



# City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

## Meeting Minutes Planning Commission Workshop

*Thomas J. Wester, Chair*

*John Hicks, Vice Chair*

*Bobbie Burba*

*Joe Keehner*

*Donald R. Shepherd*

*Michael Suriano*

*Krystal Gonchar, Deputy Clerk of Council*

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Wednesday, September 12, 2018

6:30 PM

City Hall, Committee Room

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### OPEN MEETING

Chair Tom Wester requested that the meeting be moved from the Committee Room to Council Chambers. Wester called the meeting to order at 6:30 p.m. Don Shepherd led the Pledge of Allegiance.

\*Joe Keehner arrived at 6:32 p.m.; Michael Suriano arrived at 6:35 p.m.

**Present** 7 - Donald R. Shepherd, Bobbie Burba, Thomas J. Wester, Jennifer Tisone Price, Joe Keehner, John Hicks, and Michael Suriano

### APPROVAL OF MINUTES

Clerk stated that the minutes were not on the agenda to be voted on since this was meant to be a Workshop. The Chair requested that a motion be made to postpone voting to approve the minutes until the next Planning Commission meeting.

A motion was made by Hicks, Seconded by Shepherd to postpone voting to approve the minutes until the next meeting. The motion carried by the following vote:

Yes: 5- Hicks, Shepherd, Wester, Burba, Price

Absent: 2- Keehner, Suriano

### DISCUSSION ITEMS

Chair stated that we last talked about looking into some items to recommend code changes for the City. Over the last 30 days or so, we have come up with 7 items for discussion. Asked members to review list and see what we can do with each item.

**- Setback requirements for corner lots**

Shepherd said would recommend changing what is already written; maybe matching side yard setbacks of what's already in place in neighborhood. Then applicants wouldn't need a variance. Hicks said most of our variances lately have been on corner lots so if we could address that; should be on top of list of things to tackle.

Wester asked City Attorney, Shane Ewald how we go about proposing code changes. Shepherd clarified that this is in reference to the first discussion item. Ewald stated that each zoning classification would have to be looked at; go one zone at a time. Shepherd asked if City Council would be in support. Ewald said it was something on the radar and if Planning Commission would take a recommendation forward then Council would not be opposed to the recommendation; but cannot say if they would vote in favor of the recommendation.

Shepherd asked if it would help if the Clerk could compile a list of times this has happened in the past few years, to add to the recommendation. Ewald said it would make sense.

Wester asked Clerk if it was possible to pull the data, and would it be easy enough to do. Clerk confirmed that the data could be pulled easily enough and would go back 5 years if the Commission would prefer more data. Ewald stated that the software goes back to 1997. Hicks said going back two years would pull enough information to make the case. Clerk recommended going back to when the code section was last updated.

Price said she was wondering if something could be done about grandfathered in properties. Some applicants come in and discover that something on their home or property is non-compliant. Curious how often they have voted against something like that. Curious if something can be done for those people.

Wester asked if there's a statute of limitations on something like that. Ewald said no; either in compliance or not. Fences are notorious for that. Had an issue in Olde Gahanna where Council had to work with developer to remedy situation. Typically not building, it's usually accessory building. Ewald said when new homeowners come in, they pull permits through record request process. This is common for residential upgrades.

Wester asked Price to write up a summary of this for suggestions. Price will be coordinator of this item.

Suriano asked about definition of side yard, asked to define one side yard as front yard and one side yard as side yard. Hicks suggested the same. Said each district has yard requirements; for purposes of setback the front yard is the yard you see when you walk out the front door.

Priestas will write revisions based on Price's summary when provided and bring back to the Commission for Planning Commission's recommendation to Council.

- **Sign Code in Olde Gahanna**

Shepherd said we need to define what we want to see down there in Olde Gahanna; said he likes the eclectic look of the differently styled signs; that's what an old town looks like; would like to see more leeway versus less leeway to allow for these unique signs; for example the Mug-N-Brush sign that just came before us recently; not sure we need modern signs there. Ewald said we are referring to an area with at least two zoning classifications. Price said she was part of a task force to create a vision; agrees with Shepherd about the unique signs specific to the location; the intent of the code back then was for the craftsmanship style. Shepherd said we need to think about how long the signs will last; have signs that need to be maintained. Wester asked Shepherd to provide examples of 4-5 sign types that would apply to the zoning districts in Olde Gahanna. Hicks said there's already sign code with list of types for that district; also lists prohibited signs. Keehner said monument signs are not relevant in every part of Olde Gahanna; at some point the nature of the signs might start changing; when the entire area becomes more walkable will notice different types of signs going in. Shepherd said he will create something and have it reviewed by Ewald and recommend to Michael Blackford. Hicks stated that OG-2 is mixed use and does not have signs, OG-3 is recreation district and that's where the sign specifications are; so part of the recommendation is to encompass the entire area. Shepherd will serve as coordinator with Administration.

