



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Meeting Minutes Committee of the Whole

Jamie Leeseberg, Chair
Karen J. Angelou
Brian D. Larick
Nancy R. McGregor
Brian Metzbower
Stephen A. Renner
Michael Schnetzer

Kimberly Banning, Clerk of Council

Monday, March 12, 2018

7:00 PM

Council Committee Room

CALL TO ORDER

Chair Leeseberg called the meeting to order at 7:00 p.m.

Present 7 - Brian Metzbower, Nancy R. McGregor, Karen J. Angelou, Stephen A. Renner, Jamie Leeseberg, Michael Schnetzer, and Brian D. Larick

PENDING LEGISLATION - CITY COUNCIL:

[ORD-0003-2018](#) TO REZONE 5.7316+/- ACRES OF PROPERTY TO SUBURBAN OFFICE (SO); SAID PROPERTY LOCATED AT 748 AND 760 TAYLOR ROAD; PARCEL ID NO. 025-003911 AND 025-003928; TRILOGY; ROSS OBERHAUSEN, APPLICANT.

Leeseberg said requested this be brought back for several reasons; did not have all of Council at final vote and to review requirements for zoning; Ewald sent email to Council last night, guidelines; want to make sure from a legal perspective, want to be clear of the reasons something was voted on; took only code we have, which is recommendation language; does not mean it is the only criteria; do not want to get too far into Final Development Plan (FDP) guidelines; look at criteria when recommended to Council; base recommendation in context of why recommendation was made to Council; still dealing with Access Ohio case that was denied by Planning Commission; Leeseberg asked for background on why a senior facility is being brought under this zoning; Ewald explained that code was changed after application was filed; Blackford said Conditional Use was approved by Planning Commission; have certain rights at the time of filing; Leeseberg said if this applicant left, bound to new code; Ewald said if this application fails, a new application would not be able to build this type of facility under current zoning; Leeseberg asked Blackford for history of Area Commissions; Blackford said meeting was in August; a lot of discussion between public and developer; feedback forms were

submitted; generally not in favor of the project; some members were vocal in their support privately vs. on the forms; there was a lot of public participation at Planning Commission; did receive a 7-0 vote of approval from Planning Commission; Conditional Use Application was also approved by Planning Commission; said today's zoning category for this use is likely MFRD; was created for these types of uses of senior living; Leeseberg said we have several current Land Use Plans, some that overlap and conflict, updating to one accurate updated Land Use Plan; asked how that is going; Blackford said are in beginning of phase 3 of 5; just had 2 public meetings; going through phone survey right now; not making any recommendations right now; Angelou asked how many people attended public meetings; Blackford said around 50 total; do not have numbers for phone and online survey right now; Metzbower asked final process; Blackford said would look for adoption of new plan by Council and retirement of old plans; Metzbower confirmed adopting a plan does not adopt actual zoning; Blackford said those are two separate processes; future Land Use Plan does not account for each parcel; talks about which areas are appropriate for development; does not go parcel by parcel; Metzbower asked if we could broadly adopt those recommended zonings and not be project specific; Blackford said could be a result; Leeseberg confirmed current zoning is single family residential; Larick said the email from Ewald was in reference to 1133; reads that section as pertinent to Planning Commission; asked Blackford for a couple examples of where we have MFRD today; Blackford said north triangle area; Larick confirmed all zonings MFRD today are housing complexes; Blackford said to his knowledge; said the development to the east of Helmbright are zoned MFRD; some in that area; Angelou asked when we are given a zoning change, we are only changing the zoning and not looking at the details and the footprint of the building; only looking at the fact that this is changing from SF-3 to SO; questioning if reasons for not supporting this change is because of the end-use; this type of product is going in in New Albany; should vote on the right thing when we vote on rezonings; asked what other uses can be in SO; Blackford read code; Leeseberg asked what is the zoning south of this; Blackford said OCT; Schnetzer asked why we are back here; said has not heard any new information; what should he be reviewing before next Monday; Leeseberg said did not want to get into end-use; looked at impact for TIF for this project; Blackford said conservative calculation said City gets over \$5 million over 30 years; just over \$7 million if it is an \$18 million dollar evaluation; impact to schools is 9.7 million \$18 million evaluation; Leeseberg said looked at homes going in with current zoning; City would get \$2200/annually for 13 lots; school district would get \$47,000 a year and township would also get dollars from a housing development; current use can get 17 units and kids in the schools and get \$2800 a year, \$90,000 over 30 years; not sure if all those numbers were explained like

