



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

Michael Suriano, Chair
Michael Greenberg, Vice Chair
Bobbie Burba
John Hicks
Thomas Shapaka
Michael Tamarkin
Thomas J. Wester

Krystal Gonchar, Deputy Clerk of Council

Wednesday, October 14, 2020

7:00 PM

Virtual Meeting

Call in details: 513-306-4583, Conference ID: 560 791 688#. To speak during the meeting, at least one hour prior to the start of the meeting, you must email planningcommission@gahanna.gov and include: subject you wish to speak on, your name, address.

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

Gahanna Planning Commission met virtually for a Regular Session on Wednesday, October 14, 2020. The agenda for this meeting was published on October 9, 2020. Chair Michael Suriano called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Present 6 - Michael Suriano, Bobbie Burba, Michael Greenberg, John Hicks, Michael Tamarkin, and Thomas J. Wester

Absent 1 - Thom Shapaka

B. ADDITIONS OR CORRECTIONS TO THE AGENDA

A motion was made by Hicks, seconded by Greenberg, to move the Big Sky Realty applications to the front of Section E. The motion carried by the following vote:

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

C. APPROVAL OF MINUTES

[2020-155](#)

Planning Commission Meeting Minutes for September 23, 2020.

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

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

D. SWEAR IN APPLICANTS & SPEAKERS

Assistant City Attorney Matt Roth administered an oath to those persons wishing to present testimony this evening.

E. APPLICATIONS - PUBLIC COMMENT

Big Sky Realty

[Z-002-2020](#)

To recommend approval to Council, a Zoning Application for 2.65+/- acres of property located at 307-319 W. Johnstown Rd.; Parcel ID Nos. 025-000848 & 025-000849; current zoning CC; proposed zoning MFRD; Big Sky Realty; Mitch Rubin, applicant.

A motion was made by Hicks, seconded by Greenberg, that the Zoning Application be Postponed to Date Certain, due back on 10/28/2020. The motion carried by the following vote:

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

[CU-003-2020](#)

To consider a Conditional Use Application to allow for a multi-family development, for property located at 307-319 W. Johnstown Rd.; Parcel ID Nos. 025-000848 & 025-000849; current zoning CC; proposed zoning MFRD; Big Sky Realty; Mitch Rubin, applicant.

A motion was made by Hicks, seconded by Wester, that the Conditional Use Application be Postponed to Date Certain, due back on 10/28/2020. The motion carried by the following vote:

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

[V-017-2020](#)

To recommend approval to Council, a Variance Application, to vary section 1109.08- Public Areas, of the Codified Ordinances of the City of Gahanna, to reduce the public area requirement; for property located at 307-319 W. Johnstown Rd.; Parcel ID Nos. 025-000848 & 025-000849; current zoning CC; proposed zoning MFRD; Big Sky Realty; Mitch Rubin, applicant.

A motion was made by Hicks, seconded by Wester, that the Variance Application be Postponed to Date Certain, due back on 10/28/2020. The motion carried by the following vote:

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

[V-018-2020](#)

To consider a Variance Application, to vary sections 1149.02- Conditional Uses, 1149.03- Development Standards, and 1163.02- Minimum Number of Parking Spaces Required, of the Codified Ordinances of the City of Gahanna; for property located at 307-319 W. Johnstown Rd.; Parcel ID Nos. 025-000848 & 025-000849; current zoning CC; proposed zoning MFRD; Big Sky Realty; Mitch Rubin, applicant.

A motion was made by Hicks, seconded by Wester, that the Variance Application be Postponed to Date Certain, due back on 10/28/2020. The motion carried by the following vote:

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

[V-023-2020](#)

To consider a Variance Application to vary sections 1165.08 and 1171.03 of the Codified Ordinances of the City of Gahanna, for property located at the corner of Mill St. and Andalus Dr.; Parcel ID No. 025-002993-00; Current Zoning SF-3; Kramer-Kring Cemetery (Peace Lutheran Church); Basilio Foresi, applicant.

City Planner Michael Blackford provided a summary of the application; see attached staff presentation; the lot is a corner lot with frontage on Mill St. and Andalus St.; zoning code states a front yard cannot have fencing beyond setback; requested reduced setback for fence and sign; staff recommends approval; no unsafe issues caused by proposal; variance approval requirements are less strict for setbacks.

Chair opened public comment at 7:17 p.m.

Basilio Foresi, applicant, and member of Peace Lutheran Church; fence was in disrepair and signage gone; wanted to remove fence in anticipation of replacing it; fence will be near street as before; the 48" fence is in character with the area; the 48" includes posts, without including the posts, it would be 42"; because of nearby graves, did not want sign placed behind the graves; not appropriate to do so.

Chair closed public comment at 7:20 p.m. and called for questions from the commission.

