

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Wednesday, May 8, 2002

7:00 PM

City Hall

Planning Commission

Richard A. Peck, Chair

Jane Turley, Vice Chair

Cynthia G. Canter

Candace Greenblott

P. Frank O'Hare

Donald R. Shepherd

Othelda A. Spencer

Tanya M. Word, Deputy Clerk of Council

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, May 8, 2002. The agenda for this meeting was published on May 3, 2002. Chair Richard A. Peck called the meeting to order at 7:00 P.M. with the Pledge of Allegiance led by Planning Commission member, Frank O'Hare.

Members Present: Richard Peck, Jane Turley, P. Frank O'Hare and Candace Greenblott

B. ADDITIONS OR CORRECTIONS TO THE AGENDA - None

Clerk advised of moving SWP-0004-2002 after DR-0026-2002 per prior discussion with the applicant and Planning Commission Chair.

C. APPROVAL OF MINUTES: April 24, 2002

A motion was made by Greenblott to approve the minutes of April 24, 2002. The motion carried by the following vote:

Yes	4	Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott
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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 Ray King administered an oath to those persons wishing to present testimony this evening.

CU-0004-2002

To consider a Conditional Use application to allow automotive services except repair; for property located at 4300 North Hamilton Road; Gahanna Self Serve Car Wash, Tom Donley by Glen A. Dugger, applicant.

Chair opened Public Hearing at 7:09 P.M.

Glen Dugger, 37 West Broad Street, Columbus, OH, stated he is here representing Tom Donley, the contract purchaser; request is for a Conditional Use, Final Development Plan, and Design Review for the Gahanna Self Serve Car Wash; met with Planning Commission last week at workshop; discussed security, and noise issues, as well as traffic issues; this is a fairly low traffic, low visibility design; provides a service that is currently not available in the Triangle area; have worked with the staff and the Planning Commission; we will do some tree preservation; there is one outstanding issue that I would like to include as a condition of this; when this project was annexed the underlying landowner refused to dedicate the right of way; which is their prerogative; it postpones to a later time the request for right-of-way from the City; discussed with the Clerk of Council that when this project came through the Final Development Plan process, we would condition the approval upon making the dedication of the right-of-way a condition of the issuance of the building permit; wanted this information to part of public record; the applicant who is the contract purchaser is without the ability to provide that right-of-way at this time; but could obviously once the conditional use is approved and he is able to acquire the property; happy to answer any questions.

Chair asked for Opponents. Chair advised that the Planning Commission has received a letter of opposition from Tom Liszkay of 457 Tresham Road.

Chair closed Public Hearing at 7:14 P.M.

Turley confirmed with Clerk that there is a copy of the revised landscape layout in the file.

Canter stated while some of us feel that this may not be the absolute best use for the parcel, it certainly is not the worst use; this is an odd shaped narrow parcel that could be assembled with only one other parcel which now lies in the township and not under our jurisdiction; the use for this site is an off peak usage; the customers are not arriving during rush hour, therefore it does not significantly impact Hamilton Road traffic as other uses may; see no heightened criminal opportunity with this proposed development as compared to Greater's Ice Cream or the Canini Retail Center; will support the application.

Turley commented that she can not support this conditional use application for the following reasons: In accordance with Section 1169.03 - Actions of the Planning Commission, believe that this development will have an undesirable affect on the surrounding area; concerned with the negative affect the establishment of an automotive use will have on surrounding undeveloped sites; think that we should try to maintain the standard that has been set by Dr. Hutta's building and other buildings in the interior triangle area; allowing automotive use in this area will make it a harder sale for those parcels; it is very likely that we are going to be inundated with requests for other automotive related uses in this area; think that the noise from the vacuum and the water hoses will be considerable for the interior triangle lots and neighboring businesses; the lights that will be lit up 24 hours a day, 7 days per week, believe that the proposed development will not be in keeping with the existing land use character and physical development potential of the area; there is no other automotive use near this proposed development; the only other automotive use in the entire north triangle area is the Tuffy Muffler at the intersection of Morse and Hamilton; in that situation there were three existing gas stations on the other corners; believes that is an entirely different setting; for these reasons, will not be supporting the conditional use application.

Peck remarked that he concurs with Turley; has no problem with the final development plan or the design review because this is a very nice automotive use as could be found for this particular area; basic problem is the opposition to an automotive use in that corridor; that is the gateway to the northern end of the City; the City has spent a lot of time trying to preserve and maintain the character of development in the North Triangle, specifically along the Hamilton Road corridor.

