



City of Gahanna

Meeting Minutes

Planning Commission

200 South Hamilton Road
Gahanna, Ohio 43230

Michael Tamarkin, Chair
Thomas Shapaka, Vice Chair
Michael Greenberg
John Hicks
James Mako
Michael Suriano
Thomas J. Wester

Pam Ripley, Deputy Clerk of Council

Wednesday, August 24, 2022

7:00 PM

City Hall, Council Chambers

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

Gahanna Planning Commission met in regular session on August 24, 2022. The agenda for this meeting was published on August 19, 2022. Chair Michael Tamarkin called the meeting to order at 7:01 p.m. with the Pledge of Allegiance led by Shapaka.

Present 7 - John Hicks, Michael Tamarkin, Michael Suriano, Thomas J. Wester, Michael Greenberg, Thomas W. Shapaka, and James Mako

B. ADDITIONS OR CORRECTIONS TO THE AGENDA - NONE

C. APPROVAL OF MINUTES

[2022-0255](#)

Planning Commission minutes 7.27.2022

Motion was made by Hicks, seconded by Wester, that the Minutes from July 27, 2022 be approved.

Motion carried with the following vote:

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

Abstain: 1 - Shapaka

[2022-0257](#)

Planning Commission minutes 8.10.2022

Motion was made by Hicks, seconded by Greenberg, that the Minutes from August 10, 2022 be approved.

Motion carried with the following vote:

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

Abstain: 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

[V-0024-2022](#)

To consider a Variance Application to vary Chapter 1151.15 (q)(4) of the Codified Ordinances of the City of Gahanna, for property located at 861 Ridenour Rd.; Parcel ID: 025-005710; Current Zoning PUD; Ryan and Lorraine Sapp, applicants.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. Blackford shared that the request is for a variance to allow for a shed to be in the rear yard setback on a corner lot. The zoning is Planned Unit Development (PUD) which requires a 10-foot rear setback. They are requesting to locate the shed 4-feet from the rear property line. The shed will be thoroughly screened from public view by an existing fence and partially screened from abutting properties. It would not negatively affect neighboring properties. Staff recommends approval of the variance.

Chair opened public comment at 7:09 p.m.

Applicant Ryan and Lorraine Sapp. Mr. Sapp said they tore down an old shed and want to replace it with a new one.

Chair closed the public comment at 7:11 p.m.

Questions from the Commission:

Hicks asked if the location of the shed is in the same place as the old shed. Sapp said the location is the same. Hicks asked if the new shed has been constructed. Sapp said not yet; they are waiting for permission.

Greenberg asked Blackford about the comment from the engineer. If there was an issue with stormwater drainage or public utility maintenance then it would have to be removed, is this standard language or is it specific to the site? Blackford said it is standard language that applies to all requests and not just his one. There was nothing heightened about this request.

Shapaka asked if there is a foundation to the shed, a post footing system, or something with a foundation where it will hold the shed in place. If it needed to be moved, could it be slid out of place? Sapp said the floor will be wood. Shapaka asked if there has ever been any water present or ponding in that area. Sapp said no water issues.

Tamarkin added for the records that neighbor Don Coleman called to say he has no problem with the shed.

Motion was made by Greenberg, seconded by Suriano, that the Variance be approved.

Motion carried with the following vote:

Yes: 7 - Hicks, Tamarkin, Suriano, Wester, Greenberg, Shapaka and Mako

[CU-0008-2022](#)

To consider a Conditional Use Application for property located at 610 Taylor Station Road; Parcel ID: 0027-000143; Current Zoning SO; Mercy Adult Daycare Center; Indra Bajagai, applicant.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. The request is for a conditional use to allow for an adult day care center in Suburban Office District (SO). The facility will offer on-site nursing and nutritional services along with recreational and therapeutic programs. Typically, there are 20 seniors there at one time. Patients will be shuttled to and from the building by Mercy Home Health Services. Staff recommends approval. It is an appropriate location due to the proximity of medical related businesses. It is consistent with objectives of the land use plan and the conditional use criteria is met. The building division indicated that the occupancy for the building doesn't permit adult day care. Alterations will be required to change occupancy. A condition of approval is that all necessary building permits are to be received prior to occupancy.

Chair opened public comment at 7:21 p.m.

Applicant Nathan Yolles, 1 Easton Oval Ste. 100, representing the applicant. Mercy Home Health Services have owned in-home adult senior services since 2013. They are looking to expand their services into the adult daycare space. They wanted a location in Gahanna, as a lot of their clients are in the Gahanna and Blacklick communities. They will be transporting people to the location offering nutritional and exercise programs. There will always be a registered nurse on site and care personnel to the ratio of one care person to seven seniors. They are working with a national organization, The Adult Day Care Group, who helps with build out, permitting, licensing, and constructing of programs that are nationally approved. The owner of the building will be doing all the construction.

Chair closed the public comment at 7:22 p.m.

Questions from the Commission:

Greenberg said in reading the application there was discussion by the engineer that sprinkler systems and alarms might be a requirement in the future and asked if there are plans to deal with that. Yolles said the building is currently a shell with a gravel floor. It is going to undergo a complete build out by the owner. All necessary code requirements will be done by the building owner.

Shapaka asked how the adults will get to the center. Yolles said all the clients will be dropped off and picked up. Shapaka asked if they had looked at other sites in Gahanna. Yolles said they had looked at a site on Hamilton Road and had a letter of intent and lease situation. The site owner decided to go another way. They then found this site and the owner was willing to build to suit. Shapaka said it looks like a good fit.

Motion was made by Wester, seconded by Shapaka, that the Conditional Use application be approved.

Discussion on the motion: Suriano is in favor; it looks like a good fit and is consistent with some of the other uses in the area. Tamarkin is in favor; it is a good fit and use of the building.

Motion carried with the following vote:

Yes: 7 - Hicks, Tamarkin, Suriano, Wester, Greenberg, Shapaka and Mako

Big Sky Realty Project

[CU-0007-2022](#)

To consider a Conditional Use Application for property located at 108-110 North Street Lot #2; Parcel ID: 025-000117; Current Zoning OG-1; Big Sky Realty; Mitch Rubin, applicant.

In accordance with Planning Commission Rules Section 7.4.1.1., if there is more than one application on the same project, they may be discussed as one.

Director of Planning Michael Blackford provided a summary of the applications; see attached staff presentation. Blackford said the property is zoned OG-1 Olde Gahanna single family zoning district. They are requesting a conditional use to put a duplex on the property and duplexes are allowed by conditional use. The neighboring property is a duplex on similar sized parcel. The existing duplex has similar conditions to what they are asking for in the variance application. There is no garage and there is a setback variance that applies to the property as well. If approved, the next step in the permitting process is to submit building permits. There are no additional planning commission applications necessary. The front of the building would be along North Street and parking would be to the rear off Carpenter Road. They are asking for variances for fifty percent lot coverage; the front yard setback is requested at zero feet. There were no comments from the engineer department with the reduced setback. The existing duplex has some building permits in review. They are putting in some new windows and those protrude out more than the existing windows. There is some of it that does not meet setbacks currently. The front yard variance applies to both lot one and lot two. The additional variances are a side yard setback request of five feet instead of ten feet. They are requesting to have two off street parking spaces but no garage. A subdivision without plat is not required. This was two lots. At some point, it was combined; however, it is still recognized as two lots by Franklin County. The County has stated that the lot split wasn't done properly

and to return to the previous lot configuration, it doesn't require platting. The only thing necessary is for them to assign a parcel ID. It will be returning the property to what it was originally. Staff recommends approval of the request. There is similar use, intensity, size, and scale as surrounding properties. The request is consistent with objectives of the land use plan.

Chair opened public comment at 7:37 p.m.

Applicant Mitch Rubin, 1056 Pennsylvania Ave, Columbus, Ohio. Rubin said the lot is currently vacant with a pad from something previously developed. The zero setback might sound aggressive, but the two properties adjacent properties are both at the zero-lot line. The reason for a duplex versus a single-family home is that he is a long-term investor, he keeps it, and single-family construction cost is not feasible.

Public Comment:

Hope Dawson, 118 North St., Gahanna, Ohio. Ms. Dawson lives next door to the property. She has been aware that something's going to be built there and that is completely understandable. A duplex does fit in with the neighborhood and she has no issues with the garage variance, and no issues with the front setback variances, but she is concerned about the 50 percent on the lot and the halving of the side lot just because it is a tight space. If she understands correctly, there is 30-feet. The planned one is 34-feet and is larger than the other one on the other property. She understands the rendering is not actually the real thing but that is a very high tall property that is going to stand out in the neighborhood. Her concern is that it will dominate much of the property and adversely affect her enjoyment of her property.