Tamarkin: asked if fence will wrap around entire property. Foresi said will only highlight the corners of the streets; will have 3 segments on each

corner. Tamarkin said there will be less fence than what was there. Foresi confirmed; one sign on Mill St; said previous sign was fastened to the fence, was an Eagle Scout project.

Hicks: said this is a neat area; many historical names, such as Clotts and Kitzmiller on those graves; improvements will make it look nice; excited to see this come forward.

Greenberg: echoed Hicks' comments; these are much needed improvements; sign looks nice.

Suriano: said this will be a nice improvement; will do a great job marking the site.

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

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

[V-025-2020](#)

To consider a Variance Application to vary section 1167.17(b)-Accessory Use Structure, of the Codified Ordinances of the City of Gahanna, for property located at 703 Deer Tail Ct.; Parcel ID No. 025-008830; Current Zoning SF-2; Timothy Steele, applicant.

Blackford provided a summary of the application; see staff presentation attached; requesting a variance to allow a shed in side yard; accessory structures within residential areas must be in rear; their home sits at the end of a caul-de-sac; looks like front yard but is a side yard; drainage issues and topography warranted the location of the shed; came about as a code enforcement complaint; if variance not granted, shed must be moved elsewhere.

Chair opened public comment at 7:29 p.m.

Tim Steele, applicant; shed is 6'x10'; insufficient space in garage to house larger toys and yard equipment; fence and forest blocking part of property; issues with drainage in the yard; is difficult to even mow.

Chair closed public comment at 7:31 p.m. and called for questions from the commission.

Greenberg: asked clerk if there were comments submitted by the neighbors. Clerk confirmed there were none.

A motion was made by Tamarkin, seconded by Burba, that the Variance be Approved.

Discussion on the motion: Suriano stated that he is in favor, given the hardships outlined in the rear yard.

The motion carried by the following vote:

Yes: 4 - Suriano, Burba, Greenberg and Tamarkin

No: 2 - Hicks and Wester

Absent: 1 - Shapaka

Christian Meeting Room

[Z-004-2020](#)

To recommend approval to Council, a Zoning Application for .293 +/- acres of property, located at 5990 Taylor Rd.; Parcel ID No. 025-010314; Current Zoning SF-3; Proposed Zoning RID; Christian Meeting Room, Inc.; Brian Kenimer, applicant.

Blackford provided a summary of the zoning and variance applications; see attached staff presentation; is a corner lot which is why some variances are necessary; reviewed surrounding zoning; request is from SF-3 to L-RID; overlay text allows for religious institutions; other uses prohibited; unusual zoning request; site has historically been used for religious purposes but used primarily as a meeting room for Christian prayer; if rezoning approved, then historic use would be consistent with current use; was developed as a single family home; land use plan designates this area as low density; if zoning changed, setback requirements change; applicant has no desire to increase footprint; single family would be allowed with variance, so that if church use ceases, can be used as a residence; structure will not meet setbacks if zoning changed; parking and driveways differ from SF-3 to RID code requirements; if approved, any future changes would have to come before the commission; zoning changes must go to council which involve a public hearing; if denied then the current use would continue; would function the same way. Previous administrations approved the use.

Chair opened public comment at 7:44 p.m.

David Hodge, attorney for the applicant; would like to clarify from the presentation; for zoning request, it is to the RID district but the L in front of that is critical; the limitation text states that the site shall be restricted to those uses stated: religious uses; would not be allowed as a straight RID zoning use; would allow for use of the property that has been there for over a decade; always asks if what his client wants to do is better than

what's there now; client is asking for exactly the same use as is there today; not asking for anything other than to formally legitimize the existing use of the property; lighting will remain as what is currently in character with the area; does not want to intensify the lighting and striping; applicant wants to assure that use can continue in the future.

Debbie Ciak, 5996 Taylor Rd.; said this is not a corner lot; have been there 13 years not 10; HOA maintains the corner and there's already a light there; this is 2nd time before commission, was denied last time; Sadika White, former Director of Development made it clear that the applicant was going to have bible studies but only on Monday evenings; they have church services there on Sundays too; they split lot and sold off parts; there is now a home in one of those lots; members of church wanted a school there in the past; unsure if it is still the plan; they did the parking lot first and then asked for forgiveness later.

Regina Gosset, 556 Kasons Way; is a nearby home owner; researched the property before purchasing; concerned about zoning change; when a zoning is changed, it opens the door to other things; don't want a school or store; does not want more lighting; lived there less than a year and would not have bought the property if she knew this could be rezoned.

Hodge said the applicant wants to keep this as close to residential as possible; it is in fact a corner lot; is at the northeast corner of Kasons Way and Taylor Rd.; there is mixed use surrounding the property; even in Jefferson Twp., there is a church nearby; can be easily converted back to single family use in the future.

