

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Wednesday, April 26, 2000

7:00 PM

City Hall

Planning Commission

*David B. Thom, Chairman
Candace Greenblott, Vice Chairman
Cynthia G. Canter, Commission Member
Paul J. Mullin, Commission Member
Richard A. Peck, Commission Member
Phillip B. Smith, Commission Member
Jane Turley, Commission Member
Isobel L. Sherwood, Clerk*

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

Gahanna Planning Commission met in Regular Session in the Council Chambers of the Municipal Building, 200 South Hamilton Road, Gahanna, Ohio on Wednesday, April 26, 2000. The agenda for this meeting was published on April 20, 2000. Chair David B. Thom called the meeting to order at 7:03 p.m. with the Pledge of Allegiance led by Commission Member Canter.

Members Present: Phillip B. Smith, Paul J. Mullin, Richard Peck, Cynthia G. Canter and David B. Thom

B. ADDITIONS OR CORRECTIONS TO THE AGENDA.

Chair noted that item Z-0004-2000, rezoning for property at 448 Johnstown Road has been withdrawn by applicant; request has been received from an opponent to still address Commission regarding this issue and we will honor that request, however, the rezoning request has been withdrawn by the applicant.

C. APPROVAL OF MINUTES: None**D. HEARING OF VISITORS - ITEMS NOT ON AGENDA: None.****E. APPLICATIONS:**

Chair stated Public Hearing Rules that would govern all public hearings this evening. Planning Commission member Richard Peck administered an oath to those persons wishing to present testimony this evening.

PP-0002-2000

PP-02-00 To consider a preliminary plat application to allow development of a 10 lot office/warehouse complex; for property located at Taylor and Taylor Station Roads; Kenney Family Partnership by Exxcel Contract Management, Inc., applicant.

Chair opened Public Hearing at 7:13 p.m.

John LeFauve, 7148 Schoolcraft Dr., Dublin; stated he was present representing the developer; submitted for your approval a preliminary plat for development of land at Taylor and Taylor Station Roads.

Chair asked for opponents. There were none.

Chair closed Public Hearing at 7:14 p.m.

Motion was made at this point in the meeting.

Discussion: Mullin asked if applicant, as owner, is responsible for the subdivision plan in front of us and that it has been determined voluntarily on the owners part as to how it was to be allocated in this tract of land; is it safe to presume we will not be seeing any variances forthcoming since you had full and total control of this plat. LeFauve noted that they may submit a request on a lot by lot basis when they do develop; see no need for blanket variance. Mullin stated that upon our approval and prior to final plat when you may not meet the criteria for variances; understand there is a risk; understand we could not ; no obligation on the part of the commission to grant variances.

Canter noted this motion was to approve as revised and submission dated 4/24/2000.

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

Yes 5 Smith, Mullin, Peck, Canter and Chairman Thom

Z-0001-2000

Amended ZC-01-00 To consider an initial zoning application to zone 3.7+/- acres recently annexed as L-SO, Limited Overlay Suburban Office; and to rezone 8.7 acres zoned AR to L-CC, Limited Overlay Community Commercial; for 3.7 acres located at 5071 Shagbark Road and 8.7 acres located off Beecher Road; Canini & Pellecchia, Inc., Landowner by Glen A. Dugger, applicant.

Chair opened Public Hearing at 7:17 p.m.

Glen Dugger, 37 West Broad St., stated he was present representing the applicant; this is a 20+ acre tract on north side of Beecher Road; currently zoned L-SO; proposal as we have discussed prior is to divide this acreage into a mixed use project with 4 different areas; northern most area would be L-SO; would be 32 condominiums south of that and then you would come to L-CC and home plate parcel will also be L-SO; as a part of that we eliminated a whole host of problematic uses; revised the text accordingly and provided those to you; was of the understanding that we had essentially covered all problems; understand tonight that there are some additional questions or problems and this should be pushed back to workshop; we are always willing to do that and that's the forum to discuss; if this needs additional workshop will be happy to go back; don't have the luxury of time on this one; do have a little bit of a clock ticking; can go back next week but don't know if we have the luxury to continue to do so; may need to get rolling for contractual obligations; my preference is to charge ahead tonight and answer any outstanding questions but will be happy to discuss next week in workshop.

