

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Wednesday, March 22, 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 City Hall, 200 South Hamilton Road, Gahanna, Ohio. The agenda for this meeting was published on March 17, 2000. Chair David B. Thom called the meeting to order at 7:05 p.m. with the Pledge of Allegiance led by Commission Member Paul J. Mullin.

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

**C. APPROVAL OF MINUTES: March 8, 2000**

A motion was made, seconded by Peck, to Approve. The motion carried by the following vote:

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

**E. APPLICATIONS:**

Chair stated Public Hearing Rules that would cover all Public Hearings this evening. Assistant City Attorney Ray King administered an oath to those persons wishing to present testimony this evening.

**S-0001-2000**

To consider the Gahanna Creekside Trailway Loop Study dated 11/99; to obtain public input for recommendation to Council for adoption of said plan. (Public Hearing held 2/09/00 & 2/223/00 and to be reopened)

Chair opened Public Hearing at 7:08 p.m.

Tom Komlanc, Assistant City Engineer, stated that majority of issues we had were dealt with at last workshop; with regard to low water crossing we provided information on 100 year flood elevation; with regard to handicapped accessibility we discussed what it would do to natural features on island; corps and EPA permits have already been received for low water crossing; will entail scrutiny for anything else; other issues raised were alternative routes; preferred route is what we are going to pursue; some property acquisition will need to take place; alternative routes are shown; will be applying for grants; need to show activity between segments and not showing that may harm the grant application; bicycle and pedestrian movement will help on Oklahoma and Clark; with regard to safety concerns at park Raleigh Mitchell has submitted a memo regarding their policy on park closing; have talked with Chief Murphy in regard to crime rate; affirmed to me that crime rate has gone down with increased bike patrol in the area.

Tom Liszkay, 457 Tresham Road, stated he was a member of Bicycle Advisory Committee; looked at plan last Monday and am in favor of it; did not discuss in the detail you have; prefer the plan that is on both sides of the creek for the open vision; would ask for your recommendation of the plan.

Chair asked for opponents. There were none.

Komlanc thanked Planning Commission for their concerns; have worked to make sure the progress along Creekside and future bikeways provided to citizens of Gahanna are up to a higher standard; any concerns will take a close look at those as we get into design phase; study is to proceed with any grants; thank you for input.

Chair closed Public Hearing at 7:12 p.m.

Motion made at this point of the meeting.

Discussion: Turley stated she was pleased to see this next step in implementing city wide bikeway system; can't resist quoting from Planning Commissioners Journal, Winter 2000 issue, as follows: "just as growing communities need to upgrade and expand their gray infrastructure (i.e. roads, sewers, utilities), so too, they need to upgrade and expand their green infrastructure - the network of open space, woodlands, wildlife habitat, parks and other natural areas, which sustain clean air, water, and natural resources and enrich their citizens' quality of life"; Gahanna is moving to expand their green infrastructure; feel it is well explained in the executive summary; one way nature of trailway as it exists and in a nutshell this provides Creekside access and improved visibility to the development; also provides for the public's ability to benefit from taxpayer dollars; will improve public awareness; had further discussion of low water and high water crossing; a great deal of discussion went into this plan; is time to start to implement and there are sure to be valid concerns and conflicts that need to be addressed as sensitively as possible; feel the positives outweigh the negatives; has my support.

Smith stated that leadership a lot of times consists of not doing the right thing when it is needed but long before it is; this is a great plan; City always makes sure that trash will get picked up and that police and fire services are available; it is plans like this that make Gahanna an excellent place to live; as a person who rides the trails we have a better place for all of us to live.

Peck stated he was particularly concerned and interested; this is probably a direct example to show that every project is in someone's back yard; this one is in my front yard; very close to my front door and trying to balance my views as a property owner in that area with responsibility as a member of this commission to act in best interests of city; appreciate the opportunity Council has given us to take a look at this; was pointed out that they didn't have to send it here at all; much of right of way is already owned; through this process have extended opportunity for public input and participation in the process; strongly encourage and hope that this process has been positive and hope that it will continue because there are some legitimate concerns; still have not been able to get a firm answer on traffic projections so we are not sure what kind of impact we are talking about; a sidewalk or bike path is beautiful; is nicer if no one uses it if you live there; if it's an Antrim Park with problematic traffic access, that is something else; if we are talking about that level of usage have a problem with it; liked having this opportunity for review and hope Council looks favorably on continuing this body's involvement and seeking our input as we try to balance those needs; although this is a community wide project is one of the few that will have such a direct impact on an isolated part of the city; most of our bike trails are on collector streets and not on side streets; sidewalks on the alternate routes are part of a street project and that will happen whether this goes forward or not; feel it needs refined further but it is in best interest of city to proceed forward.

