

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Wednesday, June 13, 2012

Commission may caucus prior to Regular Meeting

7:00 PM

City Hall

Planning Commission

Jennifer Tisone Price, Chair

David B. Thom, Vice Chair

David K. Andrews

Joe Keehner

Kristin Rosan

Donald R. Shepherd

Thomas J. Wester

Stacey L. Bashore, Deputy Clerk of Council

IT IS THE RESPONSIBILITY OF THE APPLICANT TO HAVE A COURT REPORTER PRESENT, AT THE APPLICANT'S EXPENSE, IF THEY WISH TO HAVE A VERBATIM TRANSCRIPT OF THE MEETING. COUNCIL OFFICE SHOULD BE ADVISED IN ADVANCE IF A COURT REPORTER IS GOING TO BE PRESENT.

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 June 13, 2012. The agenda for this meeting was published on June 8, 2012. Chair Jennifer Price called the meeting to order at 7:00 p.m. with the Pledge of Allegiance led by Commission member Shepherd.

Members Present: Jennifer Tisone Price, Kristin E. Rosan, David K. Andrews, David B. Thom, Donald R. Shepherd, Joe Keehner and Thomas J. Wester

B. ADDITIONS OR CORRECTIONS TO THE AGENDA - None.

C. APPROVAL OF MINUTES: May 23, 2012

A motion was made by Rosan, seconded by Andrews, to approve the minutes of the May 23, 2012 Regular Meeting. The motion carried by the following vote:

Yes 7 Price, Rosan, Andrews, Thom, Shepherd, Wester and Keehner

D. HEARING OF VISITORS - ITEMS NOT ON AGENDA - None.

E. APPLICATIONS:

Chair stated Public Hearing Rules that would govern all public hearings this evening. Assistant City Attorney Tom Weber administered an oath to those persons wishing to present testimony.

CU-0013-2012

To consider a Conditional Use application to allow placement of a storage container; for property located at 60 Stygler Rd.; current zoning CC-Community Commercial; by CVS, Shaun Hanzel, applicant. (Advertised in the RFE on June 7, 2012)

Gard reviewed the application with the Commission; said have been trying to get them in for this conditional use for quite a while; think trailer is 8' X 20'; used for seasonal merchandise; not have room in the building.

Chair opened the public hearing at 7:05 p.m.; and asked for proponents; applicant was not present; Chair asked for opponents; there were none; Price closed the public hearing at 7:06 p.m.

Rosan suggested tabling this so we can get the applicant here to address; Development will contact the applicant. Sherwood said it would be postponed to date certain June 27, 2012.

A motion was made by Rosan, seconded by Andrews, that this matter be Postponed to Date Certain to the Planning Commission. The motion carried by the following vote:

Yes 7 Price, Rosan, Andrews, Thom, Shepherd, Wester and Keehner

V-0012-2012

To consider a variance application to vary Section 1165.08(b)(6) of the codified ordinances of the City of Gahanna; to allow more than one pole sign and to allow the setback to be less than 15' from the public right of way; for property located at 210-258

Granville Street; by Leatherbuck, LLC, Stephen Rechniteer, applicant. (Advertised in the RFE on 6/7/12)

Gard reviewed the application with the Commission; in Gahanna Crossings Shopping Center; 3 separate buildings; is the eastern most building; they are asking for a pole sign, and to allow setback to be less than 15' from the right of way as then the sign would be in the drive aisle; would be a second pole sign on the parcel; is all one parcel; new signage for O'toole's.

Chair opened the public hearing at 7:09 p.m. and asked for proponents.

Stephen Rechniteer, DaNite Sign Co., 1640 Harmon Ave. ; said we are basically looking for a pole sign for the second building; will help with visibility for tenants west bound on Granville; new sign for O'toole's Pub; modeling it after the other pole sign on parcel; also asking to put the pole sign less than 15' behind the right-of-way so it would not be in driveway.

Chair asked for opponents; there were none.