Tamarkin asked for comments from Mr. Rubin. Rubin said that in terms of the side yard he understands that. The square footage per code requires 600 square foot per unit per floor, which is how they ended up with this. It will be a 1,200 square foot unit and he believes the height is 30-foot or under, which will match up with Ms. Dawson's property and the other duplex.

Clerk confirmed there were no comments from the public.

Chair closed the public comment at 7:41 p.m.

Questions from the Commission:

Shapaka asked Ms. Dawson where she parks. Ms. Dawson stated she has a garage at the back of her property that faces North Street. Shapaka asked Ms. Dawson if there is a preference for parking. He wants to get a feel for the parking and the kids, the school, and the traffic in the back. With the proposed parking off Carpenter Road, he asked Ms. Dawson if she saw this as a hazard. Ms. Dawson doesn't believe it is a hazard. The duplex next door enters off Short Street off Carpenter Road. The two properties east of her home each have garages that are accessed off Carpenter Road.

Tamarkin asked for an explanation on the zero setback in front. Will the porch come right to the sidewalk? Rubin said yes, it is an eight-foot front

porch, and the step would come to that setback, which is in line with the adjacent properties and is similar to their porches. Tamarkin asked if there will be two doors, one for each side. Rubin said yes, it will look very similar to the rendering presented in the presentation.

Suriano said that it is deceiving when talking about a zero lot. It is where the right-of-way sits. He asked Rubin how far the right-of-way was off the line of the street. Rubin said that a zero-lot line sounds aggressive but when you look at the auditor's site, and at Ms. Dawson's property it is basically at the right-of-way. Suriano said that the final development plan would be aligned with Ms. Dawson's house. Rubin said that is correct. Suriano asked what the current side yard setback is from the lot line on lot one. Rubin said it is a seven-foot setback.

Mako said that it was previously mentioned that there was some other type of structure there before and asked what it was. Rubin said he hasn't been able to find out what the structure was. You can see the old foundation and sidewalks and there is still a sanitary water tap for the property. Ms. Dawson shared she spoke with a previous owner of her property who said that it was originally a single-family home, and the original plan was to build two duplexes. She was not sure why only one duplex was built.

Greenberg wanted to reiterate that this will not come back to planning commission for the design review. Blackford said that is correct, the commission does not see duplexes or single-family homes.

Motion was made by Suriano, seconded by Hicks, that the Conditional Use be approved.

Motion carried with the following vote:

Yes: 7 - Hicks, Tamarkin, Suriano, Wester, Greenberg, Shapaka and Mako

[V-0025-2022](#)

To consider a Variance Application to vary Chapters 1150.08 (d) (2) (C), 1150.08 (d) (4) (C), 1150.08 (d) (4) (A) and 1150.08 (d) (5) (A) of the Codified Ordinances of the City of Gahanna, for property located at 108-110 North Street Lot #2; Parcel ID: 025-000117; Current Zoning OG-1; Big Sky Realty, Mitch Rubin, applicant.

In accordance with Planning Commission Rules Section 7.4.1.1., if there is more than one application on the same project, they may be discussed as one.

The application was discussed under V-0025--2022. See attached staff presentation.

Motion was made by Suriano, seconded by Greenberg, that the Variance be approved.

Discussion on the motion: Shapaka said that with the look of the parking

design he is not in favor of the variance. He thinks there is an opportunity to get the cars inside instead of leaving them parked outside. Suriano is in favor of the variances. The density height and use intensity is consistent with the land-use plan. It is good to see residential infill. It is consistent with what's around it and what was there before it. Mako said he is in favor of this. He likes to see infill development. We need to get as many residents as possible in the Creekside area to keep that whole area viable. Hicks is in favor, and it does seem like a lot of variances, but this is a unique area. This is a good use in this area, and it does fit in, and it does meet the criteria for granting the variances in this instance.

Motion carried with the following vote:

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

No: 1 - Shapaka

Morse Road 14 Prjoect

[Z-0001-2022](#)

To recommend approval to Council a Zoning Application for 13.96+/- acres of property, located at 5503 Morse Rd.; Parcel ID: 025-011219; Current Zoning ER-1, Proposed Zoning MFRD; Project Morse Road 14; Scott Harper, applicant.

In accordance with Planning Commission Rules Section 7.4.1.1., if there is more than one application on the same project, they may be discussed as one.

Director of Planning Michael Blackford provided a summary of the application; see attached staff presentation. Blackford said the current zoning of the property is Estate Residential (ER-1), which is a large lot zoning classification that allows for much more than just single-family development. It also allows for agricultural uses including harboring farm animals, stables, kennels, vets, and things of that nature. Much of the property to the south of this project is zoned multi-family residential district (MFRD). Blackford said there are three different applications. The main application is for rezoning. If the rezoning is not successful, then there is no need for the conditional use or the variance applications because they are related to the multi-family development. Multi-family only use is permitted by right. It is just under 14 acres with 251 units, which puts the density right at the limit of the zoning code, just under 18 units per acre. As part of the rezoning to multi-family, there is the requirement for on-site land dedication or park fees in lieu. The land dedication ultimately is up to planning commission to say yay or nay on land dedication or fees in lieu. Blackford as the Director of Planning, along with the Director of Parks & Recreation, and the Parks & Recreation Board all provide a recommendation as to whether to have on site dedication or fees in lieu. It is resounding the city would rather have fees in lieu. The land use plan doesn't go into a lot of detail on park land and making recommendations. It does recognize that Gahanna has two and a half times the national average of park land space per resident. The land use plan emphasizes that the city needs additional residential properties. Fees in lieu is outlined in code and is based on the population and size of the project. It is capped at twenty five percent of the acreage and what that value is. The land was appraised and the value of the fees in lieu would be \$175,000.01.

The conditional use request is typical with the MFRD zoning, which is unique in a lot of

the development standards in that there are conditional uses. A conditional use is needed if there are more than eight units per building more than one building on a lot, the density up to 18 units per acre, the height exceeds two stories, flexible arrangement of buildings, and accessory use buildings. Accessory use buildings include pool, clubhouse, and garages.

There are three variance requests. One is for lot width. Another unique requirement of MFRD code is you need to have lot width based on the number of units. Every MFRD project Blackford has worked on had needed a variance from this part of code. He is not sure what the logic is behind this requirement other than they don't want to see overcrowding. But MFRD does have other rules and regulations to prevent over development. There is also a twenty-five-foot building setback, which isn't what we are here to talk about tonight, but those requirements are on their site plan and are being met. There is also a fifteen-foot buffer required adjacent to residential and a fifteen percent open space requirement. He is sure it is there to prevent some type of overcrowding. There is a lot of other measures that they will have to meet as they go through the development process to ensure there is not the overcrowding. Another unique provision of the MFRD zoning code is that no parking is allowed within twenty-five-feet of a building. This is the only zoning where it is a requirement. Other zonings say you can't have parking within such a distance. They want the parking to be closer to the building. The third variance request is due to staff's recommendation. They are requesting two years to secure building permits. Code says when granting a conditional use, the zoning certificate has to be obtained in one year. A zoning certificate is obtained through the building permit process. The rezoning process typically takes at least six months. Conditional use and variances typically go with the rezoning. If the rezoning is successful, it then gets recommended to City Council. Then, the applicant will come back with their final development plan and design review. Then, they go through an engineering and building process which typically takes well over a year before they can obtain the building permits.

Blackford shared the conceptual site plan is for informational purposes. There will be two access points into the property. A traffic analysis was done as part of the rezoning and the report indicated that two turn lanes are required. There is a twenty-five-foot setback on the front, sides, and rear yards. They can meet that setback and still have sufficient parking. The land use plan talks a lot about rezoning and future use of property. The land use plan recommends up to seventy feet building height with thirty units per acre. The land use plan goes into detail about the city's existing housing stock. Ninety percent of the units were built before the year 2000. A lot has changed in the last twenty years. The housing stock in Gahanna is dated. One thing that is linked together is housing opportunities and jobs. You don't have one without the other. You can't have jobs without the housing that the workforce needs. The land use plan identified that in Gahanna, which is typical of suburban communities of this age, the housing preferences have changed. It is a more transient population with a lot of people renting by choice. When you are a renter by choice, you want to have certain amenities and features. The plan doesn't specifically talk about park land and fees in lieu. It does say Gahanna is rich in park space. The city has more park land than mixed use commercial and office combined. That is one reason staff recommends fees in lieu rather than on site dedication. The land use plan, unlike zoning code, is meant to guide the decision-making process.