Heard by Planning Commission in Public Hearing

A motion was made by Greenblott that this matter be Approved with the condition that the usage will be for car wash only in accordance with FDP-0007-2002; subject to the dedication of right-of-way. The motion failed by the following vote:

- | | | |
|------------|----------|--|
| Yes | 1 | O'Hare |
| No | 3 | Chairman Peck, Vice Chairman Turley and Greenblott |

Reconsideration of Application CU-0004-2002

Chairman Peck advised Dugger that the application failed. Dugger made the request to reconsider this application before a full board of Planning Commission members at the next Public Hearing on May 22, 2002. Dugger advised that a motion needs to be made for the reconsideration, and it should be a person who voted in the negative.

A motion was made by Greenblott that Conditional Use application CU-0004-2002 be reconsidered at the next Public Hearing on May 22, 2002 with a full board of Planning Commission members in attendance. The motion carried by the following vote:

Yes **3** Chairman Peck, O'Hare and Greenblott
No **1** Vice Chairman Turley

FDP-0007-2002

To consider a Final Development Plan for a self serve car wash; for property located at 4300 N. Hamilton Road; Tom Donley by Smith & Hale, applicant. (Public Hearing. Advertised in RFE on 4/18/02). (Public Hearing held on 4/24/02, 5/8/02, 5/22/02).

Chair asked Dugger did he want to vote on the Final Development Plan. Dugger replied that he would request to wait until May 22, 2002 to vote on all three applications based upon the previous motion for reconsideration.

Postponed to Date Certain to Planning Commission

DR-0026-2002

To consider a Certificate of Appropriateness; for property located at 4300 North Hamilton Road; Gahanna Car Wash, Tom Donley by Glen A. Dugger, applicant.

Postponed to Date Certain to Planning Commission

V-0012-2002

To consider a variance application to vary Section 1143.08(d) - Yard Requirements; for property located at 676 Dark Star Ave; to permit a fence in a no-build zone; by Douglas E. & Suzanne J. Nielsen, applicants. (Public Hearing. Advertised in RFE on May 2, 2002).

Chair opened Public Hearing at 7:26 P.M.

Douglas Nielsen, 676 Dark Star; stated he and his family have been residents at 676 Dark Star since it was constructed in 1989; were the third residents on Rose Run Pond; during our stay there in 1992, our neighbors to the east of us had and still have an aggressive dog which was trespassing onto our property; we felt that the best solution of the problem at the time was to construct a fence along the eastern border of our property; we contacted all of our adjoining neighbors and none of them objected; member in good standing in the Rose Run Lakefront Homeowners Association; the fence has served it's purpose; it has kept the dog from impeding onto our property; none of the neighbors have complained about the fence; we have a permit; applied for a permit in 1992 and it was granted; the fence was constructed in accordance with the design in the permit; would answer any questions the Commission might have.

Chair asked for Opponents. There were none.

Shepherd asked would you agree to take the fence down should you decide to sell the house. Nielsen replied that he would agree to take the fence down; do not anticipate moving in the foreseeable future; the fence actually adds to the value of the home

Turley asked in regards to the fence permit that you were granted, was it granted for the fence in the exact location that is in now. Nielsen replied yes, to the far northeast corner running south to a point. Turley asked was it sketched on your fence permit. Nielsen replied yes; the Zoning Administrator, Bonnie Gard advised me that permit information dating that far back have been destroyed; my wife & I do have records, but we don't have that particular record, so I can't present the permit. Turley asked are there any other fences on the lots near you (within four or five houses). Nielsen replied no.

O'Hare confirmed that the photograph on the monitor is the split rail fence that was put in under the Fence Permit obtained in 1992. Nielsen replied that is correct; have replaced one support, but there have been no alterations from day one.

Canter asked when you purchased your home were you made aware of the no build zone on your property. Nielsen replied that we were aware that the no build zone on the plat drawing that we had said that no structures would be permitted; in my humble opinion a fence was not a structure; when I applied for the permit at the time, I expected that the City would understand; a no-build zone was clearly delineated on the survey card. Canter remarked so you were aware of the no-build zone, but when the City granted you the fence permit, you assumed that to be meeting City code at the time. Nielsen replied that is correct; had I known and it been an issue at that time, would have applied for a variance at that time.

Turley stated that she will support this variance application because we have to honor the permit that the City granted; however, it is very important that the condition be attached to it; this is an open area; the neighbors have the right to expect that it would be kept as an open area; think that it important that it returns to that state.