Thom asked about landscaping, and Gard said that is required. Andrews said it is a boring sign and kind of ugly. Rechniteer said we were trying to duplicate the size and character of the sign down the way for uniformity; the buildings look identical from the street. Shepherd said that is the problem; the other sign is ugly too; feel if it was for any new business would be shot down immediately and tell them no pole signs; put in a monument sign; if you want all three to match, take down the other two and put in a monument sign; it is just visual clutter; don't even know why it is before us; you can easily see the businesses and everyone knows where they are. Andrews said we appreciate what the property owner has done; what has been done to the buildings is great; not thrilled with the visual clutter. Rechniteer said everyone in Gahanna may know where the businesses are, but if you are westbound on Granville you cannot see it as well and O'toole's just went in there.

Price said there is strong concern about another pole sign; this is not the way we are going; most businesses have to put in monument signs which are what we have approved over the last two years or so; direction we are going; I don't think a pole sign would have the support of the members. Shepherd said why not take down the pole signs and put in a monument sign for all the businesses in front of Coaches. Thom said that is what I would like to see also; one monument sign; put everyone's name on it, and centrally locate. Shepherd said you can drive to all three buildings from behind.

Keehner said the clients main concern is visibility from the west or the east. Rechniteer said coming from the east headed west; coming over the little creek you have some trees. Keehner said in terms of one monument sign; it's one parcel, but because of the configuration of the architecture it sort of functions as three separate entities; three separate signs is not inappropriate in this situation; it is a difficult place to put a pole sign. Rechniteer said the pole sign takes up less space with the limited amount of area to work with there, and we wanted the uniformity.

Price said I would propose, at this point, that we postpone a vote on this application; do not want to put the entire project in jeopardy; allow Rechniteer time to go back and speak with his client about doing something different with the sign/signs; some options; Development will work with you on this; would suggest workshopping before our next meeting; 6:15 p.m. on the 27th. Rechniteer questioned workshop? Price said it is time for you to come in and present some other concepts before the regular meeting. Thom said it would be good if you have several options to present to submit them to the

Council office the Friday before the meeting so that they can get them to us; we would have a chance to review before the workshop. Sherwood said that would be Friday June 22nd, and variance would be postponed to June 27th.

A motion was made by Thom, seconded by Wester, that this matter be Postponed to Date Certain to the Planning Commission. The motion carried by the following vote:

Yes 7 Price, Rosan, Andrews, Thom, Shepherd, Wester and Keehner

V-0013-2012

To consider a variance application to vary Section 1171.03(a) of the codified ordinances of the City of Gahanna; to allow a fence to exceed 6' in height; for property located at 94 Jahn Dr; by Charles H. Strohm, applicant.

A motion was made by Keehner, seconded by Rosan, Gard reviewed the application with the Commission; my understanding is that Mr. Strohm wants to add longer pickets to an existing fence to bring the overall height to 8' on the south side of his property to the property line; code says a fence cannot exceed 6' and that is what triggered the variance.

Chair opened the public hearing at 7:28 p.m., and asked for proponents.

Charles Strohm, 94 Jahn Drive, said I'm here to request a variance on the south end of my property; currently have a 6' privacy fence; my neighbor's property is very close and her patio has an overhang that is right on the property line and she hangs cameras on the corner overlooking my property interfering with my privacy; I'm requesting to add pickets to the fence I have to bring the height up to 8' which will eliminate that; apparently there was some concern about the fence being able to hold the weight of additional pickets; I will put new 13 gauge posts in there; 7' posts in between each 8' section; would be support every 4' to support the fence.

Chair asked for opponents.

Hlene Paley, 64 Granville Street, said I am an attorney here representing Alveda Bates who owns the property adjacent to Mr. Strohm's at 100 Jahn Drive; this property has been in dispute for many years; I have represented her in civil cases and criminal cases with regard to this property line, and I do have a survey that has been presented to Development that shows the fence on her property; don't know how he can obtain a variance on property that he does not own; we strongly oppose it because there has been disagreement going back and forth; two attorneys have seen the cameras; they are not pointed at his house; they are pointed at her back door; there is no need for this fence; it is too large; cannot control how it will be maintained because of the war between the parties; Ms. Bates strongly opposes this fence that is going to be put on the fence that is on her property; if Strohm objects to our survey, which was done by, from what I understand, the same surveyor that has done work for Gahanna, then I would ask him to provide a survey that shows it is on his property line; also I presented pictures of what I believe were stakes from his survey that he hasn't presented that show that the fence is mostly on Ms. Bates property, and only in the very rear does it swerve over onto his property; if he wants to build onto the fence in the very rear of his property, that is on his property, we would agree to that, but anything past what's on his property we strongly oppose; legally I don't know how anybody can obtain a variance on property they don't own; ask that Gahanna not let him build on my clients property.