Chair asked for opponents. Vicki Lepper, 5099 Shagbark; haven't been to workshops; have questions on the construction traffic on Shagbark. Canter stated this application was the Beecher property.

Turley stated she would like to see this item returned to workshop; sticking point for me is community commercial; emphasis on a couple of different areas including the traffic impact on Beecher Road for commercial; as a commission need to take closer look at Triangle North Plan; mixed development is a large use; a lot of commercial development can happen in that area; need to take a closer look at that; for CC portion feel we need to look at it on a parcel by parcel basis and one project at a time instead of a blanket rezoning.

Thom noted that one property does have an address on Shagbark but all access will be from Beecher.

Chair closed Public Hearing at 7:24 p.m.

Heard by Planning Commission in Public Hearing

Z-0005-2000

ZC-05-00 To consider a zoning application to rezone 2.484 acres as L-SO, Limited Overlay Suburban Office and 6.299 acres as L-AR, Limited Overlay Apartment Residential; for 8.94 acres currently zoned ER-1; property located at 4417 Johnstown Road; Canini & Pellecchia, Inc., contingent purchaser by Glen A. Dugger, applicant.

Chair opened Public Hearing at 7:25 p.m.

Glen Dugger, 37 West Broad St., stated this was the same as previous application; these two applications are linked together; anything said previously applies to this also.

Chair asked for opponents. There were none.

Chair closed Public Hearing at 7:26 p.m.

Heard by Planning Commission in Public Hearing

Z-0004-2000

ZC-04-00 To consider a zoning application to rezone 2.107 acres as L-SO, Limited Overlay Suburban Office; for property located at 448 Johnstown Road; M & M Management Co., by Doug Maddy, applicant.

Chair opened Public Hearing at 7:26 p.m.

Chair noted that Commission had received a letter on behalf of Mr. Maddy withdrawing this zoning change. Chair asked for proponents. There were none.

Chair asked for opponents. David Fisher, 504 Cherrybottom Road; stated he appreciated indulgence of Commission; reason asked for a moment of time is that there is significant neighborhood sentiment regarding this application and some other scenarios that have been preliminarily discussed; would also like to present petitions in opposition with 218 signatures of residents directly adjacent or near including the Colony Place subdivision and up and down Johnstown Road.

Chair thanked residents for their input; knew there was a lot of concern; has been withdrawn.

Chair closed Public Hearing at 7:28 p.m.

Withdrawn

RECESS:

Chair declared a recess at 7:29 p.m. with all members returning to the dais when the meeting reconvened at 7:31 p.m.

FDP-0003-2000

FDP-04-00 To consider a final development plan to allow for a building addition and renovation; for property located at 104 Mill Street; Bryon H. Carley by Danny Popp, Architect, applicant.

Chair opened Public Hearing at 7:31 p.m.

Danny Popp, DPP Architects, 855 E. Cooke Road, stated he was present representing the applicant and would be glad to answer any questions.

Dan Miller, DPP Architects, 855 E. Cooke Road, stated he had attended workshop on this project; intensely looked at some issues on site; dumpster location and traffic flow were of great concern; Tuesday morning met with Forrest Gibson from Development staff and went over a revised plan; lot of it had to deal with drive aisle behind building; took main drive aisle on south side of building straight through to alley and are eliminating the drive aisle behind; what that ended up doing was allowing us more square footage; zoning staff gave us the option to increase the size by another 1,000 s.f. for a total of 8,224 s.f. now; was a variance from 5 parking spots to the now revised site plan from 33 spaces to 19; is based on requests he has been getting for larger square footage; landscaping from April 12 plan is pretty much the same; is more than we requested last year; feel this works well; with regard to the design review we haven't had enough time to get good elevations redone; recommend the possibility of doing workshop on that portion.