that; Schnetzer said numbers were not spelled out during course of various meetings; some base level of revenue improvement; proponents of project did not receive desired outcome; there is no new information that was not available; not much that was overlooked; it failed; they are asking for a do-over; have a problem granting the fast lane alternative route; trying to see what is new here to possibly change the votes; Leeseberg said feels this applicant is being punished because they gave too much information; talking about screening and landscaping at a rezoning level; if this does not pass, we are not getting other offices here; if another applicant came in and requested this to change to SO and we approved it, we could be sued; this property will not develop SO with tax abated property all around; they are willing to go on this property without abatements; McGregor said only looking at zoning, and not end-user, is not a compelling enough reason to change the zoning; cannot overdevelop on small parcels; have to consider others around it; too small of a parcel; Leeseberg asked what current Land Use Plan calls for; Blackford said mixed use; Schnetzer said many times zonings come with an overlay; there is a lot of gray area; SO may be a suitable fit with certain overlay restrictions; Renner said have not flipped his vote; said what is new to him is the land use policy; his vote before was waiting on the land use plan; did go to one of the public meetings; expected what we do at an open house; went through the set of activities at the public meeting; crystallize what we think the plan is for this update; going through those exercises helps; disappointed that there was not more public input at these meetings; thinks a lot of this churn would be avoided if more people were aware of development policies and rights; going to that public meeting was new; in respect to Mr. Leeseberg, voted to waive rules to reconsider this item pending new information; Schnetzer said understood there was an email sent to the applicant that a land use plan update would not impact this zoning; believes that communication is wrong; this corridor has been highlighted by folks on the committee as needing special attention; was that stated; Blackford said not sure where that came from; if they said that, they were mistaken with that information likely; too pre-mature to say what a future land use plan will show; only can speak to himself; Angelou said it is in the letter from Peter Massey; Blackford confirmed that the name of our 2002 land use plan is called a future land use plan; is consistent with 2002 land use plan; their understanding on our first meeting was their recollection only; would not comment on the actual future land use plan; Leeseberg said this applicant looked at other locations in the City; Blackford confirmed; Schnetzer said this corridor is being evaluated currently; do not want to change zoning before the land use plan is updated; Leeseberg asked if Schnetzer suggests a moratorium during this land use plan update; Schnetzer said do not have a backlog of zonings; Renner asked if people were informed that this was being reconsidered; Larick said does not

believe anything has come from Council office; he spoke with his constituents; pointed out that these are real issues and real concerns; Angelou requested everyone be notified; is typically a courtesy; asked that Larick share details of his neighborhood meeting; Larick said reviewed request and the next steps; explained where this item is, not a review of any new information; Leeseberg said this has occurred 3 times since his time on Council; said Larick also asked this be delayed for new information and none was brought; Larick said wanted time to communicate and review details; Renner asked for confirmation that people will be notified; Larick said everyone he has had communication with was notified; Schnetzer said to the extent we can, a sign, mailing, etc. should be done to communicate to our residents; Angelou said it failed by default because of a tie; missing a member that the vote was likely no; expected a different vote; Larick asked if this should be extended 60 days; Schnetzer said have a well-funded and skilled applicant that knows how the system works; knows they can ask for a reconsideration; they know how to request private meetings; the average person may not have the same skillset; puts them at a disadvantage; not implying anyone here is doing anything wrong; Metzbower said does believe a good project for this area for a variety of reasons; disappointed we have not promptly notified residents; feels this is the most appropriate use for that property; want to continue to show support; McGregor said looking at Area Commission comments; the questions being asked, we should not be looking at; Angelou said that is non-binding information; Leeseberg said administration is asking for that information; using it as whether or not they are in favor; Ewald said that information is in there; said code under 1133 speaks those questions; those all encompass what planning reviews to make a recommendation to Council; asked Council to stay within 1133; Council will need to extend regardless of the vote; need a motion to extend 60 days per Charter; Metzbower said hopes to look at how we can suspend rules; requests we have 5 members of Council in agreement; Ewald asked if he wants that the same as an emergency; Larick said currently is simple majority to suspend rules; said will motion to extend 60 days at next meeting; and regular agenda; last day without special meeting is April 16; first meeting outside of 60 days is in May; if additional communication is needed, need to make decision; confident that residents he has spoken with and is an audience of this ordinance, they have been notified; Angelou asked how many people attended; Larick said around 10 people; was on a communication to 25 households; Schnetzer asked the current process for notification; Ewald advised Council of the current process; Angelou asked the CPOs and anyone that spoke at a meeting be notified via a formal letter; Ewald said can expand notification addresses, up to Council; Larick confirmed the CPOs, and anyone that spoke at PC or Council be notified via formal letter via mail or email if we have it.