Chair closed public comment at 7:57 p.m. and called for questions from the commission.

Wester: asked if property is affiliated with any known organization. Applicant Brian Kenimer said yes, Plymouth Brethren Christian Church.

Tamarkin: said this request has been denied in the past; why is the church coming before us; struggling to understand why the effort to change if nothing is going to change. Hodge explained that they were in a compromised position that was not ideal and the church did not feel comfortable with the decision by the former city attorney and administration. Kenimer said they are a part of a global organization and a lot of work has been done globally to ensure that all locations are up to par; want to be responsible parties to the community.

Hicks: asked if there is a current residential use. Applicant said no. Hicks asked for confirmation that no one lives there. Applicant said no. Hodge said that the intensity of the use is lesser than if someone lived at the home. Hicks asked Kenimer to describe the use of the facility. Applicant said on Sundays have worship services and on Mondays they hold a prayer meeting. Hicks said on pg. 5, shows a septic system; is there not sewer? Applicant said they have never cleaned it out, because it rarely gets used; nearly certain that it is not on sewer. Hicks said in the past, the application was withdrawn and not denied. Applicant said he was not involved back then. Hodge said there was never a vote taken on it, it was withdrawn. Hicks asked if there was another location that could be used for this purpose. Applicant said yes, that they own multiple buildings, but the congregation splits off into two buildings for services to meet in smaller gatherings.

Burba: asked if the owner decides to no longer use this, if rezoned, neighbors would not like to have another church there; would have to revert back to residential. Hodge said would allow a use variance to also allow the property to be used as single family. Blackford confirmed.

Greenberg: asked to confirm that there are only services on Sunday and gathering on Monday; the rest of the week there's no attendance at the property. Applicant confirmed.

Suriano: asked for confirmation that the rezoning to L-RID would put more restrictions on the property rather than less. Hodge confirmed. Suriano asked for confirmation that this would revert back to single family. Hodge confirmed. Suriano asked Blackford about paving and code requirements. Blackford said they were allowed to pave wherever on residential; should have a ROW permit since the driveway goes to the street; but going commercial there are restrictions, hence some variances.

Wester asked prior to a motion, any motion would be contingent on use not intensifying. Asked Blackford if that is his recommendation. Blackford said the way the text is written now, the use in theory could be intensified but the small nature of the property would make it difficult; if a strong feeling from the commission is that the site remain as is, that the intensity should not increase, that should be included in the motion. Blackford said they can place conditions on the physical site, but not hours of operation.

A motion was made by Wester, seconded by Tamarkin, that the Zoning be Recommended to Council for Approval with the following conditions: limitations on the use not intensifying, current intensity will remain; if the use

intensifies, additional applications will be presented to the Planning Commission; limitations to the paved area not expanding beyond its current square footage.

Discussion on the motion: Hicks stated that he is struggling with the request to rezone; the variances are requested to allow for the use it was prior to rezoning; stated that his criteria for not being in support is that it is not consistent with goals and land use plan for that area. Suriano stated that he understands the applicant’s desire to have this be above board, but it is still a little bit confusing if the use is going to continue being used as is, on a single family property; concurs with Hicks in terms of the rezoning compared to the land use plan; but the spirit of the use and intensity is consistent in that context and will be in support.

The motion carried by the following vote:

Yes: 4 - Suriano, Burba, Greenberg and Tamarkin

No: 2 - Hicks and Wester

Absent: 1 - Shapaka

[V-021-2020](#)

To consider a Variance Application to vary sections 1154.02, 1154.03, 1163.02, and 1163.06 of the Codified Ordinances of the City of Gahanna, to reduce yard and parking requirements; for property located at 5990 Taylor Rd.; Parcel ID No. 025-010314; Current Zoning SF-3; Proposed Zoning RID; Christian Meeting Room, Inc.; Brian Kenimer, applicant.

See discussion above, under file Z-004-2020.

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

Yes: 4 - Suriano, Burba, Greenberg and Tamarkin

No: 2 - Hicks and Wester

Absent: 1 - Shapaka

Discovery Storage

[FDP-005-2020](#)

To consider a Final Development Plan Application for the construction a new building, for property located at 4569 Morse Rd.; Parcel ID No. 025-001038-00; Current Zoning Community Service with Limited Overlay; Discovery Storage; Mark Antonetz, applicant.

Blackford provided a summary of the final development plan, variance and design review applications; see attached staff presentation; last year we had the rezoning and conditional use; should look familiar to what was proposed last year; zoning map needs updated to reflect the correct zoning to L-CS; reviewed setbacks and requirements, lighting and sign

requirements; the site plan is nearly identical to what was presented during the rezoning; is consistent with overlay text; staff recommends approval; needs to be a low traffic generating use, which eliminates a lot of offices and other business use; Development wishes to expand TIF, and that could generate up to \$83,000 annually to the city.