Peck stated that he concurs with Turley; variances are governed by Section 1131.03 of the Gahanna City Code; to approve a variance, we have to find that there are special circumstances or conditions applying to the land, building, or use referred to in the application; the granting of the variance is necessary for the preservation and enjoyness of substantial property rights; the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood; don't have a problem with the second and third part of this; don't see it a deterrent to the neighbors; the special circumstance is that we have been able to verify that a City permit was issued in 1992; the public record laws does allows those to be destroyed after five years; the actual permit was destroyed; however, there is a City record which maintains a log of the permits that was made and that supports this application.

A motion was made, seconded by Vice Chairman Turley, that this matter be Approved with the condition upon the sale of the property that the Niensens agree to remove the fence. The motion carried by the following vote:

Yes 4 Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott

FDP-0008-2002

To consider a Final Development Plan for X-F Site Development, Phase I; to be located on the North side of Claycraft Road, 1000' West of Taylor Station Road; by P & L Systems, Inc., Mike Casale, applicant. (Public Hearing. Advertised in RFE on 5/2/02). (Public Hearing held on 5/8/02, 5/22/02).

Chair opened Public Hearing at 7:36 P.M.

Tom Rizkay, P&L Systems, 171 Charring Cross Drive, Westerville, OH, stated he was here on behalf of Mike Casale who is on vacation; the project consists of two parcels; one which is 3.268 acres and the other is 1.107 acres; we are proposing an addition to the existing facility that is currently there; proposed construction of a warehouse, which is Building C on the site plan; then there is a Building B which is an existing building in the front; there is a request for a variance for the side yard and rear yard setback; as you can see on your monitor, Building A already encroaches into this setback; X-F construction is going to occupy the building in the proposed addition; we have included

an elevation showing what we plan to do architecturally.

Chair asked for Opponents.

Larry Greenberg, 8711 Woodlands Court, Pickerington, OH; stated he has the warehouses that are west of the property; there are two issues that I see here; there are immediate needs and future needs; what is being asked here is to grant a variance for the entire property; immediate needs I don't have a problem with; the future needs I do have a problem with, because I don't know what exactly is going to be built; if you're going to take up the entire east side with the buildings that are being proposed, the thing that I'm not clear on is the future development; the current setbacks are sufficient; my request is that you work with what you have currently, then in future take the opportunity to look at the buildings and see what direction you want to go; because what could happen in the future is the land could be sold, the building could be sold and they could put whatever building they would like there; then the neighbors would be stuck looking at that building; don't see the hardship for the future.

Chair asked for Rebuttal.

Rizkay stated as it relates to the setbacks, we understand the concerns of Greenberg; will work out a compromise on the variance request.

Turley asked the variance that you are requesting is just for the east. Rizkay replied it is for the rear yard setback on the back, the side yard setback on the east as well as on the west; we are willing to work to work with the applicant on the west side. Peck stated that we can discuss this at workshop.

Greenblott asked can you bring a large scale drawing of the landscape plans to workshop. Rizkay replied that he would.

Chair advised that this application will be further discussed at workshop on 5/15 at 6:45 P.M.

Heard by Planning Commission in Public Hearing

V-0013-2002

To consider a variance application to vary Sections 1155.05(b) and 1155.05(c) - Yards Required; for property located on the North side of Claycraft Road, 1000' West of Taylor Station Road; to reduce side yard width less than 25'; to reduce depth of rear yard less than 30'; X-F Construction Services by P & L Systems, Inc., Mike Casale, applicant. (Public Hearing. Advertised in RFE on 5/2/02). (Public Hearing held on 5/8/02).

See discussion on previous application.

Heard by Planning Commission in Public Hearing

DR-0028-2002

To consider a Certificate of Appropriateness; for property located at 1120 Claycraft Road; by P & L Systems, Inc. Mike Casale, applicant.

See discussion on previous application.

Discussed

V-0014-2002

To consider a variance application to vary Section 1171.04(3) - Fence Standards; for property located at 1693 Taylor Station Road (Water Tower); to allow barbed wire on top of security fence; by City of Gahanna, Karl Wetherholt, applicant. (Public Hearing. Advertised in RFE on 5/2/02). (Public Hearing held on 5/8/02).

Chair opened Public Hearing at 7:44 P.M.

Karl Wetherholt, Engineer, City of Gahanna, 200 South Hamilton Road; stated we are

seeking a variance for barbed wire to be allowed on top of fence for security purposes; this recommendation was from our security personnel; the location of the fence is to go around the water tower; the area is concealed by the natural vegetation of the park; the water tower is located within Gahanna Woods Park on a plot of ground that has been exempted from some of the requirements of the park for purposes of having the water tower.