Thom thanked consultants who were involved for continuing this study; Creekside was unveiled and it is something that residents of this community have become very proud of; this is a continuation of Creekside or another piece of the puzzle; feel we will be prouder in years to come of this entire area.

#### **Discussed**

**A motion was made to recommend to Council the approval of Creekside Trailway Loop Study subject to the following conditions and concerns:**

- 1) Would request the opportunity for input when the study becomes a plan to construct.**
- 2) Express a strong preference for the "Preferred" route along the creekside and avoidance of encroachment on the residential streets of Oklahoma and Clark.**

3) Provide adequate security wherever possible along proposed route...i.e. police bike patrols and gates to control after hours usage.

4) That lighting be sensitive to adjacent property owners...possibly the motion sensor type that would shut off if the bikeway was not in use.

5) That landscaping, fencing, lighting and signage be developed with sensitivity to the residents' concerns. The motion carried by the following vote:

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

**SWP-0004-2000**

SWP-04-00 To consider a subdivision without plat application to split 5.264 acres out of a 10.501 acre site; Larry Greenberg, applicant.

Chair opened Public Hearing at 7:20 p.m.

Larry Greenberg, 940 Science Blvd., stated he was requesting a lot split from 10.05 acres to reduce to 5.624 acres; have built the buildings on Science Blvd. and now have an opportunity to build in front of the brick plant and develop that area; Entenmann's Bakery wants to take building in front; trying to accomplish this lot split and put them into the 5 acres; if you need any specifics on easements etc. we can get those questions answered; thank you for the opportunity.

John Ingwersen, 1050 Bryden Road, stated he was here to speak to the development plan; split off that which is along Claycraft Road for 60,000 s.f. of office warehouse and 2 major buildings similar to those that have been in front of you before; is a gateway concept with an arch across the front of them that creates a major entry between the buildings; proposed a year ago for a Technology Blvd. site but due to way development went we were unable to accomplish; does fit for the character of Claycraft Road; will create a corridor between the existing warehouse structures to the south; will do planting rather heavily along the front of the site to create a development feel.

Chair asked for opponents. There were none.

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

Chair stated this item would be discussed in workshop on April 5 at 6:15 p.m. Greenberg asked if the Subdivision Without Plat could be acted upon so they could move forward with that portion of the transaction. Mullin stated he had several questions that can't be answered now; see no reason to deviate from normal operation.

**Discussed**

**FDP-0002-2000**

FDP-02-00 To consider a final development plan to allow the construction of 3 buildings for property located at 960, 988 and 1020 Claycraft Road; John Ingwersen, applicant. (Public Hearing. Advertised in RFE on 3/02/00)

See discussion on previous application.

**Heard by Planning Commission in Public Hearing**

**DR-0013-2000**

DR-13-00 Certificate of Appropriateness for construction of 3 office buildings.

See discussion on previous application.

**Discussed**

**Z-0003-2000**

ZC-03-00 To consider a zoning change application to rezone 2.0+/- acres as SO, Suburban Office; current zoning CC, Community Commercial; in order to locate a Fraternal Order Moose Lodge; for property located at 335 W. Johnstown Road;

Gahanna Moose Lodge 2463, applicant.

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

John Starkey, 2940 Sugar Grove Road, Lancaster, 43130, stated he was the administrator for the Moose Lodge; believe that all issues before the commission were resolved; question was raised about Mrs. Hamm claiming that part of our parking lot is on her land; did submit to the commission with application a Franklin County description of the property; hope that would suffice; glad to obtain anything else you might need.

Chair asked for opponents. There were none.

Turley asked King if there is a neighbor claiming there is a question of the legal description, is it our position to have to have that verified. King stated he would think not; applicant presumably supplied a plat description; only problem with description submitted is that it does not have the County Engineer's stamp of approval; would feel more comfortable if that was there; just need to go to engineer's office and they would then verify it was accurate. Turley questioned if we should wait to take action. King stated he would be more comfortable if we had an approved legal description. Thom explained to Starkey that the claim by Mrs. Hamm needs to be checked; basically one person's word against another at this point; questioned where legal description submitted came from; should have something stamped approved by the County Engineer's office; want to make sure that the legal description that is attached is correct; if you could furnish that to us we will proceed at that time with the rezoning. Starkey stated that he will take care of that.

Peck asked if they have closed on the property or is this based on the prior ownership. Starkey stated they had a lease purchase agreement. Peck stated if this was stamped and attached to the deed he would feel more comfortable; in absence of that it is conceivable that there are questions; feel more comfortable with following King's advice.

Chair closed Public Hearing at 7:34 p.m.

Thom stated he did not feel this needed to be heard again in workshop; asked Moose Lodge to submit something to Development office prior to the April 12 meeting.