Strohm said the survey that Ms. Bates had done, the survey company is not in business now; on our last dispute when she tore down the fence that I had purchased I called out a survey company; stakes were put in the ground and they are still there; the Gahanna PD came out and took pictures of the stakes in the ground when the survey company was there; the fence is on my property except for two sections that are on the property line; so I own all that fence and it is on the property line; you are welcome to come out and look at the stakes that are still in the ground; I'm asking for this variance to put this thing to rest; I have a swimming pool in my back yard and have a lot of people come over and they want to know why the lanterns with cameras in them are hanging there overlooking my property; this will eliminate that and maybe we can have some rest.

Thom asked Wetherholt if he had a chance to look at these surveys; one apparently says one

thing and we have Mr. Strohm's from Benchmark Survey. Wetherholt said I am unable, in my position, to arbitrate between various surveys. Weber said I don't think it's the job of the City to try and figure out which survey is correct; you have to pass on the merits of the variance based upon the reasons for granting a variance; I don't think we can get into the issue of which survey is correct; that is a private property issue.

Keehner said how can you grant a variance on a fence when there is no consensus of it sitting in a proper spot? Weber said the fence is already there and has been there for a while.

Paley said I have not seen the survey you are talking about; is there another survey.

Price said at this point we are not going to discuss the placement of the fence; really not in our purview; stick to the variance request for the additional height for the purposes of this application. Andrews said to Strohm, if we grant this variance, what if Ms. Bates then decides to put a camera on a pole 4' higher, then will you be back in here asking for another extension; this could keep going on and on. Strohm said you are correct in that I would not come back for another variance, but the 8' will bring the fence up to the overhang that she has right on the property line and would eliminate the cameras overlooking my property. Andrews said I don't think we have ever had anyone come in to add on to a fence. Thom said I have never seen it. Shepherd asked if Strohm had considered any other ways, such as poplar trees or bushes with mounding that would be on your property that could be year round screening. Strohm said I have an attractive flower bed that covers the whole length of the property on my side and I believe Ms Bates has the same on her side; there is no room. Shepherd said haven't you considered putting greenery that would grow to 8 to 10', or even buy them at 6' and put on a mound on your side of the fence. Strohm said I have considered that, but there is no room; I have an in ground swimming pool. Price asked how far the pool is from the fence; Strohm said maybe 6' to the wall.

Keehner asked if Strohm and his neighbor had considered mediation versus litigation? Price said there are many issues on the table but we can only discuss the height of the fence. Weber said look at your variance section and make a decision from there; the history is the history. Keehner said I would like to know what your basic need is in terms of your relationship to the cameras, and I would really like to know your neighbors need to have the cameras; that seems to be the issue. Strohm said if we didn't have the camera issue I wouldn't be asking for a variance; it's an invasion of my property and my privacy; I have a neighbor who likes to know what I'm doing in my back yard; it is none of their business; cannot enjoy myself in my pool when I have someone looking with cameras.

Price said the issue is a privacy fence which is allowed at 6', and the variance is asking for a privacy fence at 8'; is unfortunate that this issue is so unsettling for both parties, but all we can discuss is whether or not the variance meets the code requirements for a variance to be granted.

Chair closed the public hearing at 7:45 p.m.

Motion was made at this point in the meeting.