Chair asked for Opponents. There were none.

Peck commented on the statement "we have to put this up"; asked who is saying that we have to put this up, just so that we can be clear. Wetherholt replied our Director of Emergency Management, who is General Williams; was in Emergency Management for the State of Ohio before he came to work with the City; there is also a letter from the Attorney General's office indicating that there are funds available for protecting water towers in particular by installing fences around them; we are not applying for any of the funding for that; however, the state recognizes the need for putting security fences around water towers.

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

Yes	4	Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott
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F. UNFINISHED BUSINESS:

Chair noted that there is still a pending application from the Parks and Recreation Department here with the City of Gahanna for a building in Academy Park (FDP-0006-2002 and DR-0024-2002); it was postponed because the applicant was waiting to retain and Architect and new drawings; if there is anyone who has questions about this particular application, be aware that it has not dropped off. Clerk advised that she was informed by Mitchell that the application probably would not be ready to come back to Planning Commission until June. Chair advised that Mitchell needs to do something on public record either postponing indefinitely or whatever he is planning to do.

G. NEW BUSINESS:

DR-0029-2002

To consider a Certificate of Appropriateness for Signage; for property located at 4410 East Johnstown Road; Gahanna Church of Christ by Sign Stop of Columbus, Elder Doug Swaune, applicant.

Doug Swaune, stated he is representing the Gahanna Church of Christ located at 4410 East Johnstown Road; we are requesting to replace the plastic panel containing wording in our existing sign; the existing sign is over 20 years old and is fading; the new sign is basically the same wording except the bottom line would enable black replaceable letters.

Turley commented that the City staff had made a recommendation of 3 lines with 4" block-style black letters for more visibility from the road; asked would that be agreeable. Swaune replied yes he would agree to that. Turley stated that you are replacing the existing sign panel; is the proposed one the same size. Swaune replied yes. Turley asked is the sign lit from the outside or internally illuminated. Swaune replied the lighting is on a timer and is internally illuminated sign.

Peck asked to improve the esthetics, would you be willing to paint the chain link type posts black. Swaune replied that would be no problem.

Canter asked is there sufficient landscaping around the site. D'Ambrosio replied yes.

A motion was made by O'Hare that this matter be Approved. The motion carried by the following vote:

Yes 4 Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott

DR-0030-2002

To consider a Certificate of Appropriateness for Signage; for property located at 358 S. Hamilton Road; Damon's Grill by Identity America, Thomas A. French, III, applicant.

Brenda Hunt, Hanover Sign, Co., Account Executive, 1771 Progress Ave., Columbus, OH 43207; Damon's is changing their image; the big red awning is coming down; the channel letters used for "The Place for Ribs" are also coming down.

Peck asked has your client given you authority to make some changes that might need to be made regarding the sign. Hunt replied that she would go back to her client with the ideas from the Planning Commission and go from there; also brought the sample for the awning. Turley stated in reference to the existing directory sign; thinks that the background needs to match the other existing directory signs instead of the black background with the fire to match the cream. Hunt commented that would not be a problem. Turley asked do the flags extend out. Hunt replied we are just replacing the flags that are there now; the color will be Bottle Green. Canter commented whoever does your presentation layout, did a fantastic job; it gives you what's existing and what is being proposed on one page; this is one of the best that I've seen.

Turley stated that this a big improvement; will support the application; glad to see the big red awning coming down; don't want to set the precedence to the other tenants that they can come in and just apply for any type of sign band; would have a problem if this was setting a pattern for going outside the sign band for your signage; however, in this case it's replacing an existing structure that does just that; will support the application.

Peck confirmed that the motion of approval for the tenant panel is the Alternate Layout with a cream background.

A motion was made by Greenblott that this matter be Approved with the following stipulation: the approval is for the alternate layout (located at the bottom of page 1 of the presentation layout) with a cream background. The motion carried by the following vote:

Yes 4 Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott

DR-0031-2002

To consider a Certificate of Appropriateness for Signage; for property located at 345B Granville Street; Ted's Barber Shop by Sign-A-Rama, Leslie Z. Till, applicant.

Leslie Till stated that we are proposing to put a new sign up on the wall for Ted's Barber Shop at the entry; the sign consists of 1' PVC and is 36' tall x 48" wide; the sign includes a 3/8" gold border; colors include a dark green background with antique white text.