Chair asked for opponents. There were none.

Canter noted that between parking space 4 and 5 there is a hatched area; is that the designation for the handicapped parking. Miller replied that it was. Turley questioned the change in number of spaces. Miller stated the plan originally had 19 spaces; on

April 12 there were 24 spaces; since the building has gotten bigger it added an additional parking requirement; with revision there were 29 required and we had 24; now with the latest revision we require 31 and have 19.

In response to question, Miller stated the total square footage is an additional 1,000 feet over April 12 for 8,224 s.f. total. Mullin stated there had been discussion of parking spaces 1 through 13 having parking blocks to prevent them from overhanging property lines. Miller stated that last year it wasn't an issue; we can do that.

Chair closed Public Hearing at 7:37 p.m.

Discussion: Turley asked if with addition of space would footprint of building change. Miller replied it would not; would like to proceed with final development plan and variance and workshop design review; the plan handed to you in workshop tonight is the final plan. Mullin noted that the April 19 drawing is the plan that we are discussing now for approval; that is the final version and footprint will not change. Mullin noted for the record that the area increase is in the neighborhood of 2,000 s.f.

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

Yes 5 Smith, Mullin, Peck, Canter and Chairman Thom

V-0008-2000

V-08-00 To consider a variance application to vary Section 1163.02, number of parking spaces; to allow for a building addition and renovation; for property located at 104 Mill Street; Bryon H. Carley by Danny Popp, Architect, applicant.

See discussion on previous application.

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

Yes 5 Smith, Mullin, Peck, Canter and Chairman Thom

DR-0018-2000

DR-18-00 Certificate of Appropriateness; 104 Mill Street, Bryon Carley by Danny Popp, Architect, applicant.

Chair stated that DR-18-00 will be discussed in workshop at 6:30 p.m. next Wednesday, May 3.

Mullin stated that in their studies of the exterior elevations, particularly those visible from Mill St., would like to see a design that would reflect and recall the older character of Olde Gahanna; would be looked upon in a more favorable manner; for what it might be worth.

Discussed

V-0009-2000

To consider a variance application to vary Section 1145.04, Dwelling Dimensions, Lot Coverage; to allow a garage larger than allowed by code; for property located at 638 Palace Lane; Gordon Bourgeois, applicant.

Chair opened Public Hearing at 7:42 p.m.

Gordon Bourgeois, 638 Palace Lane, stated he was trying to get permission to go 3' beyond standard code to put in a garage; for my van as my wife has super nuclear palsy; the existing garage will be closed off to convert to an exercise room. In response to question from Commission member, Bourgeois stated that Super Nuclear Palsy is a combination of Alzheimer's Disease; she can't walk very well and has the characteristics of Cerebral Palsy.

Chair asked for opponents. There were none.

Smith asked if the home had a basement. Bourgeois stated it was a slab home. Turley asked if he owned a handicapped van. Bourgeois stated he did not have one yet; purpose of garage is to put a van and 2 cars; there is a single garage connected to the house and it is overloaded; am running out of room; will purchase a larger van at a later date; getting the 3' now to have room for it; standard garage was 27' x 33' and asking for 30' x 35'; no idea what a van would take; already have 2 cars now; with the construction of a new garage we would abandon the use of the existing and turn it into an exercise room. In response to question, Bourgeois stated they would put a new driveway on the northeast side and put a 3 car garage in there; have 2 cars now and the van we will be purchasing to haul wife around; then close the garage connected to the house into an exercise room.

D'Ambrosio stated that once the curb cut is made for new driveway the old curb cut has to be closed off. Bourgeois stated he needs to get the new one built first.

Peck asked if he understood that if you were granted permission to build the new garage when that was done have to take steps to close off the driveway to the existing; traffic situation would not permit you to have driveway still in use. Bourgeois stated he understood.

Canter asked if 800 s.f. would not permit the use you know you need. Bourgeois stated that he felt with the length of the car and van he would need the size requested; am a little ignorant of the size of a van at this point; anticipating parking 3 vehicles in this new garage.