If Planning Commission recommends approval of the rezoning, the rezoning goes to City Council for a vote. If it gets approved by City Council, the Commission will see future applications for the project. If Planning Commission does not recommend the rezoning application, the project is dead.

The rezoning criteria includes whether it is consistent with goals of land use plan and the consistency and compatibility of the request with what is out here. There are over 100 acres of different properties surrounding this property that are zoned MFRD. The land to the north in Columbus is similarly developed. Compatibility of property with allowed uses: this is consistent with how the area is developed. Capacity of infrastructure: there was a traffic impact study that identified that there is adequate capacity on the roads but turn lanes are required. Apparent demand for permitted uses: the number one uses the city receives calls on is multi-family developments. There would be much more of it if the city had the land.

Regarding conditional use criteria, is it a conditional use of the zoning? Is it in accord with the land use plan? Would it have an undesirable effect on the surrounding area and is it consistent with the land use character of the area? With undesirable effects, when looking at the criteria for conditional use and a rezoning, it doesn't necessarily mean identical. Just because something is not identical to what's out there and built doesn't mean that it is not compatible. There is no planning principal that he is aware of that says three stories next to two stories is not compatible. Staff finds this to be compatible.

The variance criteria: are there special circumstances or conditions applying to the land, building or use? Is the variance necessary for the preservation and enjoyment of property rights and would the variance adversely affect health or safety?

Staff recommends approval of all three applications as presented. They are consistent with the land use plan and consistent with the surrounding development of multi-family predominate use in the area. MFRD is more appropriate than ER-1. Estate residential is not just a mansion, it is agricultural uses. In Gahanna, the residential zonings are much more permissible when it comes to land clearing and things of that nature. He knows there is some concern about clearing of the land and that again can happen right now under the current zoning. It is not like if this doesn't develop, it is always going to be treed. They have the right to remove some trees and do some things of that nature. If there are some considerations where the commission may want to condition something after all the testimony, conditional uses and variances can have conditions. Re-zonings cannot have conditions. Conditional use and variances are planning commission decisions and do not go forward to city council. Planning commission also approves the fees in lieu or on-site land dedication. Since the application is for fees in lieu, unless the commission made a motion saying they wanted on-site land dedication, it would be fees in lieu.

Chair opened public comment at 8:11 p.m.

Applicant Doug Ervin, 147 N. High Street, Gahanna, Stonehenge Company. Also in attendance from the project's development team is Andy Gardner, Engineer with V3, Adam Trautner, Stonehenge Company, and Scott Harper, Harper Architectural Studio. Ervin thanked the commission for the opportunity to present their rezoning application. Ervin said Mr. Blackford spent a lot of time going through what they have been working through with their various iterations of their application and how to develop the site. Stonehenge is not a stranger to this community. They are headquartered in Gahanna. They have developed a lot of real estate here. They are a company that builds things and keeps them. They are true community stakeholders and are very compassionate about our community. As Mr. Blackford pointed out, the land use plan which is a guide but nonetheless planners had initially looked at this site with perhaps a more intense use that what they have proposed. The use they proposed is consistent with

what is currently at the Parc Apartments. The Parc has been here since 2017 and is located on Hamilton Road. The community maintains very high occupancy and good economic rents. Ervin made note of the total real estate tax contributions of (\$2,009,226) they have made toward the school district for the 21 school-aged children that live in the 180 units. A lot of times people have a notion that multi-family is a severe impact on local school systems, and in the case of the Parc that has not been the case at all. He thinks that is because of their unit mix. They have a lot of two-bedroom units and not a lot of three-bedrooms. In looking at the Morse Road site, currently they are not considering three-bedroom units. They are looking at one and two-bedroom units targeting the young professionals, single households, and non-related households. They are mindful of trying to create a product that meets current needs. They anticipate employing a host of green technologies as it relates to storm water management at the site in lieu of the typical retention ponds. They want to use rain gardens. There will be permeable pavers in the turnarounds, so they don't have as much water runoff. The site currently has water runoff, but their goal is to mitigate that to the greatest extent practicable, even beyond what is required under Stage II discharge requirement for the Ohio EPA.

The Morse Road Project is a 50-million-dollar investment. It will be a gated and fenced community. They are very serious about security. They had the city economic development office crunch some numbers. Over 30 years, the non-school tax, which is the part of the tax duplicate that does not go to the school system, would generate over 12 million dollars. The school compensation would generate over 18.7 million dollars over the 30-year period. Those were with some conservative growth projections. From a return-on-investment perspective from a local community, those are very strong numbers. Stonehenge is well known in the community and has many other projects in other communities. They try to do unique development that retains quality tenants for a long period of time, because they own it for a long period of time.

Chair Tamarkin said each speaker will have three minutes to address the commission and the applicant will have time after everyone has spoken to answer questions asked.

PUBLIC HEARING

Gary Green 1279 Windward Way West, Gahanna. Mr. Green asked if studies have been done on the existing infrastructure, whether the water distribution can handle the additional units and whether the sanitary sewer is properly sized for the impact. Also, he heard that there are a couple of turn lanes that will be installed and asked if they are going to be done proactively before the units are built or is that going to be done after the impact of the additional residents causing traffic problems.

Robin Strohm, Attorney representing Windward Trace, a multi-unit family residential condominium development. There are approximately 104 one-story buildings and most of the residents are senior citizens who have been there for several years since development. They are very concerned about how this three-story development is going to impact their homes. Although there is no hard evidence she has with her tonight, when you place a three-story building 25 or 35 feet, if you are looking at the buffer within a one-story residence, that is going to have an impact on property values. Another impact, as far as shading overshadowing the residents that abut that northern part of the southern property line, is they will probably not see the light of day with a three-story building that close. Regarding density, right now the application is for 251 units, which is down from the 335 but still it is just under the maximum number of units allowed for that size of a parcel. We are packing residential units into a smaller parcel of land. Again, with the height, she can't stress enough the issues related to

shadowing, with no daylight. Even if you have trees that are 60-70 feet tall, the light is still going to filter in. In the winter, you are going to have the leaves gone. You are going to have light shading or light filtering down onto those units. If the city insists on approving this rezoning, one of the conditions for approval for the final development plan should be at least to consider that those apartment buildings that are right at the southern border be diminished down to two stories versus just the one story or the three-story buildings. One of the other concerns with the zoning code is the minimum lot width required for this proposed development. Right now, at 2,585 feet the lot width for this parcel development is only 984.11 feet. That is a decrease of approximately sixty percent of the required footage for a development this size. The city would be packing in far more residents within the area that would normally be required. Other variances in the area may have been granted but most likely not to this extent and not abutting residential neighborhoods which will be impacted by the density. The 25-foot setback, although she understands that it is part of the zoning, is a concern primarily because of the height and how that's going to impact abutting adjacent properties.

Leo McCann, 1261 Amberlea Drive West, Gahanna. McCann is the president of the Amberlea Village Condominium Association. McCann shared that directly to the east is a two-story assisted living facility, Story Point. Directly to the south is one- and two-story condominiums, known as Windward Trace. To the southwest are one- and two-story condominiums, Amberlea Village. Directly to the west is Sage, primarily a one-story facility. Those are communities, in the middle of those are going to be 13 three-story buildings with a clubhouse, pool, garages, 450 plus parking spaces. A three-story complex in the middle of those condominium communities is going to have a detrimental impact on the residents that are already there. As mentioned before, the population living there is transient. It is a transient population that moves into apartments, not residents, not part of the community. He asks the commission to deny the application. He thinks we need to take time to consider what is best for Gahanna and the residents that are already living there.