Price asked for discussion. Shepherd said I will not be in support of this; this will open up problems with neighbors wanting to put extensions on fences and 6' is adequate and what the code requires; see no reason that we need to vary from our code in this instance. Wester said I will not support this variance either; do not know the condition of the fence now and whether it would hold up. Thom said I will not be supporting either; do not think there is enough merit to approve this variance. . The motion failed by the following vote:

Yes 1 Keehner

No 6 Price, Rosan, Andrews, Thom, Shepherd and Wester

V-0011-2012

To consider a variance application to vary Section 1163.05 (a) of the codified ordinances of the City of Gahanna; to allow a temporary gravel parking lot; for property located at 700 Science Blvd; by City of Gahanna, Karl Wetherholt, applicant.

(Advertised in the RFE on 6/7/12)

Chair opened the public hearing at 7:50 p.m., and asked for proponents.

Karl Wetherholt, 200 South Hamilton Road, City Engineer said the location map shows that this is on Science Blvd., immediately to the north of the City Fleet Maintenance facility, which is also the Gahanna schools bus garage; lot 12 of the Science Blvd. extension; there is a photo of it; looking from Science Blvd., across to the southeast, in the corner of the photo about mid way you can see behind the curb there is a lawn strip area and the native material is gravel which will support the vehicles without any pavement; we will enclose this area with a chain link fence which will have tennis court screening which will hide the vehicles behind it; this is a secure area for short term vehicle storage so that the maintenance facility can move the vehicles in and out including the police cars and City trucks; this is actually drawn on the landscaping plan with the Science Blvd. landscaping which will be put in this fall and includes some extensive landscaping around the pond; also street trees on both the east side and the west side and have some landscaping that will help screen the facility. Wetherholt continued that one of the reasons we want this to be semi temporary is that when the operations complex is built that area will be landscaped rather than being used for parking; parking will all be within the facility so we did not want to put pavement down on that at this point.

Chair asked for opponents. There were none. Chair closed the public hearing at 7:55 p.m.

Andrews asked how long temporary would be and Wetherholt said probably five years.

A motion was made by Andrews, seconded by Shepherd, that this matter be Approved. The motion carried by the following vote:

Yes **7** Price, Rosan, Andrews, Thom, Shepherd, Wester and Keehner

F. UNFINISHED BUSINESS:

Z-0005-2012 To consider a Zoning application to zone 4.125+/- acres located at 5195 and 5201 Morse Rd.; current zoning SO (Suburban Office), requested zoning LAR(Limited Overlay-Multi-Family Residential); DRK Properties, Don Kenney, applicant. (Advertised in the RFE on 4/12/12 and 4/19/12)

Withdrawn

V-0009-2012 To consider a variance application to vary Section 1149.03 (f) of the codified ordinances of the City of Gahanna; to allow a density of greater than 18 units per acre; for property located at 5195 & 5201 Morse Road; by Donald Kenney, applicant. (Advertised in the RFE on 4/12/12)

Withdrawn

PL-0001-2012 To make a recommendation to Council regarding park land dedication requirements; for development of property located at 5195 and 5201 Morse Road; applicant proposes fees in lieu of; DRK properties, applicant

Withdrawn

G. NEW BUSINESS:

DR-0016-2012 To consider a Certificate of Appropriateness for Building Design and Signage; for property located at 1317 Hamilton Rd; by Max & Erma's, applicant.

Gard reviewed the application with the Commission; said it is located at Hamilton and

Morse Roads in the Stoneridge Shopping Center; is an out parcel; Max & Erma's is undergoing a facade change and face lift with some new branding; proposed new wall signage and new awnings with one wrapping around the new stone wall; what you are looking at is the new rock wall here and the new awning that wraps around; the rest of the signage has actually been approved for the building and the monument sign.

Mike McKuhn, 1100 Industrial Ave. SW, Massillon; said I work for Adam Signs and Eric at Design Team asked me to come here and say that they just want to change the signage around the building because Max & Erma's sold the building; they also want to do some painting; change the awning and the rock wall and change the Max & Erma's signage to a different name.

Wester asked if McKuhn said they were going to change the name of the restaurant or the color. McKuhn said both. Wester said is it still going to be Max & Erma's? Andrews said it is still going to be Max & Erma's. McKuhn said I didn't know they just asked me to come down here last minute.

