wanted to reiterate that these questions are being asked to make sure that they are doing their due diligence. They aren't meant to be hostile, they're meant to be probing.

Mayor Jadwin said we all want to make sure that this property is invested in the best way possible for the city. This Developer has offered to put deed restrictions in place, the only other way to regulate is with zoning. Everybody has done the best they can on this project.

Mr. Schnetzer said there was a question he posed earlier about it being possible and agreeable to have a financial linkage to future performance. Example would be claw back of TIF revenue if there isn't performance of the project as proposed. There hasn't been an answer.

Mr. Mularski said we could look into it, but it hasn't been seen before. The key is, no matter what we put in this, it can always be changed in the future, by a future Council. There are no guarantees other than it's already zoned the way we want it zoned.

Mr. Canini said that ultimately he would need to convene with Mr. and Mrs. Buckles. He wanted to remind everyone that they waited on the updated comprehensive plan before moving forward. They've limited the property to office and professional use. The Buckles family put up the money for the infrastructure to the tune of over a million dollars. No one was concerned about that until apartments were mentioned. You have to be able to provide for housing employees.

Mr. Schnetzer said that the property owner is free to develop this property in the manner in which it is zoned, he just doesn't want to have this rezoning pigeonhole us into something that is unintended. He thanked the participants.

Public hearing is scheduled for February 15.

- b. [ORD-085-2020](#) ORDINANCE TO GRANT A VARIANCE APPLICATION TO VARY SECTION 1109.08 - PUBLIC AREAS, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA, FOR PROPERTY LOCATED OFF HAMILTON ROAD; PARCEL ID NO. 025-013767, CURRENT ZONING SELECT COMMERCIAL PLANNED DISTRICT; PROPOSED ZONING LIMITED MULTI-FAMILY RESIDENTIAL DEVELOPMENT; CRESCENT AT CENTRAL PARK; LARRY CANINI, APPLICANT.

Item referred to public hearing and Second reading/Adoption.

2. ITEMS FROM THE CLERK OF COUNCIL

- a. [2021-0021](#) LIQUOR PERMIT REQUEST: 8995515 1330 N. Hamilton Road; Tora LLC

No objections to the liquor permit.

- b. [2021-0022](#) LIQUOR PERMIT REQUEST: 3601152 210 Granville Street; Hare Ram Hare Krishna LLC, TF

No objections to the liquor permit.

- c. [MT-0008-2021](#) MOTION TO APPOINT ANNUAL MEMBERS TO THE VOLUNTEER PEACE OFFICERS' DEPENDENCY FUND (VPODF) BOARD PURSUANT TO ORC 143.02 (1).

The Clerk of Council presented the request to appoint two members to the board.

Mr. Larick said he would take a look and by the following Council meeting he would provide names for Council to approve.

Mrs. McGregor said that she had the password that she will pass along.

Mr. Larick said he would come up with two individuals to put forward.

Mr. Mularski said it did not have to be Council members, it just has in the past.

- d. [ORD-0006-2021](#) ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE FRANKLIN COUNTY BOARD OF ELECTIONS FOR USE OF CITY PROPERTY AS POLLING LOCATIONS FOR THE YEAR 2021.

The Clerk of Council presented the legislation. Report is attached.

RECOMMENDATION: Consent Agenda.

3. **ITEMS FROM THE DIRECTOR OF PARKS & RECREATION**

- a. [MT-0006-2021](#) MOTION AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION TO BID THE INSTALLATION OF A SPLASH PAD AT GAHANNA SWIMMING POOL.

The Parks and Recreation Director presented her legislation. The report is attached.

Mr. Larick asked if it was a permission to bid and then a contract comes afterward.

Mrs. Bernard Ferrell replied yes.

Mrs. McGregor asked where the location was.

Mrs. Bernard Ferrell replied that it would be at the front end of the property by the pool house so it will be fenced off and be part of the pool during summer hours. It would be next to the concession stand is-between the basketball court and concession stand.

Mr. Leeseberg asked about it being in the fenced area. When and how will it be open during the off hours.

Mrs. Bernard Ferrell said there will be a separate entrance. Once the hours were exhausted, the gate would be closed.

RECOMMENDATION: Consent Agenda.

- b. [RES-0004-2021](#) A RESOLUTION ADOPTING THE DEPARTMENT OF PARKS & RECREATION 2021 PRICING POLICY AS RECOMMENDED BY THE PARKS AND RECREATION BOARD

Mrs. Bernard Ferrell presented her legislation. The report is attached.

Mr. Larick asked this is the policy over the structure of how the policy is established not the pricing itself?

Mrs. Bernard Ferrell replied correct.

RECOMMENDATION: Consent Agenda.

4. ITEM FROM THE DIRECTOR OF PUBLIC SERVICE & ENGINEERING

- a. [RES-0005-2021](#) A RESOLUTION SETTING FEES FOR ELECTRIC VEHICLE CHARGING STATIONS AS RECOMMENDED BY THE DIRECTOR OF PUBLIC SERVICE & ENGINEERING AS PER CHAPTER 949 OF GAHANNA CODIFIED ORDINANCES.

Mr. Crawford presented his legislative request. The report is attached.

Mrs. McGregor asked where the charging stations were.

Mr. Crawford replied Friendship Park, Hannah Park, Golf Course, there will be one at City Hall and at Creekside. There is one in the garage but it is not part of this program.

RECOMMENDATION: Consent Agenda.

Meeting adjourned at 8:45 p.m.