Canter asked Assistant City Attorney Ray King if the section of code requested to vary is for required lot area not square footage. D'Ambrosio clarified the section of code being requested; asking for a garage that is 250 s.f. more than code allows; could build an 800 s.f. garage today without requiring a variance. Peck asked if they would still be within the 40% lot coverage allowed. D'Ambrosio replied that they would be.

Chair closed Public Hearing at 7:52 p.m.

Motion was made at this point in the meeting.

Discussion: Canter stated she did not have opposition to the applicant building an 800 s.f. garage; don't have enough before me that proves the need for a bigger one; parking two cars and potential for the van for one driver is not enough; don't have a demonstrated or documented hardship for increasing the size for over the 800 s.f. allowed; don't see he has documented that the 30' x 35' will serve him any greater than that which is allowed; can build to standards; don't see a documented hardship.

Greenblott asked D'Ambrosio about the comment about storage of medical supplies. D'Ambrosio stated that when applicant came in he stated he had special equipment and didn't have room to store it. Bourgeois stated they were pretty well jammed up all through the house.

Mullin stated that if figures are correct, applicant could build a structure that is 30' x 27' and be within the limits of the code; that would be presuming of course that the existing garage was converted to another use; 25' to 27' depth is extremely ample for any van that would most likely be employed short of an RV; that would be a more reasonable route to travel on this whole thing and eliminate the need for variance consideration.

Peck stated he was empathic and support the need demonstrated that this is more than preference; did drive by; need for garage is there but do share the concern about the size of the garage and impact it would have on surrounding area; have driven there and taken a look at land and neighborhood and realize that the garage would be an enhancement to his property, but am also mindful it is a permanent structure; because it is there it has an impact far longer than the immediate need; would support something more moderate and within the established guidelines for neighborhood and feel we can work with applicant; am concerned with size; closer to property line and can see that as necessity ; also see lot sizes and feel it can accommodate; is near the corner and have plenty of room back there; however, am concerned about the 30' x 35'.

Thom asked Mullin about his figures. Mullin noted they were proposing 30' x 35'; a 26' x 30' could meet code. Thom asked Bourgeois in order to keep within code could you get by with 30' x 26'; how many drivers are in home. Bourgeois stated his wife can't drive because of her condition. Was noted that they would presumably have 3 vehicles but one driver.

Heard by Planning Commission in Public Hearing

A motion was made by Smith, seconded by Canter, to approve subject to the discontinued use as a garage of the existing attached garage. The motion failed by the following vote:

Yes	0	
No	5	Smith, Mullin, Peck, Canter and Chairman Thom

Chair advised applicant of his right to appeal to the Board of Zoning and Building Appeals within 20 days; contact the Clerk's office for further information.

V-0010-2000

To consider a variance application to vary Section 1143.09, Off Street Parking; to allow a garage larger than that allowed by code; to consider a variance to Section 1143.08(b), Yard Requirements, to allow a garage higher than that allowed by code; for property located at 1001 Sugar Hill Place; Scott Mayo, applicant.

Chair opened Public Hearing at 8:01 p.m.

Scott Mayo, 1001 Sugar Hill Place, stated he was asking for a variance to add a garage; existing garage is about 22' x 22'; need the additional garage space; asking to add a 24' x 24' space; would have two garages; have 2 children of age to drive at home and have a car that we show; need space for tools and equipment for that car; existing garage is attached; proposed one is detached and located at the end of the existing driveway.

James Ansted, 1002 Sugar Hill Place, stated he was here to support variance request; think it would be an enhancement to the neighborhood; would allow for present vehicles to be put away; would be more sightly to have the garage than leave them parked out all the time. In response to question, Ansted stated he lived next door on the opposite side from where garage would be located.

Chair asked for opponents. There were none.

Smith questioned if there were any properties that have 2 garages. Mayo replied no. Thom asked if the sole purpose is to store show car. Mayo replied it was. Mullin questioned why a separate structure; why not extend existing garage to extend to a 3rd bay. Mayo replied he felt this was aesthetically better; also there is an enclosed porch back in that corner of the house.