Keehner asked if the stone on the wall will be similar to the stone on the monument sign and the other stonework around the shopping center? Gard said that is Casto Company's wish. Rosan said from looking at the front of the building, that end cap sticks up on the right hand side of the building; is the reason they are building that end cap so they can put a sign up higher; that Max & Erma's black sign? Gard said that would be my guess. Rosan said there is not an easy way to deal with that when you are looking at the east elevation; you have this thing sticking up on the right hand side of the building. Gard said it does have the awning that wraps around and it does have signage on it. Rosan asked if we can condition the Design Review approval on the stone matching the existing building, and Gard said yes.

A motion was made by Wester, seconded by Thom, to approve DR-0016-2012 contingent upon the new stone wall matching the existing stone wall. The motion carried by the following vote:

Yes 7 Price, Rosan, Andrews, Thom, Shepherd, Wester and Keehner

DR-0017-2012

To consider a Certificate of Appropriateness for an outdoor patio seating area in front of the existing restaurant; for property located at 375 Stoneridge Ln.; by El Vaquero, Lori Orta, applicant.

Gard said it is in the Stoneridge shopping center at the corner of Morse and Hamilton Roads; showed detail of railing and said it will match that of Piada; black galvanized metal; they are going to add a door that goes directly out onto the seating area; will be used for staff only and will not be marked as an exit so there is no confusion to the patrons; the fencing will go between columns still leaving a 3 1/2' walkway outside of the fencing and a 3 1/2' walkway inside; very popular thing to have outdoor seating, and the management of Casto has indicated there will be more coming in the shopping center asking for outdoor seating; railing will be removable so that in inclement weather, in late fall and winter it can be removed from the seating area.

Lori Orta, P.O. Box 1377, Grove City, said and I am with Christopher Construction & Home Improvement; we are proposing to build a removable railing for seating for up to 32 patrons on the patio; fencing will be removable so during the fall and winter months it can be taken inside; restaurant owners are hoping this will bring more attention to the restaurant during the summer months.

Andrews asked if they are going to do plantings something like Piada. Orta said not that

I have heard of because the railing will be going between the stone pillars; just the railing and the access door for the wait staff with the push bar so they can get to the patio, which is necessary with the liquor license.

A motion was made by Andrews, seconded by Wester, to approve DR-0017-2012. The motion carried by the following vote:

Yes 7 Price, Rosan, Andrews, Thom, Shepherd, Wester and Keehner

H. COMMITTEE REPORTS:

Hamilton Road Corridor Committee -Andrews

No report.

I. OFFICIAL REPORTS:

City Attorney

No report.

City Engineer.

No report.

Department of Development.

Evans said we are all excited about the 14th Annual Creekside Blues & Jazz Festival; hope you all will attend; also City is hosting a public forum on June 19th to obtain public input for discussion of the tax budget; want to know what public thinks the City should be investing in. Sherwood said the tax budget is available on the City website under finance and on the government page.

Chair.

Chair thanked everyone for attending the plenary session; hope that it helped answer questions and concerns of some of the vagueness that we had around a couple of things; appreciate everyone's time.

J. CORRESPONDENCE AND ACTIONS.

K. POLL MEMBERS FOR COMMENT.

Keehner said I watched a documentary recently on urbanization and urban design; watching it thinking in terms of Gahanna and planning; in looking at the Olde Gahanna Vision Plan process and thinking of Olde Gahanna as a walkable urban neighborhood versus a small town; I've been trying to think in these terms when I see site plans coming to Planning Commission; talking about pedestrian spaces; we are still mainly a car oriented society instead of creating pedestrian spaces; I don't know where that is going in the future, but something I personally like to think about and consider because it came up with our discussion about UDF in relationship of the side street versus 62 and its relationship to any potential pedestrian friendly areas.

L. ADJOURNMENT.8:22 p.m.

M. POSTPONED APPLICATIONS:

Isobel L. Sherwood, MMC
Clerk of Council

*APPROVED by the Planning Commission, this
day of 2012.*

Chair Signature