**Heard by Planning Commission in Public Hearing**

**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 7:35 p.m.

Steve Rice, 261 N. Chillicothe St., Plain City, stated he was present representing the Kenney family partnership on this application for preliminary plat to allow development of 10 lots; earlier this week supplied Zoning Administrator with 10 new drawings; plat is for 10 lots tying to both Taylor Station and Taylor Roads; also have landscape plan with me that shows the road being tree lined and entry feature at both entrances; lighting package with 19 light poles along the road; also have a variance application for the setback from 75' to 50'; some lots are shallow in depth; will be a similar quality project to other Kenney projects on Morrison Road and Taylor Road areas.

Chair asked for opponents. There were none.

Closed public hearing at 7:38 p.m.

Chair stated this item would be discussed in workshop at 6:35 p.m. on April 5.

**Heard by Planning Commission in Public Hearing**

**V-0005-2000**

V-05-00 To consider a variance application to vary Section 1155.05(a) to allow a reduction in the required front yard from 75' to 50'; for property located at Taylor and Taylor Station Roads; Kenney Family Partnership by Exxcelsior Contract Management, Inc., applicant. (Public Hearing. Advertised in RFE on 3/02/00 & 3/09/00)

See discussion on previous application.

**Heard by Planning Commission in Public Hearing**

**CU-0005-2000**

C-05-00 To consider a conditional use application to allow outdoor storage; for property located at 83 N. Stygler Road, Royal Crafts & Collectibles, applicant. (Public Hearing)

Chair opened Public Hearing at 7:38 p.m.

Elizabeth James, Royal Crafts & Collectibles, 83 N. Stygler Road, stated they were not asking to conduct outdoor storage overnight; bring decorations out in the morning and bring back inside in the evening; are not left out overnight. Thom asked if this is a fairly seasonal display or all year long. James stated it was somewhat seasonal; typically have brought out wind chimes, bird houses, etc. in spring and summer; decorate with lights and trees at holiday season; just came to understand that there might be the need for this conditional use and decided to file for it. Turley asked for clarification on items on display. James replied that typically several bird houses may be part of the display; one stands on ground; preexisting hooks on building that a couple of other bird houses may hang from; may be 5 to 8 different items at a time; never clutters the aisle; at least 6' left in walkway of a total 14' wide sidewalk; leave enough open space that wheelchairs can still get through; usually no more than 4' in width and 6' in length for a display. In response to question from Thom, James stated she felt everything as to size etc. had been spelled out in the application and included with the packet; also spelled out in text submitted. In response to question from Canter, James stated that everything is taken in at night, except trees if they are used; close at 7:00 p.m.

Chair asked for opponents. There were none.

Chair closed Public Hearing at 7:43 p.m.

Motion was made at this point in the meeting.

Discussion: Greenblott stated that as an interior designer use them in my work; have been there many times looking for accessories; they vignette their merchandise usually with never more than one of a specific item; if it's done well, and they do vignette well, it draws people in; am not in favor of outdoor storage but am in favor of good design and would urge commission to approve; will be beautifying a strip center that could use beautifying; will support.

Canter stated she would share opinion about beautifying a somewhat older rundown center; what applicant has requested is in no way comparable to mulch and decaying and rotted flowers we have gotten rid of; not left out overnight; will support.

Mullin stated that just for clarification would point out that motion is to allow outdoor display in accordance with 1167.08; does not allow permission for outdoor storage area; there is differentiation in the code.

**Heard by Planning Commission in Public Hearing**

**A motion was made by Mullin to approve C-05-00 provided that a minimum of 6' is left clear adjacent to the building store front. The motion carried by the following vote:**

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

**V-0007-2000**

V-07-00 To consider a variance application to vary Section 1171.04(a)(7) and 1171.04(a)(5)(a) to allow a privacy fence in a front and/or side yard; for property located at 847 Caroway Blvd; Chris Yoder, applicant. (Public Hearing. Advertised in RFE on 3/16/00)

Chair opened Public hearing at 7:47 p.m.

Chris Yoder, 847 Caroway Blvd., stated he was asking for consideration to construct a privacy fence about 4-1/2' across setback; don't want to tear up patio and gas grill; need a safety zone for operation of the grill; extensive landscaping is in place; will landscape along the fence.

Chair asked for opponents. There were none.

Canter asked King if we could vary a section of code that says shall be prohibited. King stated it has been his opinion all along that you can't vary something that is prohibited; understand that differs from Weber's opinion. Canter stated she concurred with King; second question is to applicant; the drawing shows 6' yet have talked about 4-1/2' from edge of building. Yoder stated that the house is about 26.3 feet from right of way line; requesting that the fence be 6' from the house which relates to about 4.7' across setback line. Canter asked if they could relocate the built in grill. Yoder stated that it probably could be done. Canter stated she had a problem varying section of code that stated something was prohibited; understand that variance would be needed if something is restricted. Thom asked if Development Department had discussion with Weber on this. D'Ambrosio replied that they did. Canter asked if a fence can be built to meet code; from staff report seems like it is. D'Ambrosio stated the grill could be relocated to back of the porch or other side; would help to clear it so as not to violate this section of the code and not lose landscaping. Canter stated she realized the landscaping and grill were put in by the previous owner; would hate to see that ripped out; wish there was a way for you to do what you wanted without us violating the code; can't support because code says shall be prohibited; would like you to get your fence but can't vote to support.