Chair closed Public Hearing at 8:06 p.m.

Motion was made at this point in the meeting.

Discussion: Turley stated she can not support this; don't see special circumstances applying to the land; don't see hardship that would create special circumstances; feel this would negatively impact the neighbor by setting precedent for additional garages and second garages which don't exist in that area now.

Thom stated he had the same opinion as Turley; must show hardship; don't see where hardship has been met.

Peck stated he had reviewed this application and taken time to look at property; can see why they requested a height variance as it would look better; but share sentiments of Turley and don't feel applicant has demonstrated that he meets the requirements necessary in granting of Section 1131.03 of the Codified Ordinances; will not support.

A motion was made by Mullin, seconded by Smith, that this matter be Approved. The motion failed by the following vote:

No	5	Smith, Mullin, Peck, Canter and Chairman Thom
Yes	0	

Chair advised applicant of his right to appeal to the Board of Zoning and Building Appeals within 20 days; contact the Clerk's office for further information.

Mayo asked if hardship is the only way to approve; not many lots would allow this configuration; our lot would allow this option. Turley stated that Chapter 1131 on variances spells out what conditions have to be met to grant a variance; might answer your question.

V-0011-2000

To consider a variance application to vary Section 1141.08(a), Yard Requirements, to allow an encroachment into a front yard setback; for property located at 1082 Gwyndale Court; Homewood Homes, Inc., by Bauer, Davidson & Merchant, Inc., applicant.

Chair opened Public Hearing at 8:11 p.m.

Jim Davis, Bauer, Davidson & Merchant; 255 Green Meadows Dr.; stated they made a mistake; am retired and only at office temporarily; do understand what happened; is a common thing that happens all over, not just here; surveyor set point and he used that point for center of cul de sac which caused the house to be set too far forward.

Chair asked for opponents. There were none.

Greenblott stated home is built; can't move it. Davis replied it was. Canter asked if there was a way to stop this at it happens way too often; is there a way that a developer can avoid this from happening; are setbacks for a reason; does make a difference to us; can developers work to not have this happen. Davis stated that Dublin and Worthington do have foundation inspections; would be caught at that point. Canter asked if we could look at that and make a suggestion to the Building Division.

Chair closed Public Hearing at 8:14 p.m.

Motion was made at this point in the meeting.

Discussion: Smith noted having turned down two variance requests this evening; number one substantial property right is not vested in a particular owner; this home does encroach 110 s.f. into setback; nonetheless would be asking for the virtual destruction and relocation of a home and that is a hardship for what is obviously not an error on the homeowner's part ; is a significant hardship; will support.

Thom noted that if other municipalities do a foundation inspection agree with Canter that we should pass that on to building division; feel a lot of these could be corrected.

Mullin stated it could also be something that is part of the zoning code under verification of setbacks prior to construction; these types of situations have been more frequent than we would like to see; lack of due diligence on part of the developer or contractor involved; unfortunately the Commission is put in a no win position with anything like this; Smith's point is well taken; have these come before us repeatedly smacks of some people never learning from their mistakes and this may fall into that category.

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

Yes 5 Smith, Mullin, Peck, Canter and Chairman Thom

FDP-0004-2000

To consider a Final Development Plan for property known as The Woods at Shagbark and located at 5050, 5079, 5101 Shagbark Road; to allow construction of a condominium complex; The Stonehenge Company, by Glen Dugger, applicant.

Chair opened Public Hearing at 8:18 p.m.