Chair opened public comment at 8:32 p.m.

Win Stewart, owner and applicant; said they have been working with staff, made changes per recommendations. Mark Antonetz, applicant, recently went through Planning Commission for the Tim Hortons project on Agler Rd.; thanked the Commission and staff for helping through this project; no issues with staff comments.

Chair closed public comment at 8:35 p.m.

Wester: asked if there would be a wet or dry basin. Antonetz said they will both be dry. Wester asked about the office sign, does that count as part of the square footage calculation. Stewart said office and drive thru counts.

Tamarkin: asked about signs, will they all be attached, since there are no monument signs on Morse Rd. Stewart said one monument sign shown on site plan; will be east of driveway. Blackford said 295 sq. ft. for signs on entire property. Tamarkin asked about the size of the monument sign. Antonetz said 40'. Tamarkin asked if there will be storage of any kind outside, such as boats, RVs, etc. Antonetz confirmed that everything will be in the building. Tamarkin asked about the landscaping towards the parcels on south and east, where there is residential. Antonetz said there's 175' of woods to the south; additional buffering beyond requirements; worked with that neighbor a good bit; keeping fence due to landscape buffer growing into the fence from that neighbor's property; she has been great to work with.

Burba: said this is a suitable use for a property that has been undeveloped for many years; the project will provide additional funds through the TIF; very happy to have the applicants back; happy with the building design and will be supporting the project.

Greenberg: thanked Tamarkin for asking those landscaping questions.

Suriano: for elevations, looks like the general materials are gray split face CMU and insulated metal panel; asked what type of glass is in the

rendering. Antonetz said it was vision glass. Suriano asked about the grade change from high on east side to low on west side. Antonetz said it is pretty flat; said it slopes more to the south; about 2-3'. Suriano said it looks like 2 stories plus a gable at Christopher Wren apartments, and this height appears to match. Asked Blackford about Land Use Plan, is this consistent. Blackford said the plan was specific to this property and called for professional office; because of traffic concerns and patterns, not feasible for office use; met with approximately 5 office developers and they all walked away.

Tamarkin: asked if there are environmental issues since this was a salt barn for the county previously. Antonetz said a phase 1 was done, items were cleared from the site prior to selling it in 2014.

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

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

[V-022-2020](#)

To consider a Variance Application to vary sections 1153.05, 1163.06, 1165.08, and 1167.20, of the Codified Ordinances of the City of Gahanna, for property located at 4569 Morse Rd.; Parcel ID No. 025-001038-00; Current Zoning Community Commercial with a Limited Overlay; Discovery Storage; Win Stewart, applicant.

See discussion above, under file FDP-005-2020.

A motion was made by Greenberg, seconded by Burba, that the Variance be Approved.

Discussion on the motion: Suriano stated that he will be in support given the staff recommendations for approval.

The motion carried by the following vote:

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

[DR-019-2020](#)

To consider a Design Review Application for a site plan, landscaping plan, and building design for property located at 4569 Morse Rd.; Parcel ID No. 025-001038-00; Current Zoning Community Service with Limited Overlay; Discovery Storage; Mark Antonetz, applicant.

See discussion above, under file FDP-005-2020.

A motion was made by Greenberg, seconded by Burba, that the Design Review be Approved.

Discussion on the motion: Suriano stated that he will be voting in favor; the materials are durable and neutral compared to the surrounding area.

The motion carried by the following vote:

Yes: 6 - Suriano, Burba, Greenberg, Hicks, Tamarkin and Wester

Absent: 1 - Shapaka

F. UNFINISHED BUSINESS: None.

G. NEW BUSINESS: None.

H. OFFICIAL REPORTS

Assistant City Attorney

No report.

Planning & Development

Blackford stated that the Mayor is working on inviting MORPC to a future Council meeting to discuss the regional housing strategy. Suriano asked if there would be normal council advertising for that. Blackford said it would go out on the regular agenda. Suriano said housing garners a lot of discussion, would be good to put that out.

Council Liaison

Not present.

CIC Liaison

Hicks said the CIC had a retreat where they met for a strategic plan for next year; finalized assistance program applications and awarded \$20,000 to 8 small businesses around Gahanna; the next meeting is set for next Tuesday morning.

Chair

No report.

I. CORRESPONDENCE AND ACTIONS: None.

J. POLL MEMBERS FOR COMMENT

Hicks asked about having a property in the city but not on sewer, is that a problem? Blackford said there's a problem for new builds, but not existing; there's an application coming up for the next meeting where that will be discussed.

K. ADJOURNMENT

By Wester at 8:55 p.m.