- **Landscaping and shrub maintenance in and around sidewalks**

Wester asked what the code says about maintenance of landscaping and trees around sidewalks citywide; said if you go down High St. in Olde Gahanna there are shrubs growing over the sidewalk; if someone were going down that sidewalk in a wheelchair it would be impassable. Keehner said he went down there and doesn't think the shrubs interfere

that much; maybe it could be trimmed back a little; perhaps that size bush was inappropriate for that space; has seen where trees interfere with pedestrians because of low hanging limbs. Priestas cited code. 521.06; code enforcement utilizes this code. Hicks quoted the code "Duty to keep sidewalks clear." Priestas confirmed that the landscaping cannot cause obstruction. Wester said the code does not define obstruction; how do we determine that when enforcing code. Priestas said that's a gray area and some more definition in code would help. Keehner said define how much clear space a sidewalk would need; for example a 36" sidewalk cannot have any obstruction in order to allow a wheelchair through, but larger sidewalks could have a little. Priestas said is open to any suggestions by Planning Commission. Wester said the creation of multi-use paths were to accommodate people on bikes, wheelchairs, strollers, walkers, and have 8' paths; asked Suriano if he had any experience with that. Suriano said no, but must have a minimum clear distance for two wheelchairs to pass for ADA compliance. Not every sidewalk is going to be that way; but what do we establish as a minimum clear path. Shepherd said like Priestas said, if we are going to establish a minimum width then the path must be clear. Hicks said opportunity to define something encroaching above surface; said bicycles are not permitted on sidewalks per the code. Ewald referenced 373.07 in code. Keehner asked if that defines the size of bike because he'd prefer to not have children riding small bikes on the street. Hicks agreed. Ewald said defines location of bicycle, unless it's unsafe; could be more clarification.

Price said would be worthwhile to see if there's a way to address unkempt or dead landscaping. Requires a landscape plan as part of beautification but it's not always maintained; would require commercial and suburban office in addition to residential to maintain landscaping. Priestas said no standards to maintaining shrubs and bushes; have had trouble identifying that before. Beds get overgrown. Price said not intent to add one more responsibility to code enforcement, maybe can be a job for the arborist. Keehner said when referring to aesthetics, landscape could be a little more wild given the creek landscape but is aware that some people prefer a more tidy look; a good example of this is the plant median on 62 coming from 270; those shrubs are boxy and were supposed to cascade over the side; people complained that it looked messy, have been groomed so much that the plant has been bastardized; having a background in landscape design, this is an iffy situation. Wester asked about the possibility of creating a special improvement district in Olde Gahanna, and businesses would pay \$50 per business in order to hire a landscape firm. Ewald said landowners in area could vote and approve; and assessment would be approved;

would cover maintenance; would probably have to go to ballot. Keener said there were talks in the past, before Creekside went up, to create a SID; but a lot of misinformation went out and it never got off the ground. Keehner will be the point of contact on this one.

- **Maintenance of donation boxes**

Hicks asked what the issue is that we are trying to address. Shepherd said the boxes are not maintained properly; does not know if the companies that put out the boxes are legitimate or are they just trying to sell the items. Ewald asked about recycling boxes. Shepherd said those can be included; would like regulation; said not all are unsightly, but they are meant to stand out, they are wild colors. Wester asked if those can be regulated. Suriano asked if we have requirements for dumpsters, can the same requirements be applied to the donation boxes. Ewald asked if the lack of containing clutter is the biggest issue, or is it just the box itself; for example, the Redbox movie rentals boxes; are those an issue. Shepherd said all types of boxes could be addressed but right now referring to donation boxes. Keehner suggested that if a permit process was put into place, then part of the agreement would be to keep the area clear of clutter; if required to register, then when there's a citation, could be contacted. Shepherd said he is concerned with the boxes being so close to the right of way, but in the case of movie rental boxes, those need to be in clear sight. Price said when there's a for profit box, then people are more inclined to maintain the box; the donation boxes are not kept in repair because there is not someone who has a regular task to maintain them. Wester asked about commercial requirements. Shepherd said he would work with Ewald to come up with a list of different types of boxes and go from there; in an attempt to make Gahanna look nicer. Wester said we could even require a particular color or have a color standard. Shepherd will coordinate with Administration on this topic.

- **Use of powered scooters**

Ewald said we do not allow for motorized scooters on sidewalks. Wester said they can go up to 20 mph. Ewald said it is in code. Ewald said when code was written, was probably referring to mopeds. Suriano said there's a motorized scooter rental now in some places; are tricky to regulate. Wester said bike lanes are becoming more and more popular. Ewald said part of Mayor's goal was to make all of Gahanna safely walkable; said he went back to code section 373.10 and found that bikes are not prohibited on the sidewalks unless in business district or

prohibited by signage; was from 1976 when multi-use trails were uncommon; motorized bikes are prohibited though; the code does say that. No need to bring this forward.