Glen Dugger, 37 West Broad St., stated application is for a final development plan and design review for the property on Shagbark Lane; located in heart of the North Triangle; have submitted as part of this package the architecture, building elevations, site plan existing topography, and the entrance exhibit on how to handle the entrance; also have the individual building landscaping plans; have the exterior materials as well as the entrance boulevard plan; as a part of what has been submitted there was an enormous amount of work and concern that this application engendered; tree survey, while not part of package, we are cognizant of the fact that board has concern in that direction; will have the topography showing the proposed buildings for workshop next week; is in process of being completed; by way of background, this is a condo development bisected by the Beem ditch; were a number of issues at time of rezoning that we won't rehash; feel plan submitted addresses the questions and concerns at time of zoning; number one revision to site plan was that buildings were shifted so we don't have any buildings on 20% slope which was a concern of several members; in addition think we have a good plan for access for construction and to permit and continue the Lepper's and Sennet's to access their property; will explain in greater detail in workshop; will be by construction of a parallel road; that would put the location through a current easement; fence that with construction fence and site will be developed in two phases; 1st phase will be to south of that road and 2nd phase north of that road; could have access which would share in no way with construction vehicles with first phase; at second phase access would be from the north; feel we have a well thought out plan for that; concern that this proposal left Planning Commission with a number of issues worked out with regard to traffic with City Engineer and Council regarding our access; Planning Commission is following up after the fact and there is a proposed roadway development plan for the this area which includes a loop road; submitted a landscape boulevard plan for the current exntrance on Shagbark and as part of text Planning Commission and Council required that when we reach 25 occupancy permits the access, as determined by City engineering staff will become right in and right out; have done a significant amount

of work in the interim on access; also concern was raised about tree locations and development in a sensitive way; tree survey is part of your documents; think in terms of issues what were of concern in the rezoning we have a good answer for and will be happy to discuss in workshop; plan shows site as heavily wooded; park to be dedicated to the City is there; to avoid the construction on slope issue we have adjusted buildings; point out that in criticism given on the sister site of Sycamore Woods we also feel it is too dense and too confined; at the time this was working through zoning have corrected a mistake in that; in this plan each of the buildings have a full parking distance space immediately behind the garage; number of locations at Sycamore Woods do not a full space behind as buildings got narrower; that has been revised in this plan; buildings won't feel as close; can get the actual dimensions for you; one additional thing submitted after was that the staff asked for entrance graphic which is exactly as Sycamore Woods; 2 stone monuments with a stone in between identifying the site; those are the issues I was aware of and feel we have resolved; happy to deal with any questions; would request if there is something not in package that you want to talk about at workshop let us know so we can provide it; glad to answer any questions.

In response to question from Thom, Dugger stated initial proposal had 101 units; when it left Planning Commission it had 97; this plan is now at 93.

Chair asked for opponents. Vicky Lepper, 5099 Shagbark, stated there was a question on the easement of the road which looks like it has changed from the second revised section; would like to discuss at workshop; would like to have some sort of visible divide between his property and our property; surveyors have been within 15' of my living room window; shouldn't be in this area; have survey sticks in the middle of my perennial beds and are survey sticks between Dr. Shareef and our property; don't understand why they have to be on our property; also concerned about this becoming a convenient turnaround for new residents; best place so far is on our property; would like to see something at top of hill with private property sign or no turn around so traffic is kept on their site and not ours; thank you.

Chair asked for rebuttal. Dugger stated it was their intent to meet with Lepper's before tonight; apologize for not doing that; her questions will be answered; Dioun has been trying to get meeting arranged and will do so between now and workshop; no turnaround and request for additional signage to delineate distinction between property is a good one; don't know how to address question as to survey stakes; don't believe there is any need for surveyors to be in her perennial bed; we will find out; point concerning inadequate form of turnaround; one is built into this plan which will be at site of the community building; architecture of that building is not part of this package; may modify existing house that is there; pool needs to be located at northwest corner; do have pictures of existing building; architecture of that will be brought in at a later date; did the community building in Sycamore Woods at a later date; when barn fell down we matched the barn; do have the ability to provide that nobody would enter the property; it should be signed and is not our intent to trespass on her property; can work on and talk through; will do before next week.