Edwin Douglass, 725 Windward Lane, Gahanna. Douglass is the Treasurer of the Windward Trace Condominium Association. He is concerned that these decisions appear to be made based on what we see on paper and what we see on maps, what rules we look at. These decisions can't be made just by looking at pieces of paper and saying this fits this and this. There are people that live there; they are not paper. They are elderly people for the most part. They would like the commission to delay this, if they will not reject it, until they come and see the property and people that are going to be affected. To come and see what's going to be done is very important. Regarding the variances, in the staff report it says the guiding principles for granting variances that planning commission shall not grant a variance unless it finds that all the following conditions apply; sub-paragraph C of that same section says that granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood for the proposal and will not materially be detrimental to the public welfare or injurious to property or improvements in such a neighborhood. How can we possibly say that this isn't going to do any of those things? The units on the northwest side of Windward Trace are all one-story. Those properties will lose value if you put a three-story building 50 or 60-feet from them. They don't expect for the property to never be developed, but they think that the commission should take a little time to decide if this is the proper development for it.

Robert Booker, 1278 Windward Way West, Gahanna. He joins his fellow community residents in opposition to the zoning proposal. He is a retired Highway Patrol Officer; he thinks about safety and security all the time. Sometimes you don't think about safety and security until it's threatened, or you don't have it anymore. They live in a

tranquil community that is essentially hidden from the public. Crime maps of the neighborhood show a very low volume of activity. They live in like an oasis. They feel that will change with rezoning the property, eliminating the richly dense wooded area. It will leave their properties open to incursion from Morse Road. Most certainly during the construction process when all the trees are eliminated and when the three-story 251-unit apartment complex is completed, there will no longer be natural barriers such as a heavily wooded preserve to shield the communities from trespassers, those seeking a shortcut to Johnstown Road or individuals with their eyes on something. They are not judging the potential tenants because they don't know them. However, there are privacy issues. They live there; they were there first. He asked how comfortable would you be knowing that your living space could be viewed from the third floor of an apartment complex next door? This proposed rezoning should be denied or at least delayed because there are way too many questions. They need answers from the developers on how they are going to be good neighbors and how they plan to separate them from this apartment complex. Their plan will take something away from them, a measure of security. What are they going to do to answer that? Once you lose the sense of security it is very difficult to get it back again.

Michael Arnot, 790 Windward Way, Gahanna. Arnot said planning is important and balance in planning is critical when you are talking about a project like this with this potential impact. He bited the level of sensitivity in the area particularly being in the Morse Road corridor and being surrounded by these communities. The staff report has gaps. The comparison to the other properties surrounding what is proposed is a false equivalency. Yes, they are multi-family dwellings, but the multi-family dwellings to the south in Windward Trace are buildings that have four units, many have one story, and most are occupied by one or two people without children and all the parking is garage parking. Compare this to the development that is being proposed, with around 450 or however many parking spaces, most of which are outdoors. It is an attractor to people coming in and potentially looking through those cars. He recently installed a Ring camera, and, on the app, you can look at other areas and the neighborhood just to the north of Morse Road in Columbus and the number one thing is people coming through and looking through cars. What is the difference between the older adult care facilities on either side? It's not people parked there overnight outside. People to the south are not parked outside overnight. The Parc has 180 units. This property will have 251 units crammed into it. He asks the commission to at least consider all the variables. There is a lot happening. This is a large number of variances being requested. Once the decision is made to go forward, there is not a lot they can do to go back. If the commission approves the fees in lieu, as a public policy perspective, he urges City Council and the commission to look at that because at the very minimum it gives the appearance of a conflict of interest. He asks that the commission at least consider that there is a lot happening and at least delay, if they are not prepared to deny the request.

Joyce Reich, 769 Windward Lane, Gahanna. Reich's condo is on the back of the lot line. Her bedroom, front door and sunroom will be open to the units that are proposed. Her concerns are the setback being close, the three stories that will allow people in the upper stories to be able to visually look into parts of her condo and the other condos on the lot line. It will probably mean she will have to leave her blinds closed the better part of every day, which will give her less light. She is concerned about the parking variance of a 25-foot setback from the buildings. She said it was mentioned that no one knew why that was from the initial report. She is wondering why that was created, if nobody knows. There has to be some sort of reasoning of whether it is density, or the noxious fumes from cars. Every time there is a zoning request and there are variances, it is that developer asking us to eat away at what we already decided we

thought was best for our community, the current zoning regulations that people in our community have created. We are chipping away at our community and what we are wanting for it. The density, the sizes, all those things. She is asking the commission if they are not going to deny it, at least delay because there are many conditional uses and variances that are different than what you're zoning, and our zoning has initially been listed.

Amy Valley, 1296 Amberlea Drive East, Gahanna. Valley said the people who surround the wooded area are elderly, The Sage, Story Point, and the two villages. She is speaking for both villages. Many in these villages are retired, many live alone, many have health and aging issues, many are caretakers and are a very vulnerable population. They are worried about their safety should the proposed development be built. They are easy targets for theft and other crimes. There are sight lines from that west apartment, giving them some insight of what's to come. They are concerned about the day after day, month after month of dust, dirt and noise that will come from the construction. Will the dust affect the neighbor with breathing problems? Will the noise set off behavior problems with those with dementia? Or will our neighbors with heart problems feel increased stress? How will this affect our pets? She lives on the corner of the woods and sees it from most of her windows and her patio. She sees birds and enjoys seeing the wildlife quietly pass by her windows. She searched for two years for a condo with this view. The woods are not just standing there looking pretty. It is working to clean the air and water. The birds are killing tons of insects and mice. The woods to her are an employee of Gahanna. She feels that the woods, the old trees, the wildlife, and the residents are just collateral damage brought on by this explosion of building craze. She asks that the commission take the thoughts and ideas of the speakers seriously. Keep planning good living spaces using already established environment and keep in mind this very vulnerable population.

Kenneth Householder, 1318 Amberlea Drive East, Gahanna. Householder said his main concern about the three-story apartments is the density of 500 - 1,000 people that could possibly live there. Of that, they could have 500 cars that will be going in and out. It doesn't affect him directly because it is off Morse Road. His condo backs up to the corner of the new development. There is about 10-feet from the back of his condo to where the development will start. This will kill his view of anything. The view is why he bought the condo. If this goes forward, he is concerned about the dust and dirt of construction. If this does go forward, he recommends they should construct an eight-foot brick wall around the three sides of the development except for Morse Road. He is sure the developers doing this are not going to like that, but it does a few things. It controls what is happening where they want to build, and it helps keep people from cutting through the neighboring properties. They do not feel that this apartment development would be anywhere near a good thing for their area the way it is now. It is like putting a time bomb in the middle of a housing community and setting it off. They would like to see the land developed into single home condos which would go with everything around them.

Karen Feters, 1320 Amberlea Drive East, Gahanna. Feters has lived in her condo for 14 years. Her condo borders the southwest side of the proposed complex where two of the many three-story apartment buildings are going to be built. She is not opposed to change, nor progress. She is opposed to this type of change and progress. From her living room, three season room, patio, and driveway, she has observed a view of majestic trees. The developer is asking to replace that beautiful scene with multiple three-story buildings that can possibly look directly into her condo and others' three season rooms, patios, and living rooms. With the setback of 25-feet, add in the number of units, number of people and the number of cars, the noise level will rise

exponentially. Thus, the privacy and serenity of the communities will be totally compromised. The developer will design, construct, and leave. The existing surrounding owners and neighbors will have to live with it day in and day out. Fetters is not opposed to change but she feels this complex really serves the interest of one person and that is the developer. This complex does not fit in with the surroundings, so she is requesting the commission reject this plan in favor of something that will fit in better with the established communities and maybe of benefit to more than one entity.

Ceil Knotts, 785 Windward Lane, Gahanna. Knotts lives in the back by the tree lines. From the city's planning documents for the 5503 Morse Road project, they learned that there are protective wetlands on the property. Wetlands have been called natural kidneys because of their ability to filter improper sediments out of the runoff and dissolved contaminants which result in improved water quality. Wetlands also perform other valuable functions, such as inclusion reducing flood flow, shorelines erosion control, a haven for rare and endangered plants. One-third of the endangered species depend on wetlands for survival. Wetlands are important for fishing, spawning, nursery areas as well as nesting and feeding areas for wildfowl. They have provided recreational opportunities such as canoeing, fishing, and bird watching. It is her understanding that the state and federal permits have not been secured yet. She requests that the commission delay further action until the following agencies complete their portion of the permit review process before the wetlands are disturbed: Ohio EPA, US Army Corps of Engineers, Ohio Department of Natural Resources, US EPA, and US Fish and Wildlife Services.