- **Public Hearing notice requirements**

Clerk said we were looking into updating the code since currently we are required to publish notice in a paper of general circulation a week prior to a public hearing; feels this is outdated since the local paper is no longer delivered door to door; a lot of cities are publishing those notices on their website; believes would reach more people than the newspaper alone; the code does not necessarily have to specify that the notices be published on the City website, but should take out the newspaper requirement. Shephard asked Ewald if there was anything wrong with publishing on the website, because it would save money. Wester asked if there's any legal requirement for a printed notice. Ewald said there's a requirement for some public hearings that we post notice in City hall; could offer that as an alternative; will review. Suriano said in addition to posting on the City website, could opt in to receive notices like a text message. Ewald had concerns with maintaining the list; said while the industry has changed, the law has not kept up; stated that the expense for legal ads has risen. Keehner said we notify contiguous property owners by mailing a letter. Ewald said we would still continue to do that; follows due process. Suriano said this is an active process; must actively seek out information for public hearing notices; if alternatives are presented that would be beneficial. Hicks said the intent is to reach the public; in the absence of knowing whether or not we can eliminate printing in a newspaper, inclined to duplicate notices; would prefer to have the information out there for residents, rather than have them opt in to receive them. Clerk said we can still meet the minimum requirement; we don't have to add into the code that we will post to social media, etc; we could put the minimum requirement into code and then as an internal process go above and beyond and notify to as many outlets as possible; then when the media type changes, we don't have to update the code to reflect whatever is popular in the moment. Price wants to include public hearing notices in whatever the City is already sending out, such as newsletters, etc. Ewald said we need to verify that we meet legal requirements without unforeseen consequences. Gonchar and Ewald will research information on this topic.

- **Use of business vehicles as signs**

Shepherd said referring to businesses that could park vehicles behind their buildings but choose to park them up front, near the street to circumvent the sign code; would like to clean up the look. Ewald asked if they are referring to magnetic signs. Price said when the whole vehicle is painted; big scale. Shepherd says decal skins are popular now. Burba said the example may not be a good one because they park there during the night and move their vehicles throughout the day for their business. Price said problem is they are clearly advertising on a large scale. Wester asked how to regulate content. Ewald said you must be careful with that. Price asked if you could identify based on type of license plate. Burba said you would want your business advertised on your business vehicle; that's how you get more business. Keehner said this is not an issue for him; if the vehicle is parked in their business and advertises their business then there's no issue; said if the vehicle was not in a designated spot then that would be a different story. Hicks said our code talks about night parking on streets, and business vehicles being parked on streets; could tweak code; but to Ewald's point, you are talking about private property versus public property. Wester said a few years ago Honey Baked Ham approached the Commission regarding parking a truck in the lot until the store was ready; asked what requirements did that strip center have which required the business to go before Planning Commission. Ewald said code against parking tractor trailers for a certain amount of time; could've been specific to the vehicle and not advertising; without more information, cannot really comment; said not a new issue. Hicks verified that it was a Conditional Use, from 2016, and it was approved. Suriano said from a zoning stand point, all parking should be behind the building; there are several businesses where the parking is only in front of the building and so we are trying to tackle that. Hicks asked if Administration sees this as an issue. Priestas said does not believe they have had issues. Suriano asked if there are any stipulations; noticed the Blank Slate vehicle is seemingly permanent fixture there. Ewald said the property owner has allowed for permission of that; it is in compliance; said the Mobile Food Vendor code will go into effect next year. Keehner said at some point that car wash will be torn down and in the meantime they are using the space in a unique way which benefits the City; the City has a unique location as a stopping point between so many other places, which is part of the development pressures in Gahanna. Ewald mentioned that the code section 1165.04 (a)(6) covers this. Burba will coordinate with Administration on this.

## COMMENTS

Chair Wester asked for Comments from the Commission:

The members discussed the Gahanna Rocks that are being planted throughout the City; they are cute and funny, and find them to be uplifting. Suriano said this meeting was a good use of time. Hicks said it would be nice to execute before Council before end of the year to be acted on. Burba asked if Priestas will do this and bring back. Priestas said will bring back and if Planning Commission approves then they can recommend to Council. Burba verified that staff will write the adjustments. Priestas confirmed that staff would write in suggestions and then it would go to Legal for review. Wester said after 5 years of being on Planning Commission, this is the first time he's heard the words "aesthetics", "housekeeping", "neighborhood beautification"; finds it important to make the City look better.

## **ADJOURNMENT**

By Wester at 7:58 p.m.