Greenblott stated she did not see where applicant has presented a hardship; grill can be moved; live on a lot where all kids cut through; know that's a pain; bear that pain along with a lot of other people; can't support this; don't see where a hardship has been shown.

Chair closed Public hearing at 7:54 p.m.

Motion was made at this point in the meeting.

Discussion: Canter stated she will vote no; don't feel it is proper to vary a section of code that says prohibited; think applicant can meet code by moving grill; understand that is not easy but am uncomfortable varying this section of code.

Thom stated he had concerns that we do have hardship; do understand what Canter has stated; besides this would like to ask the Development Department to get something in writing from Mr. Weber.

**A motion was made by Peck 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 Clerk's office for further information.

**G. NEW BUSINESS:**

**SWP-0005-2000**

[Enter title here.]

Tom Rybski, P & L Systems, stated he was present representing Ken and Lynn Singh on a lot split; prepared the legal and the plat itself; new lot has 60' frontage and is over 5 acres in size; applying for a split without subdivision plat for the lot; parcel came out of a 25 acre original parcel on Taylor Road.

Canter questioned why the unusual lot configuration on the split. Rybski stated the original parcel is geographically challenged; there is a big ravine that runs diagonally across the property; this ravine and a high ground center portion has drainage through it and is geographically challenged; that's where the geometry comes from.

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

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

**DR-0014-2000**

DR-14-00 Certificate of Appropriateness for Signage; 800 TechCenter Dr; Alliance Data Systems by Hanover Signs, applicant.

Joe Bonanni, Hanover Signs, stated they had some new people in the company and they jumped the gun; extend my apologies for the signs being up without going through the process; know it can be frustrating for you; requesting the change of the Alliance Data logo; used to be blue and green range of colors; basically is white with a little red on logo; cabinets and foundation stay the same; only changing the logo.

Smith stated since they started with an apology is difficult to chastise; can compare the green and blue with the red but its there already; not a big change necessarily; it's fine.

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

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

**DR-0015-2000**

DR-15-00 Certificate of Appropriateness for Signage; for property located at 775 Taylor Road; Officenter 2, Phase XI by Hanover Signs, applicant.

Joe Bonanni, Hanover Signs, stated that this application is a face change; M.E.P.S. stays the same; Alliance Data logo receiving is in white with red logo; everything else on that ground sign stays the same.

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

**Yes**      **4**      Smith, Peck, Canter and Chairman Thom

**No**      **1**      Mullin

**DR-0016-2000**

DR-16-00 Certificate of Appropriateness for Signage; for property located at 140 N. Hamilton Road; Flour Mill Bakery by Sign Vision Co., applicant.



Bobbie Stewart, Sign Vision Co., stated this was formerly Diane's Bakery; need current company name as it is under new ownership. Turley asked if the background was being altered in any way. Stewart stated it would stay the same; all a brownish background and lettering alternates between white and yellow with every other tenant; they will have the yellow; will be no changes on directory sign because it just says bakery.

**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

**Z-0007-2000**

Z-0007-2000 To consider an initial zoning for 12.4 acres located at 4433 Johnstown Road; pursuant to Section 1133.08 of the Codified Ordinances; City of Gahanna, landowner and applicant.

Chair stated this was an initial zoning request of ER-1 pursuant to Section 1133.08 of the Codified Ordinances; this is the former Ryan property that is the potential YMCA site.

**A motion was made by Mullin that this matter be Recommended to Council for Approval. The motion carried by the following vote:**

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

**K. POLL MEMBERS FOR COMMENT.**

Peck expressed appreciation to Commission members for bearing with me and working through the process on Creekside; also for extending courtesies to the residents; feel it proved profitable in terms of our recommendation.

Canter stated she and Turley had attended conference last Thursday and Friday on Land Use; at next quarterly meeting will go into more detail; number of issues and discussions about variances were held; it's not required to vary at all and it is only in the best interest of the municipality or zoning body that you give a minimum number of variances; was a very good seminar; got a lot of out of it; appreciate the city allowing us to attend.

**L. ADJOURNMENT - 8:12 p.m.**

**A motion was made to Adjourn. The motion carried unanimously.**

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**Isobel L. Sherwood, MMC  
Clerk of Council**

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

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**Chair Signature**