Turley asked when topography would be available. Tailford stated it would be available at workshop. Turley questioned why only 14" or larger trees were on survey. Tailford stated they needed to make a determination of where to begin; 14" seemed to be a reasonable place; are a lot of trees below 14" and every effort will be made to save those; want to save all significant trees. Turley stated she felt survey was of limited use in determining how much is going to be preserved as 10" and 12" are big trees; reasonable line for me would have been much smaller. Dugger stated there were an equal or greater number of trees under the 14" and applicant was betwixt and between

on where to put that break line.

Chair closed Public Hearing at 8:38 p.m.

Chair stated this item would be discussed at 6:50 p.m. in workshop on May 3.

Heard by Planning Commission in Public Hearing

DR-0025-2000

Certificate of Appropriateness for construction of The Woods at Sharbark.

See discussion on previous application.

Discussed

F. UNFINISHED BUSINESS:

DR-0021-2000

DR-21-00 Certificate of Appropriateness; 4733 Morse Road; Shell Oil Co., applicant.

Mike Kasale, P& L Systems, 4970 Cleveland Avenue, stated they were the Civil Engineers for the project; felt that workshop discussion pretty much decided what will happen; reiterate that we are doing this on behalf of Shell; glad to answer any questions you may have.

Motion was made at this point in the meeting.

Discussion: Canter stated she can't support this application based on Section 1197.02(b) (2) of the Codified Ordinances which states that in evaluating design for each new or renovated structure it should enhance the attractiveness of the district and encourage orderly and harmonious development among other items; don't believe this renovation for the site does any of those and will not support.

Greenblott stated she can t support; don't believe this renovation meets the requirements of Section 1197.01(b) through (d) including the architectural and design character of this district; removing the soft gray and adding this garish corporate package does not enhance the area; adds to visual stress which is unfortunately part of many shopping centers; the peak which adds visual interest would be stripped; Shell has a prime location with adequate signage; business will not suffer because loud colors are denied.

Turley stated she can't support this; Commission went to a lot of trouble to see that station harmonized and blended with shopping center; believe this package would defeat our efforts.

Thom stated he concurred with statements; doesn't fit with design character.

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

Yes	0	
No	5	Smith, Mullin, Peck, Canter and Chairman Thom

Chair advised applicant of his right to appeal to the Board of Zoning and Building Appeals within 20 days; contact the Clerk's office for further information.

G. NEW BUSINESS:

DR-0023-2000

DR-23-00 Certificate of Appropriateness for Signage; 1385 Blatt Blvd., Evans Columbus Corp., applicant.

Robert Johnson, 6551 Balsam, Baltimore, Ohio stated he was with Evans Columbus and wishes to replace existing signage; was site of Columbus Steel Drum which we acquired in July 1997; sign was put up in June 1998; did not know we needed to make application to replace signage; is logo of company; sits on a piece of land that is 41' by 117'; second sign is our receiving sign and is a considerably narrower sign; is 7' tall and sits on a very large piece of frontage; understand there is a requirement of 50 s.f. of landscaping around the signs; would ask for clarification; is that 50 s.f. for each sign; don't mind doing it. Turley replied it would be for each sign; would suggest shrub masses or something like that; would appear to lower the sign and would also hide the legs on the sign.

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

Yes 5 Smith, Mullin, Peck, Canter and Chairman Thom

DR-0027-2000

Certificate of Appropriateness for Signage; Prudential, Residential One by Allied Sign Co., applicant.

Stan Young, Allied Sign Co., 3234 Mountview, Upper Arlington; stated he was here in November, 1999 with a wall sign that was denied; have had discussions between developer and city since that time; were encouraged to come up with a design for the entire frontage; have elevation drawing showing all buildings; looking for approval on this one sign in this latest package. Canter questioned the wattage on back lighting. Young stated the sign is neon filled with a 2" to 3" single band of white neon and shadows around back. Canter stated they learned that there are varying intensities of neon. Young stated he believed these are 30 milliamp while the brightest would be 60; relies on a shadow effect; no matter how bright the light it will be muted by underlying building materials; is drivit or stone face on that building. Canter questioned exactly what would be lit. Young stated the logo and Prudential would be lit; Residential One would not be lit. Turley questioned with this submission what will happen at rest of center; questioned if one drawing was the Beecher elevation. Young stated they were not proposing any signage on that elevation; will be a small placard at the door. In response to question on hours of operation for Prudential, Young stated he could tell us it is not an 8 to 5 operation; will have closings etc. in evening hours; all within reason of course; some evening hours but don't know exactly. Peck questioned if it was on photo cell or timer. Smith noted timer could be made a part of the motion if necessary; certainly would be nothing after midnight.