Katherine Thomas, 1305 Windward Lane East, Gahanna. Thomas lives right next to where the proposed complex is going. Contrary to the city's staff report, she and three of her neighbors will be directly negatively impacted by the construction of this apartment complex. She moved in last December. She moved there because of the open space and the trees, and now those trees are going to be gone. Regarding the parkland dedication requiring land to be dedicated to the city for public use as parks, recreational facilities, trails, or wetlands, it is a wonderful thing, with Gahanna having an above-average amount to be proud of. It becomes a very pleasing community to those looking for housing. It gives the residents respite from the urban sprawl that so many cities have. That the planning commission had the foresight to place code in the guidelines for these uses is most commendable. But a builder can get around of those requirements if they pay fees in lieu, pay their way out of meeting code requirements. That is exactly what the commission is asking to be approved, to allow the builder to pay Parks & Recreation 175,000.01 dollars rather than meet city code. City staff reported that the appropriate people did an evaluation of the property and recommended the fees in lieu. It was briefly touched on, and if this project is delayed, she would like to have more access to that information to see whether they feel that due justice was given to the land. Code exists for a reason, and following code is good protection for the fees for the city. Fees in lieu do not support the city code. This property is not quite 14 acres, so the code, she believes, would require three-acres or less for the dedication. There are two wetland areas. Why can't the wetland area be the parkland dedication? It would retain the natural flow of water and protect the wildlife. She asks the commission to delay or reject the fees in lieu and the mitigation of the wetlands.

Barbara Meacham, 778 Windward Lane, Gahanna. Meacham is in opposition to the rezoning and the proposed project. She said it is their understanding that the proposed project has not completed a full traffic assessment. This is an extremely sensitive issue for the Morse Road corridor planning area impacting Gahanna residents and Morse Road communities both to the east and surrounding areas. They are

asking for more time to fully study the impact of 500 additional cars entering Morse Road from that property. During the last several years, commuters in the morning often find themselves coming to a complete halt in the westbound traffic in front of the property. She supposes the 500 cars could make a left hand turn into gridlock traffic every morning if enough people let them in, but how realistic is that to take place safely and within a reasonable time frame. They need more time to work out the details of this issue. She also noticed that, according to the Gahanna Land Use Plan, it says that it takes about 15 - 20 minutes to walk to transit. There are no planned proposed pathways or any planned transit currently in front of the new complex. She urges the commission to deny the three action items for the application or delay action until these issues can be properly addressed.

Marc Nawrocki, 1292 Amberlea Drive East, Gahanna. Nawrocki said he understands they do not own the property and there is going to be some use that they are always going to be talking about. He believes this is in large part due to the aesthetics of what exists currently in the beautiful piece of land. He said the commission is the guardian and the gatekeeper for what this community develops. How the area has been developed already he believes establishes what the best use of this property would be. If you are late to the party, and it's the last piece of land to be developed, he believes your obligation both ethical and moral is to find something that fits into that and not come in and basically mow the whole thing down and cram as many units as you possibly can. With the Parks & Recreation and the wetlands, there are issues. He is asking for thoughtful consideration to find some use to retain as much as that natural habitat there. The city having two and a half times the number of trees of a national average is something to be proud of, both the commission's predecessors and what this commission has done and what the next committee will do. We need to do everything possible to retain that.

Robin Blake, 1308 Windward Lane East, Gahanna. Blake is speaking on behalf of her husband who could not attend. They care. The Windward Trace community is here today to offer their concerns as it relates to the proposed rezoning of 5503 Morse Road. The proposed rezoning was provided through a letter dated August 5, 2022, from the City of Gahanna Planning Commission advising the contiguous property owners of this meeting. The Gahanna Land Use Plan provides a letter from the Mayor of Gahanna who cites a resolution which provides in part city planning shall seek to optimize the use of available land so that it reflects the needs and desires of the community. Community by definition is a group of people living in the same place or having particular characteristics in common. They are the community, a group of taxpayers and contiguous property owners directly affected by the proposed rezoning. The submitted staff report fails to address the needs or desires of the community. The author cites a review of the impact on the environment; however, it does not address the impact on the community. This process has been in motion for as early as February of 2022, yet the community was not contacted and allowed to provide feedback. In addressing the director of planning, Scott Harper provides in part, "we are committed to save as many on-site existing trees as possible and will focus our efforts to minimize the impact." Blake said the proof of this is not evident in the June 9 resubmitted site plan. If this is an after-the-fact process, then the zoning approval process is flawed. The concept plan does not show the lot lines as it directly relates to the Windward Trace subdivision, nor which trees will be affected. In the planning report section three, Harper provides that there will be a 25-foot setback from the newly acquired right-of-way. However, there is not clear indication of the distance the five, three-story building will be from the property line abutting Windward Trace. Regarding

item six, Harper addresses required buffer zones. The perimeter of the proposed zoning permit area should be clearly marked and visible defining the limits of the proposed permit boundaries. The site plan does not clearly indicate proposed buffer zones, or what the proposed buffer zone will look like. Buffer zones should indicate the intended use of the land located between abutting properties and what, if any, will be in place to obstruct the view of the proposed buildings. The concept plan shows five, three-story buildings, which abut Windward Trace but no buffer zone. The staff report notes the companion application for conditional use, which, if allowed, grants buildings which exceed two stories and is not consistent with contiguous properties. At a minimum, a detailed plan showing the relationship between the contiguous properties to include a 3D rendering of the proposed housing should be mandatory before determining whether to grant the rezoning. Item two of the rezoning application submission requirements evidences the completion of a survey of the property; however, this survey does not clearly detail the relationship between the two properties. Where are the actual lot lines and how close will the five three-story buildings be to the existing homes in Windward Trace? The Windward Trace community is deeply concerned as to the type of environment the proposed development will create. What will their community look like with five, three-story buildings towering over them? Why was no consideration provided to the contiguous property owners to assess their needs and desires prior to this meeting to grant the proposed rezoning and ultimate development? The questions posed, along with many others, should cause immediate pause to the rezoning process and allow for an interactive process between the developers and affected communities. As previously mentioned, city planning shall seek to optimize the use of available land so that it reflects the needs and desires of the community. They respectfully request the City of Gahanna Planning Commission to allow them the opportunity to engage the property owner and developers to present how the proposed development will directly affect their community.

Chair closed the public comment at 9:27 p.m.

Chair called on the applicant to respond to the comments. Ervin said anything he doesn't address doesn't mean it is not important, but it is something that will require some more discussion or coordination. Ervin said regarding the traffic improvements on Morse Road, the City of Gahanna and the City of Columbus are both parties to the multimodal thoroughfare plan which required a widening of the right-of-way on Morse Road. That multimodal plan is in place because both cities believe this is going to be an impacted corridor and they must plan for growth. Any improvements they must make as far as taper lanes, turn lanes and so forth, will be done during construction. They will not open without those in place. They have a traffic impact study, and it has been reviewed on two occasions by both the City of Gahanna and the City of Columbus. They have taken the recommendations and are adjusting their access on the plan. It will be resubmitted for ultimate concurrence. With respect to renters, most think they are a transient population, but they found that a lot of their residents are community stakeholders and non-transient. Some people prefer not to own a house. They want to live in a quality environment and do the other things they think are important in their lives, and yet they are the members in the churches and volunteer for all types of political activities. With variances requested, as far as the frontage requirement, none of their neighbors would meet it as well. He doesn't understand the requirement. As it relates to the distance for the parking, he doesn't know the reasons; it is unique to them. There has been a lot of discussion about park land dedication. He can't speak to any decisions made by the Parks & Recreation Board and the city. However, there was no planned connectivity for any parks in this north triangle, including all the neighbors to the south and west. There were no greenways, greenbelts, or anything to connect. The plan has always contemplated that Morse

Road would have a more intense use given the fact that it is on a multimodal thoroughfare. Ervin deferred to Andy Gardner to speak on wetlands.

Gardner said they have conducted a wetland delineation on the property and there are approximately 2.8 acres of isolated wetlands. They have gone through the Army Corps of Engineers to determine that they are not jurisdictional in a sense that they are not connected to waters of the United States. The Army Corps of Engineers now turn the approval process over to the Ohio EPA. They will be going through an approval process with the Ohio EPA to mitigate the wetlands. That process requires a significant amount of design and detail with grading plans, storm water management plans, and landscape plans that all get submitted. All that needs done to obtain the permits from the Ohio EPA to mitigate the wetlands. When that is done, they will be paying into a mitigation bank a significant amount of money to mitigate these wetlands for wetlands to be created elsewhere within the same watershed. Ervin said his point is they are asking for a rezoning, the same rezoning that the neighbors to the south and west have. That rezoning allows them the opportunity to then proceed to the next phase of this process, the final development plan. This will allow his client the comfort level to spend the dollars on design so that they can work through these issues, get the permits for the wetlands, and show the commission greater detail on landscape plans, screening, buffering, and those types of things. They are working through that process and hopefully the approval of the rezoning will allow them to continue working through that process. They will be able to present more detail and more information at the final development plan stage regarding the wetlands.

