

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Wednesday, March 28, 2012

Commission may caucus prior to Regular Meeting

7:00 PM

City Hall

Planning Commission

Jennifer Tisone Price, Chair

David B. Thom, Vice Chair

David K. Andrews

Joe Keehner

Kristin Rosan

Donald R. Shepherd

Thomas J. Wester

Stacey L. Bashore, Deputy Clerk of Council

IT IS THE RESPONSIBILITY OF THE APPLICANT TO HAVE A COURT REPORTER PRESENT, AT THE APPLICANT'S EXPENSE, IF THEY WISH TO HAVE A VERBATIM TRANSCRIPT OF THE MEETING. COUNCIL OFFICE SHOULD BE ADVISED IN ADVANCE IF A COURT REPORTER IS GOING TO BE PRESENT.

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 S. Hamilton Road, Gahanna, Ohio on Wednesday, March 28, 2012. The agenda for this meeting was published on March 23, 2012. Chair Jennifer Price called the meeting to order at 7:00 with the Pledge of Allegiance led by Commission member Don Shepherd.

Members Present: Jennifer Tisone Price, David K. Andrews, David B. Thom, Donald R. Shepherd, Joe Keehner and Thomas J. Wester

Members Absent: Kristin E. Rosan

B. ADDITIONS OR CORRECTIONS TO THE AGENDA.

There were none.

D. HEARING OF VISITORS - ITEMS NOT ON AGENDA.

None.

C. APPROVAL OF MINUTES: March 14, 2012

A motion was made by Shepherd, seconded by Thom. The motion carried by the following vote:

Yes	6	Price, Andrews, Thom, Shepherd, Wester and Keehner
Absent	1	Rosan

E. APPLICATIONS:

Chair stated Public Hearing Rules that would govern all public hearings this evening. Assistant City Attorney Tom Weber administered an oath to those persons wishing to present testimony.

PWSF-0001-2012

To consider a Personal Wireless Service Facility application to construct a new cell tower; for property located at 215 W. Johnstown Road; Verizon Wireless, applicant. (Advertised in the RFE on 2/9/12 and 2/16/12)

Chair stated this item is on the agenda for this evening as a public hearing; is going to be sent to workshop on April 4th; next public hearing is for April 11 th.

Chair asked if the applicant had anything further to add. Bob Grant stated he had no additional comments.

Chair asked for any opponents.

Terry Duris, 2350 Watkins Road, Pataskala stated he owns the Villa Nova apartments; was here at the February 22 meeting opposing this tower; won't bother repeating those points; this location is at least 230 feet from our property; 55 apartment units facing it; there is a Volunteers Of America drop box at the bowling alley in the exact spot of

proposed tower; imagine what it would look like; at the last meeting this Commission asked Verizon to provide documentation to support the list of properties in the appendix; ones that were specifically labled with landowner did not respond or lease negotiation; attended workshop; didn't see any evidence of documentation; call logs or letters; think they failed in that regard; two property owners attended that workshop and felt they had ample space for a tower; they were not contacted; this is relevant because Verizon said they exhausted all other properties; they have not proved any of that, even after asked to; I am a Verizon customer myself and so is my staff; we have no problems with calls; statement from the engineer stated the problem was Creekside; why are they building a 120 foot tower on West Johnstown Road; there are alternatives; apparently they are costly; it is not up to landowners of Gahanna to see to it that Verizon gets the least expensive way out; the engineer also stated it would cover an area 1 mile in diameter; half mile out in all different directions; vast majority were northeast and northwest; Cherrybottom and 62; unless I am missing something doesn't sound like proposed site would take care of blocked calls; needs a better alternative.

Chair asked for rebuttal from applicant. Applicant declined.

RECOMMENDATION: To be discussed in workshop on April 4 at 6:30 p.m.