Canter noted we were only approving or disapproving taking action on the Prudential signage and not the other buildings.

Young stated that in discussion with Canini he will tightly control whatever we do with this; everything else on those buildings will be in same place, same color, etc and will be one signage per building and doing Prudential at this time; each other building would need a separate application.

A motion was made by Peck, seconded by Canter, to approve DR-27-00 with the following conditions: 1) reflect that back lighting will apply to logo and Prudential only; and 2) that this sign be limited to one sign on the building and will reflect only the name of one business. The motion carried by the following vote:

No 1 Mullin

Yes 4 Smith, Peck, Canter and Chairman Thom

I. OFFICIAL REPORTS:**Chair.**

Thom stated he, Peck and Smith had attended APA conference; wonderful trip with good conference sessions; brought back quite a bit of information and will see that you get copies; attended a session with Peck on Defensible Decision Making; he is from Cincinnati; 3 hour session that was extremely good; discussed a lot of the problems we are going through; attempting to contact him to see if there would be a possibility for a Saturday work session; do have some money and if feasible thought we would give it a try. Peck stated he spoke in legal concepts that even I can understand; spoke in plain English; took what sounds like elusive concepts to practical applications of how we go about making the decisions we do; hopefully a session like this would allow us to be more consistent and apply the same standards and make decisions based on the standards. Thom noted he would keep us informed.

J. CORRESPONDENCE AND ACTIONS

Clerk noted that Plenary Session is scheduled for Wednesday, May 31 at 6:00 p.m. Please let office know by May 10 of any agenda items you would like to see.

K. POLL MEMBERS FOR COMMENT.

Smith stated that although they spent 10 hours in Columbus airport waiting to leave and the first night had a room the size of a closet, he didn't attend a session that wasn't fascinating; one of the agenda items was scenic views and legislation for keeping scenic views in your City and keep out unattractive nuisances and billboards and gets you away from first amendment; will want to talk about that; also discussed how you can legally engage in takings; New York is one example of what you can do; Times Square is beautiful; was there in 1995 and see a complete turnaround from then; was a pleasure to be there.

Greenblott stated she has moved on from tiki torches to government students; commend the young lady you stayed for the entire meeting; knew halfway through you would stick it out; delineate you were only one that fulfilled the requirement; appreciate it.

Canter stated that the March 2000 issue of Zoning News lists purpose statements; needs to be on our agenda for discussion; extremely defensible information and stances that we can stand behind if they are part of the code; feel we need to look at it closely.

Peck stated of the many things that struck him while at conference, there were two in particular; having been on citizens side and now as a member of the Commission there is a healthy skepticism to the process; hear explanation and defensibility of what we do; planning process on behalf of the city is something everybody does; is no different than planning a dinner or education; there is planning in all aspects of life; all know what bad planning is; refreshing to hear the process resulted as a way of keeping control; not trying to impose our will on anybody and wish Mayo could hear that; highest and best use and reasonable expectation are justified; just because you can doesn't mean you may.

Thom stated that we as a body have a lot of power; realize we need to know how to use it correctly and legally; was very good; have one comment on signage; according to one speaker 80% of our code could be challenged in court and we would lose; this applies to all cities..

ADJOURNMENT: 9:05 p.m.

Motion by Smith, seconded by Canter, to adjourn.

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ISOBEL L. SHERWOOD, CMC/AAE
Deputy Clerk of Council

Isobel L. Sherwood, MMC
Clerk of Council

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

Chair Signature