Gardner said there is a sanitary sewer stub to the southeast corner of the site. It was sized for this site for this development and has the capacity to handle the number of units being proposed. On Morse Road, there is a dead-end waterline at the east end of the site and a dead-end water line at the west end of the site. The city engineers have requested that they connect it. They will be constructing about 1,000 feet of new eight-inch water line across the front of the property and installing new fire hydrants. It will complete the loop which will serve this property, as well as help redundancy on the water system in the area. The traffic study has been reviewed and they are adjusting their access points and turn lanes. They are following the recommendations of the city engineers on traffic. There is currently a sidewalk across the frontage, and they will be reconstructing a significant portion of it. The pedestrian connectivity will be maintained.

Gardner said they are proposing a gated community that will be fenced. Security is very important to them. As far as the concern of people coming from their site onto adjacent sites, they have ways to mitigate that, which can be discussed further in the next stages of the process.

Scott Harper said the plan shown is only conceptual and is not the final development plan. Regarding the concerns about the buffer zone along the southern property and the west, that will come with the final development plan. He added that the city does have landscaping standards for those buffer zones that will have to be met at the final development stage.

Ervin said to all who spoke, this is just the rezoning, conditional use, and variances. They still must present much more detailed plans that talk about massing, scale, materials, buildings, landscape buffers, a whole host of things.

Gardner said regarding the wetlands and storm water, his client is passionate about green infrastructure. They have asked them to investigate constructed wetlands on the

site for the storm water management, rain gardens, bio retention, and pervious pavers.

Chair called for a ten-minute recess at 9:15 p.m. The meeting was back in session at 9:25 p.m.

Chair shared correspondence was received from the following people Edwin Douglass, Leo and Crystal McCann, Margaret and Barbara Meacham, Mrs. Knotts, Robert and Cheryl Booker, Kenneth and Vicki Householder, Tammy Gardner, Mary Makkai, Randal Goldsberry, Nora Bolon, Barbara Anderson, Dr. and Mrs. Joseph Whitlatch, Lois Kamnitzer, Debbie Rose, Antica Janakievaska, Patti Nelson, Robert Eglar, Bradley Kaplan, who is a trustee for a residence, Michael Arnot, Mary Beth Huffman, Deborah and Terry Matthaes, Carolyn Burden, Kathy Levi and Catherine Thomas. All the correspondence will be attached to the file.

Chair called on questions from the Commission:

Hicks said he understands this is not a final development plan or a design review. Is it reasonable to presume the conceptual drawing presented is what will come back before the commission if the applications are approved? Ervin said, yes, that is a reasonable expectation.

Shapaka asked if the 18 units per acre was a number the developer is trying to hit. Ervin said it was. Ervin said they had originally looked at a higher density and lowered it to 18 units per acre. All their modeling is based on that 18.

Wester asked what the dust and drag out procedures are when they are in construction. Ervin said during construction they use a lot of water trucks and street sweepers. There are dust control measures on site as well. Ervin said a lot of the trees have to come down to put the buildings in. That would be a systematic procedure to clear the site and mitigate any erosion problems that they would have. Wester said he hates to see all the trees go; he hopes their plan would take that into consideration. Ervin said their landscape architecture firm is going to coordinate with their arborist who has performed a tree study. They are going back and looking at the species. They made a commitment to work with the city arborist. He would like to preserve as many trees as possible to the greatest extent practicable. It would serve as a great border, but they are not there yet. Gardner said with respect to the dust control, in the past they have conducted their own weekly inspections of the site, and sediment erosion controls to make sure everything is maintained and cleaned properly. If there are no issues, then they do not get into trouble with the EPA or the city.

Shapaka asked Gardner if he has walked the site and if there was any evidence of trails or picnic areas that are established on the site. Gardner said there are no picnic areas. There are some trails that have been cut through by the surveyors. It is a very dense woods on the western half. It thins out a little bit on the eastern half. They did find one open cistern on the site that is a little bit of a danger concern. The surveyors flagged and marked it to make sure nobody falls in it. Gardner said there are a lot of briars and underbrush. Shapaka asked Ervin if the 25-foot buffer was going to be all new landscaping or whether some trees could be saved. Ervin said if they can save some of the vegetation and trees, they are going to do that. They have a commitment to preserve as much of it as they can. Shapaka said getting the rezoning would give them the opportunity to make those decisions in the final development plan. Ervin said absolutely, and then they could give greater detail and specificity and explore a lot of things like maybe increasing the size of buffers or what those buffers are. They could do some light studies. A comment was made relating to shadowing. He can't respond

to it because he doesn't know. He doesn't understand how they affect it that severely. He isn't saying that they don't, he just doesn't understand it right now. Shapaka asked for a response to an eight-foot-high fence on three sides. Ervin said he would do it as soon as they start. They have planned on putting a fence around the property. Ervin said they do not want to be bad neighbors, and they do not want bad stuff happening in their communities. They build and keep; they do not build and flip. They are looking at the long-term. They make decisions based on 10, 15, and 20 years out, not three years until he gets an institutional investor to buy his property. Shapaka asked if they did a two-story building all along the south end. could they do a four-story building closer to Morse Road. Is that an option? Harper said the reason the buildings are three-story is code driven. Once you go to four-stories you are required to put in an elevator. Code does not allow four-stories with a single means of egress. That is the reason most of these developments look very similar. Once you go to four-stories, the expense is much higher and much more difficult to develop code wise.

Mako asked them to elaborate on the three stories and what they said about it being code driven. Elaborate more and speak to the economics of that. Harper said that it is the Ohio Building Code that determines. This is a section that limits the heights of buildings without elevators. It is strictly residential R2 structures. That is why a lot of the building you see are 24-unit buildings where there is a firewall that separates the building straight down the center with 12-units on each side of it. If you build four-stories you are required to put in an elevator which is about \$125,000 per elevator. You are also required to put in additional stairways. It does drive the cost up, and it is a different product type and topology. Mako said when they are referencing code this is the Ohio Building Code that they are adhering to. Harper said that is correct. Mako asked if there was any idea on what they will be charging for rent on the units. Ervin said the units are one- and two-bedroom units starting around \$1,500 to the premium two-bedroom units that would be a little more than \$2,000, depending on when they open. They don't build affordable housing per se. They build good value-oriented workforce housing, especially for young professionals that are attracted to these neighborhoods because they have a high quality of life. Mako said they mentioned it is a gated community and asked what type of gating. Ervin referred to a rendering of the site. At the front of the community is a turnaround by the clubhouse. There are two gates on each side of it. They do not want to create a stacking problem on Morse Road by people that drive in and find out you can't get in because you don't live there. They intentionally allowed for the turnaround to be open until you get to the security gates. The gates will be vertical gates and accessed with a fob. There will also be a fence around the perimeter of the property. Mako said he understands this is conceptually presented but asked is the pond on the southeast corner adequate for the anticipated stormwater runoff. Gardner said the pond is not adequate for the stormwater management. It is their intention to have large, landscaped rain gardens, green infrastructure with the use of engineered soil, water tolerant plants, and under drains to provide the storm water management in other areas to reduce the runoff that ultimately ends up in the pond. The pond may not be needed once he gets into the full detailed design. The only reason it is there is the actual storm sewer outlet for this site is at that southeast corner. There is a 24-inch storm source stubbed to the property.