V-0003-2012

To consider a variance application to vary Section 1181.07 of the codified ordinances of the City of Gahanna; to allow a fall zone of zero feet; and to vary Sections 1181.08 (d) (6) and 1181.20(b) of the codified ordinances of the City of Gahanna; to vary the landscape requirements; for property located at 215 W. Johnstown Road; by Verizon Wireless, applicant. (Advertised in the RFE on 2/9/12)

See above discussion

V-0006-2012

To consider a variance application to vary Section 1171.03(h) of the codified ordinances of the City of Gahanna; to allow a privacy fence in the side yard; for property located at 659 Caroway Blvd; by Raymond J. Horn, applicant. (Advertised in the RFE on 3/22/12)

Gard reviewed the application with the Commission.

Rob Bruno, 4459 Carroll Southern Road; stated he was with ACE Fence; passed out pictures of pool and landscaping; believe in the variance process; each situation is different; ask for the approval to continue using the property in a way that we can improve on; you can tell by landscaping that the Horn family has invested a lot of time, effort and money; would like permission to continue doing so; other attachment to show plotted area; showed example of the privacy fence; has a lifetime transferable warranty; would ask for your approval.

Chair asked for any opponents. There were none.

Thom stated this is a corner lot; makes it difficult; understand that; basically existing fence has been grandfathered for last 22 years; it is in need of maintenance. Shepherd asked when an owner has a pool are they required to have 6 foot fence for the safety of all parties. Gard stated residential has to have a 4 foot fence and commercial is 6 feet; required to have it. Price clarified that the new fence will not be any higher than the existing fence.

Shepherd stated traditionally I oppose variances; try to find alternative solutions; in this instance because of the pool and safety issue; fence is already there; there haven't been complaints; will support this variance; no other way to solve the problem

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

Yes **6** Price, Andrews, Thom, Shepherd, Wester and Keehner

Absent **1** Rosan

V-0007-2012

To consider a variance application to vary Section 1165.08(a)(6) of the codified ordinances of the City of Gahanna; to allow a flag pole and flag to exceed maximums of Code requirements; for property located at 333 Agler Road; by Don Leathery, Jr., applicant. (Advertised in the RFE on 3/28/12)

Gard reviewed the application with the Commission.

Michael Henning, 5795 Westbourne Avenue, Columbus, OH stated he represented the company that manufactures the poles; can answer any questions.

Chair asked for any opponents. There were none.

Keehner asked how far is the pole from the trees. Henning stated we had to consider when the flag has to be flown at half staff; flag size is always appropriate; will not be a massive flag; follows our instructions literally every time; spent a lot of time and money to make sure it is correct; will have a bronze finish on it so it doesn't show any wear; will be about 30 feet from the trees; will be an upgrade to the Mug and Jug property; new operator; same owner of Coaches; proud to display the American flag for the City of Gahanna. Keehner asked what the dimensions of the flag were. Henning stated it is 15x25; if it hangs up on something when it blows away from the pole it could damage the flag; took out some trees. Keehner stated he was trying to understand the reasoning for the height. Henning stated when it is hanging it is 32 feet from top corner; if it was only 50 feet in air, than it could get hung up; we would not have gone with an 80 foot pole if we didn't think it would look right; could cut it back to 70; there is a big tower there that draws your attention; this would draw your attention away from that. Thom asked about building code for flag poles. Gard stated they would have to have a building permit. Thom asked how deep in the ground will the pole be. Henning stated we can provide a foundation detail; doing this for 45 years and we are not going to take any shortcuts; we will follow any codes. Keehner asked if there were any issues with the fall zone. Henning stated we are talking about putting it on the eastside of the building; the prevailing wind is out of the southwest; if it fell it would go to the east; have never had that problem; it sounds a lot bigger than it is; with no flag on it most people wouldn't know it is there. Thom asked if this was approved could we condition this as far as use of flags; such as an Ohio flag, United States or City of Gahanna; make sure it goes according to code. Henning stated he doesn't use anything but the American flag; only other one he uses during football is an OSU flag. Weber stated it is based on the political subdivision; could have an American, Ohio flag or Gahanna. Henning stated he won't fly an inappropriate flag; won't use it for advertising. Price asked if the pole would be lit. Henning stated it will be; has a perfect location. Price asked is there enough room underneath the U.S. Flag to fly a City of Gahanna or Ohio flag. Henning stated if he cuts down the size of the U.S. Flag; always flies the appropriate size; will probably cut the size back in the winter because these flags are expensive. Shepherd asked about lighting the flag. Gard stated it is required; would have to light it at night. Shepherd asked if there would be any problem with the airport and lighting the pole. Henning stated we would be more concerned about not lighting the pole. Price asked if there was anything in the Building Code about lighting. Gard stated there would have to be an electrical permit.