Turley asked D'Ambrosio if the tenant panel was part of this application. D'Ambrosio stated that the applicant would not have to come back.

Shepherd asked does the sign have to big that big. Till replied no it does not have to be that size; that is what the customer requested. Greenblott stated that she thinks that a good size for the sign. Turley concurred with Greenblott.

A motion was made by Vice Chairman Turley, seconded by Greenblott, that this matter be Approved. The motion carried by the following vote:

Yes 4 Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott

SWP-0003-2002

To consider a Subdivision Without Plat application to allow a split of 0.844 acres; for property located at 961 N. Hamilton Road; Gahanna Place, LTD., Gary Cheses, applicant.

Gary Cheses, Managing Partner of Gahanna Place, attempting to do a lot split in the rear of the property; the front of the building is currently leased to a dentist; the back building is vacant; we do have a buyer who is ready to close as quickly as possible.

Komlanc stated in review of the proposed lot split, there is a concern in regards to allowing additional access onto Hamilton Road; we would request that easements be provided to have access onto Hamilton directly across from Big Bear; also requesting that lots 2, 3, and 4 be provided with an easement to that access on Hamilton Road that currently exists. Cheses stated would not be a problem.

O'Hare asked how wide is the easement going to Hamilton Road from the back of the lot to the front. Komlanc replied 20 foot. O'Hare asked what is the 20 foot for. Komlanc replied it is required; we don't want to have it landlocked.

Turley confirmed with Cheses that an easement will be granted allowing access through the existing curb cut, and that no additional curb cuts will be granted for access to this parcel. Cheses replied that is correct.

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

Yes 4 Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott

SWP-0004-2002

To consider a Subdivision Without Plat application to allow a split of 19.78 acres to create five lots off Beecher Crossing North; for property located off Beecher Crossing North; Canini & Pellecchia, Inc., Larry Canini, applicant.

Glen Dugger, 37 West Broad Street, stated the application is for a Subdivision without Plat for Beecher Crossing North; it's a rezoning that Planning Commission worked through one and a half years ago; SWP enables lot splits to be done in accordance with the zoning for which it was approved; asked if there were any questions.

Peck stated that this application very closely tracks a limited overlay that was approved for this area; the SWP is consistent with the development as it was presented at that time; largely an administrative matter to make sure that all the paperwork is line with the plan as it was originally approved.

A motion was made by Vice Chairman Turley, seconded by Greenblott, that this matter be Approved. The motion carried by the following vote:

Yes 4 Chairman Peck, Vice Chairman Turley, O'Hare and Greenblott

H. COMMITTEE REPORTS:

Committee of the Whole - No Report

Gahanna Jefferson Joint Committee - Canter.

Canter stated the committee met on April 29th; Chief Murphy and various fire jurisdictions were discussing the Hamilton Road construction over 270 to see if there

were any problems with the emergency or police access; they said there was none; the Helmbright/Havens Corners Road target completion date is before school starts; asked the General regarding Academy Park how much sq. footage the junior league is vacating so that we can compare apples to apples when the residents are saying that the site is too big; according to the General, the space at Friendship that they are occupying now is 80 x 28 feet; the last item that they talked about was the evacuation plan; on September 11th, AEP had to evacuate 800 people, took almost two hours to do; to identify evacuation routes for the industrial park is a high priority during a natural disaster or terrorist attack.

Creekside Development Team - Greenblott.

Greenblott commented that the team is back on track; Creekside passed; our next meeting will be on Friday, May 10th.

I. OFFICIAL REPORTS:

City Attorney - No Report

City Engineer - No Report

Department of Development - No Report

Chair.

Chair advised there will be a Plenary Session on Wednesday, May 29th at 6:00 P.M. at which time the Land Use Plan will be discussed.

J. CORRESPONDENCE AND ACTIONS

HOP-0003-2002 Home Occupation Permit for Mortgage Point by Wendy P. Doyle-Peters; 342 Highmeadow Drive; for occupation as a Loan Officer. Approved by Zoning Administrator, Bonnie Gard on April 26, 2002.
Approved

K. POLL MEMBERS FOR COMMENT.

Canter asked the Development Department to incorporate the plans that Damon submitted into their best practices; very nice presentation packet; has what the sign currently looks as well as what the building will look like with the new sign.

L. ADJOURNMENT - 8:20 P.M.

TANYA M. WORD
Deputy Clerk of Council

Isobel L. Sherwood, MMC
Clerk of Council

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

Chair Signature