Greenberg said the application had a statement about rooftop storage of water and parking lot ponding, he asked for those to be defined. Gardner said that parking lot ponding is something they are no longer going to consider, due to conversations with the client on using more green infrastructure type measures. To define that, what you typically do is have a catch basin in your parking lot, you restrict the outlet of that catch basin and then you let the water pool up in the parking lot as your storage. It is

an antiquated way to do storm water management and it is no longer what they are intending to do on this site. Regarding rooftop storage, they can design the building so that a certain amount of water can be stored on the roofs. It naturally gets stored there anyway in heavy rains because it's restricted by gutters and everything else draining it off. They can build this into the detention design as well as a means of restricting water. Greenberg asked about traffic exiting. He drove by the site this morning heading west. At 7:45 a.m. it was almost bumper to bumper going towards I-270. He thinks most of the people that live there will have to turn right, go around the roundabout and come back around to go west. It will be very difficult to make the left turn. There is going to be a lot of cross traffic going both ways. Ervin said with respect to the traffic impact study, the City of Gahanna and the City of Columbus are exploring two locations for a signal. One is at the east side of their site, and one is east of them. A determination has not been made yet. They looked at traffic flows and did literal counts. Greenberg said everyone shared this evening their concern about the trees, and he is also concerned. It is a beautiful site with all the trees. He is pleased that they are going to have an arborist that will help and try to do their best to retain as many trees as possible. Greenberg said they have heard a lot from the residents about their concern on the southern boundary of the property. When they come back with the final development plan, will they take into consideration some of the thoughts and recommendations on lowering the three-story buildings in the back to two-stories and putting the eight-foot fence? Greenberg asked what kind of fence will be put up. Ervin said typically it is a solid privacy fence. Greenberg asked when they are coming back to the commission with the final development plan will they be looking at some of the things that they heard tonight as far as the impact to their property from this new project. Ervin said they will do everything possible to create the best barriers they can for their neighbors. Given all the comments they received, they are going to digest them and when they come back with the final development plan, they can present that and see if it is acceptable to all the parties.

Suriano asked Blackford to clarify what the uses are on Estate Residential property. Blackford said it is not a property zoning typically seen in Planning Commission because it's usually not being developed. It is a single-family large lot zoning, he believes five-acres is the minimum lot size. Besides residential uses there are several other uses that are permissible. Allowed by right is agricultural uses, kennels, vets, farm animals, farmers markets as well as some activities beyond estate kind of home. Suriano asked for clarification between fees in lieu and land dedication. Blackford said with fees in lieu the developer pays money to the city and land dedication means the developer donates land to the city. Those options are there for the city to determine what is appropriate. Fees in lieu is what the surrounding projects also did when they went through the approval process. Suriano asked Blackford for clarity on lot width, what it means for this project. Blackford said code says one unit is 75-feet and then 10-feet of lot width. Lot width is measured at right angles across the property. This is a rectangular shaped piece of property with just under 1,000-feet in width. So, for all the units, the lot would have to be not the entirety of the lot, it could be a small portion, but at some point, the lot would have to extend in this case a half a mile. This code provision has been around for awhile, and it is frequent flyer for variances. The Windward Trace and Amberlea Village projects did not meet the lot width requirement. Suriano asked what the density of Windward Trace or Amberlea Village is relative to building count. He believes there are 26 buildings for one and 22 buildings for the other. Blackford said Windward Trace is six and a half units an acre roughly and Amberly Village is six point three units an acre. Blackford said he did not look at any of the properties in Columbus nor the Cameron Ridge development. Suriano asked for the number of units per acre for this project. Blackford said it is just under 18 units per acre. Suriano asked the applicant if any type of development on this site require

wetland mitigation through Ohio EPA, even if someone wanted to build four houses on the property. Would it still require wetland mitigation? Gardner said that is challenging to say. He pointed out the wetlands on the site plan. Gardner said they looked at options to avoid the wetlands, but it didn't make sense. The smaller of the two wetlands sit almost exactly where the center pond is behind the clubhouse. It is about point six acres in size. The larger one encompasses almost the entire right side of the plan, about where the northside drive is. It basically goes from front to back. Trying to avoid them becomes a challenge. They did look at trying to avoid the larger one on the right side and load everything to the left side of the site. It makes access challenging, especially if they want to line up with the drive on the east end with the drive across the street, which is one of the locations they are considering a signal. Could a different type of product go in there, possibly. However, it is hard to say without doing studies on what the product is.

Tamarkin asked if the barrier would go up on the three sides during construction or would there be a temporary barrier during construction to mitigate dust and debris into the two communities. Ervin said there would be a temporary barrier that deals with erosion, sediment and just a construction barrier. Once they have plantings and everything in place where it is stabilized, they would then erect a permanent one. Tamarkin asked if the permanent one would be a privacy fence and not be a metal chain link fence. Ervin said it would be a solid fence with zero opacity. Tamarkin said there were a lot of comments for the potential for crime, and many of the letters he received mentioned crime. He stated they have heard there are going to be gates to get into the community, fences on three sides of the community and there will be no cut through, no drives and no way to walk through the community. Ervin said that is correct and there will be cameras. They are going to have aggressive active security measures in place.

A motion was made by Hicks, seconded by Wester, that the Zoning be recommended to Council.

Discussion on the motion:

Hicks thanked everyone who attended the meeting and complimented those that spoke. These meetings can be contentious, and they sometimes are. Everyone in attendance was very respectful and very prepared. There were a lot of informative comments, and the commission could tell their passion. This is exactly why there is the public portion of the meetings, and it is a great example of how it should work. Hicks said regarding the rezoning before the commission, this area according to the land use plan would be mixed use. Understanding that the land use plan is a guide and not part of code, ideally it would be a mixed used project that was being proposed. If it's not mixed use, his second favorable rezoning request would be office of some sort of office-type complex that is consistent with the properties to the west and properties to the east. His third option would be multi-family residential, which is what is before the commission. The least favorite zoning would be what it is currently, estate residential. He agrees with the comments that this will be developed at some point. The area is changing, we need this kind of project in Gahanna and with what is happening to our neighbors to the east, our landscape is going to change. He is going to be a no on the zoning application because the first criteria the commission must consider whether it is consistent with the goals, policies, and the land use plan. In his opinion, this parcel would be better served as office or a mixed-use product. He is not opposed to what is being proposed, but with what is before the commission and the criteria that they are given, he will be a no vote on the rezoning

application.

Wester thanked everyone for coming out and participating. Their input is appreciated. Wester is in support of the rezoning; he thinks it is consistent with the land use plan that makes recommendations. In looking at what Gahanna has experienced in the last 36 months; this commission has approved a couple different apartment complexes. There were other questions that were asked that he believes the developer did a good job of answering. He is pleased to hear that they will connect the water line, that will benefit not only this development, but it will help the entire area. He is in support of the rezoning request.

Shapaka said he is also in favor of the rezoning request. He believes the owner is a good developer and this project fits the site. Shapaka thanked those in attendance. He believes the rezoning must be done to get more dialogue and the conversations going which involves them in the process.

Mako is in favor of the rezoning. He thanked the public, and said that all too often at public hearings, they devolve into shouting matches and that doesn't help the process or anyone. He thanked the residents surrounding this property who attended this evening and spoke so passionately. The decorum they displayed was refreshing to see. Mako thanked Blackford for being so prepared in his remarks and presentation. Speaking to the developer, he said they heard the concerns and feedback from their neighbors. They are going to be their neighbors if this comes to fruition. This is going to be long-term and permanent, and it must get done correctly. There is a lot of burden on the developer to take what they heard tonight and incorporate it into their final plans.

Suriano said he is in favor of the rezoning; he feels estate residential is not the appropriate zoning. He always starts with what are we voting on tonight and what are we not voting on tonight. It can get muddy when you start looking at plans that help give them an idea of what could be. As the applicant stated, they are looking for some assurance of approval to be able to move forward to start the final development plan. Tonight, the commission is looking at the zoning change and some of the planning criteria and variances that were outlined. The commission is not voting on what it looks like, or where the buildings go. To some of the comments on growth in our region, he has stated previously it is inevitable for where we are, the market, all the pressures that are being put on our metropolitan area and our suburbs. Growth is something we must deal with, and the question is whether we are going to be smart about our growth or not. He thinks the probability of this site being developed as single-family or office in some respects are probably very slim due to the economics we see today, and the pressure being put on the market with escalation, cost of things, and cost of land that only is going to increase. This in turn puts more pressure on the site to have more yield. That makes more buildings on the site. It pushed them up farther than they are today. He doesn't think our land use plan states 70-feet is a guideline for this site as a maximum. These buildings are likely going to be around 30-40-feet maximum at three-stories. He doesn't think a six-story project is appropriate at this site and he thinks that this probability is going to go up as we go forward if this site doesn't get developed. Suriano said in looking at the site across the street, he would consider this medium density residential and would consider the mixed use. The reason he thinks it is important is because mixed use, even though it

might not be vertically integrated types of programs like retail with residential on top or office and residential, hypothetically, if we have a mixed-use project, that could increase the demand and intensity of the project on traffic, parking and all those other things. Retail and office can have a higher impact than residential does. He is more inclined to look at this as a medium dense residential property as we have to the west and south. He would encourage, based on some of the comments tonight, as we go forward with the plan the developer looks at some of the mature trees on the site. Those are hard to come by and he wants to reiterate the importance of maintaining as much of that landscape as they can, as natural feature and as a buffer between the new units and existing units. For those that talked about shadowing, he thinks it will be vetted through as they start looking at the design review and elevations. In our hemisphere, the sun comes from the south and southwest, so any shadows are going to be cast on the north side of the project not towards the south. For those that are concerned about that, he believes it will have less of an impact than they might suspect.