Shepherd stated he will not be in support of the variance; there is a way to work within the code; in the code it says the flag pole should not exceed size of existing surrounding structures; not preventing him from flying a flag; put well within guidelines; one person's patriotism could be another person's visual clutter; there is a solution that

doesn't need a variance. Thom stated he would be in support of this variance; understand that variances are there for a reason; this particular flag pole is very patriotic; will sit along the entrance into Gahanna; to me the statement for the City of Gahanna has always been the first impression; this is the impression you get coming across corporation limits; very visible; 80 foot is not unreasonable; will leave a good impression.

Keehner stated he was not in opposition to the variance; think big flags are sometimes an overkill on a commercial property; on a fairly wide road that could work as an entry feature; enough to make it palatable; don't see any reason to oppose. Andrews stated it is going to be a beautiful location to see a flag. Price stated she will be supporting this; is an appropriate size given the surroundings; would not stick out as an overwhelming feature; wonderful to have someone willing to use his property to display a flag.

A motion was made by Keehner, seconded by Thom, that this matter be Approved with the understanding that only Code approved jurisdictional flags be flown on the pole. The motion carried by the following vote:

Absent	1	Rosan
Yes	5	Price, Andrews, Thom, Wester and Keehner
No	1	Shepherd

F. UNFINISHED BUSINESS:

DR-0005-2012

To consider a Certificate of Appropriateness for Site Plan, Landscaping and Building Design; for property located at 73-77 Mill Street; by LGI Building, LLC, Lew & Janet Griffin, applicant.

Chair stated this application was withdrawn at the applicant's request.

Withdrawn

G. NEW BUSINESS:

SWP-0002-2012

To consider A Subdivision Without Plat to allow for the split of a 1.894 acre parcel for a proposed lot split relating to an easement; current zoning OCT; for property located at Leavitt Service Road, Parcel # 025-006686; Terrence L. Gallagher, applicant.

Wetherholt reviewed the application with the commission.

Steve Geiger 1780 Reynoldsburg New Albany Road; Blacklick stated we own 23 acres of Bedford now; we are also under contract with Fraheight; adjoins our property; has 133,000 yards of material that has to be disposed of; then we have to get it down to suitable grade for development; 1.89 acre parcel that we have a purchase option on; Fraheight exercised his option on that parcel so we can use it; have maps that show the whole layout; we need this lot for ingress and access to roads; reviewed maps; primarily storm water protection; start of future proposed extension of Leavitt Road; this property has been laying for approximately 30 years; the landfill has been unclosed; closed the property 2 years ago.

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

Yes	6	Price, Andrews, Thom, Shepherd, Wester and Keehner
Absent	1	Rosan

H. COMMITTEE REPORTS:

Hamilton Road Corridor Committee -Andrews

Evans stated we will be bringing this forward in six weeks.

I. OFFICIAL REPORTS:

City Attorney.

No report.

City Engineer.

No report.

Department of Development.

No report.

Chair.

No report.

J. CORRESPONDENCE AND ACTIONS.

There were none.

K. POLL MEMBERS FOR COMMENT.

No comments.

L. ADJOURNMENT.

Adjourned at 8:07 p.m.; Motion by Keehner

M. POSTPONED APPLICATIONS:

Stacey Bashore
Deputy Clerk of Council

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

Jennifer Tisone Price