Greenberg commended the chair for running a good meeting and the residents in attendance. This is what local government is all about and we really appreciated them attending and telling their thoughts on the project. Greenberg is in support of the rezoning; he believes it follows the land use plan. When the final development plan comes, they will have a lot of input and review on this project.

Tamarkin is in support of the rezoning. Estate residential is not relevant. MFRD is the appropriate zoning. This will be the recommendation to Council. As far as the fees in lieu of with \$175,000 for parks, that is not something the commission votes on. It is administrative. The city has mentioned they have no interest in putting a park there. This is not where our parks go, we have lots of park land and have great park land in Gahanna. This northern triangle is not conducive to park land. The developer said they would enhance and maintain the sidewalk on Morse Road. With the new construction on Morse Road, he hopes the sidewalks will be all the way from the roundabout to Hamilton Road and people will be able to walk and bike on both sides of the street.

The motion carried by the following vote:

Yes: 6 - Tamarkin, Suriano, Wester, Greenberg, Shapaka and Mako

No: 1 - Hicks

[CU-0006-2022](#)

To consider a Conditional Use Application for property located at 5503 Morse Rd.; Parcel ID: 025-011219; Current Zoning MFRD; Project Morse Road 14; Scott Harper, applicant.

In accordance with Planning Commission Rules Section 7.4.1.1., if there is more than one application on the same project, they may be discussed as one.

The application was discussed under Z-0001-2022. See attached staff presentation.

Motion was made by Hicks, seconded by Wester, that the Conditional Use

application be approved.

Discussion on the motion: Hicks said that with the recommendation to change the zoning and the criteria the commission uses to evaluate the conditional uses are all met, he will be supporting the conditional use application.

Tamarkin is in support of the conditional use application. In central Ohio one of the big needs is housing. We can't make more land; we need to make more houses. As the area continues to develop and it continues to grow, and Gahanna is landlocked, it has limited parcels available. Things are going to get denser. Sometimes we have to watch what we ask for. The commission can turn this down and deny this application. The next developer could want to put in a restaurant or gas station. He understands the conditional use of 18 resident units per acre is dense and is denser than where those in attendance live; however, it is appropriate for this lot. The commission sees developments on the city's main three roads: Johnstown Road, Hamilton Road, and Morse Road. Some of the parcels where they are undeveloped or redeveloped parcels do back up to residential, and it's the toughest decisions they make as a commission on how to approve or not approve and what to do with the parcels along these three arteries, which are geared for higher density and geared for commercial type developments. But the neighborhoods are beautiful, residential, peaceful neighborhoods. It is a fine line. Tamarkin thinks this is appropriate and that the commission ask the developer when they come back with the final development plan and the design review that they be respectful of the barriers, the borders, the fences, the trees, and the water that all reside there.

Motion carried by the following vote:

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

No: 1 - Shapaka

[V-0023-2022](#)

To consider a Variance Application to vary Chapters 1149.03(b) (1) and (2), 1149.03(l) (5), and 1169.05(a) of the Codified Ordinances of the City of Gahanna, for property located at 5503 Morse Rd.; Parcel ID: 025-011219; Current Zoning MFRD; Project Morse Road 14; Scott Harper, applicant.

In accordance with Planning Commission Rules Section 7.4.1.1., if there is more than one application on the same project, they may be discussed as one.

The application was discussed under Z-0001-2022. See attached staff presentation.

Motion was made by Hicks, seconded by Wester, that the Variance be approved.

Discussion on the motion: Shapaka said that with the final development plan, he looks not to just what the public had to say, but he thinks some of the variances might go away once the developer looks at it. He will not be supporting any of the variances at this time.

Hicks said there is one variance that he is struggling with and that is the expiration of the conditional use. He understands that it is reasonable, and our zoning code probably will be edited to remove the one-year expiration. He likes it. It gives the commission the opportunity for one more look after a year if something is being changed. It is an opportunity to address it at that time. Hicks will be a no for that variance, understanding it is one vote on all the variances.

Tamarkin is in support of the variances. On the record, a variance that has not been asked for but one that he would never support would be a variance to the 25-foot setback. He has walked and driven twice Amberlea Village and Windward Trace. He questions the city on whether both of those were held at a 25-foot variance. It is difficult to tell. The records are not clear, and both were built in the 1990s. Windward Trace possibly had a variance. If it has a setback of 25-feet from the property line, and this project is built as planned with a 25-foot setback, that would be 50-feet, which is a good gap between the properties.

Motion carried with the following vote:

Yes: 5 - Tamarkin, Suriano, Wester, Greenberg and Mako

No: 2 - Hicks and Shapaka

[2022-0268](#)

Morse Road Project Correspondence

F. UNFINISHED BUSINESS - NONE

G. NEW BUSINESS - NONE

H. OFFICIAL REPORTS

Assistant City Attorney - none

Director of Planning - none

Council Liaison

Director Blackford said that on September 6, 2022, council will vote on 825 Tech Center Drive. They would like to have residents attend and express their feelings on the project.

Chair

Tamarkin said the meeting was handled very professionally by all.

Chair asked Mayor Jadwin for comments. Mayor Jadwin said it was a very professional meeting. It was a difficult conversation, and she appreciated the preparedness of Director Blackford and the community members who attended. She appreciated planning commission's patience and openness and consideration of the thoughts and opinions that were offered tonight. Mayor Jadwin shared that at the August 22, 2022, Committee of the Whole meeting, the administration had a development agreement with Columbus Aesthetics and Plastic Surgery that was presented to council that will be voted on at the September 6, 2022, meeting. They are an established medical practice in Upper Arlington looking to establish a second location in Gahanna. They are planning on purchasing the Charles Penzone building at Morse and Cherry Bottom Roads. They are making a significant investment in buying the building and doing extensive renovations. They will generate about 9.75 million dollars of annual payroll. We look forward to welcoming them, presuming that is voted upon by council. If approved, the project will come before the commission as it moves forward.

I. CORRESPONDENCE AND ACTIONS

Tamarkin shared that Patricia Kovacs, who represents the Bicycle, Trail and Advisory Committee, sent an email asking if the Everett Park Apartments is going to have a sidewalk. Blackford said that it is a code requirement that sidewalks or something similar are required along frontage and, yes, they will have something.

Councilwoman Angelou wanted to say this is probably the best panel she has seen, and she means that in every way. This could have been so horrible, and it wasn't. People came and gave their thoughts. She thinks the applicants are going to do everything they can to make this a good thing. Councilwoman Angelou thanked the commission.

Tamarkin thanked Councilwoman Angelou and Councilwoman Padova for attending the meeting.

J. POLL MEMBERS FOR COMMENT

Hicks thanked Tamarkin for a nicely managed meeting. Compliments to the commission members, as it is refreshing for the public to see that even when the commission doesn't agree they have a good conversation, good debate, and good dialogue.

Wester complimented Mr. Blackford for his presentation. It was a good meeting and discussion.

Shapaka said it is amazing to see the process work. Even though three of the items didn't go in his favor he thinks the process was here and it is evident, the commission uses it, and he is truly humbled by this commission and how they handle themselves, the questions that they ask, and the foresight that they have. Every meeting is a learning experience.

Mako reiterated that he thinks this was done correctly and a good job by everyone. Being an optimist, he thinks that the final development plan is going to be something good. Once they get into the details, he thinks that they can make it work for the

neighborhood and the community.

Greenberg said Tamarkin did a great job as chair and the rest of the commission for their comments. He is looking forward to the final development plan. He said out of most of the meetings that the commission has had over his tenure, the impact to that will show how this meeting went and he thinks they will see many changes to the positive when the developer comes back.

Tamarkin thanked the commission and believed they handled it well, and it takes all of them, and it takes a community.

K. ADJOURNMENT

There being no further business the meeting adjourned at 10:23 p.m.