RECOMMENDATION: Regular Agenda.[RES-0004-2018](#)

RESOLUTION OF OBJECTION BY THE LEGISLATIVE BODY OF THE CITY OF GAHANNA TO THE PROPOSED DEVELOPMENT, WENDLER COMMONS, LOCATED AT 4854 WENDLER BOULEVARD, COLUMBUS, OHIO 43230; A 62-UNIT WORKFORCE HOUSING DEVELOPMENT.

Schnetzer said understood a letter should be drafted; Council members were requesting some language be added; Leeseberg asked if there is an update from schools or township on this; Larick said no official statement at this time that he is aware of; Angelou said does not believe schools are taking a position on this; believes win-win needs to be looked at on this; does not believe we have much right to say many things; in the City of Columbus, has already been approved; Angelou said actual involvement is the schools; questioning why schools are not taking a stance on this; they will use our parks, should be asking for a park fee; should be asking for something for our roads; Metzbower said school board did discuss this; report given to board, was that they discussed it and they are developers and we are not developers; our job is to educate children; said this was not their place to be involved; Metzbower played a segment of the Gahanna School Board Meeting; Renner said recalls this is part of their federal requirement; we have a right to provide and we should do it; it is another municipality; looked at this in City of Columbus, said it went from Planning Commission to Council in a matter of a couple weeks; Schnetzer said in the letter, we should include that we are responding to a request/letter; asked if we objected; needed signed; any look at this project, it is Columbus only; calls for police service; City is not being compensated; they will use Gahanna's parks; non-residents are using City services and the City is not receiving funding from this; we have to object; should stand up to our constituents; we simply have to object to this; Renner said should also be noted that the mailing address is 43230; the residents believe they are in Gahanna; Schnetzer said Columbus will not even be clearing these streets; Columbus is paying us to do so; they understand this area is outside of their services area; McGregor asked if we can say "improved park lands" and separate from open space; Leeseberg said waiting on formal language but want to move forward with this letter; Angelou said this is a work force apartment complex.

RECOMMENDATION: Regular Agenda.

ITEMS FROM THE DIRECTOR OF ENGINEERING

[ORD-0023-2018](#) TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH KE-SITE COMPANY FOR THE PRICE ROAD PHASE II SANITARY SEWER PROJECT, SA-1032, MORRISON ROAD; SANITARY SEWER REPLACEMENT, SA-1049; OBERLIN COURT NORTH REBUILD, ST-1056.

Priestas said this is to award a construction contact.

RECOMMENDATION: Consent Agenda.

[ORD-0024-2018](#) TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT WITH DECKER CONSTRUCTION FOR THE 2018 STREET PROGRAM, ST-1054.

Priestas said this is request to award contract for 2018 street program; received 5 bids in total; recommending award of base bid; Larick asked the rebuilds, are they detroits; Priestas said all detroits; asked if this represents a third; going back to the bonding, covered a third; left 2/3s; Priestas said this is about a sixth of what is remaining right now; Schnetzer said no objection; asked for rough estimate for repairing the streets from this winter; Priestas said will not know true impact until this fall; Metzbower asked if 10% contingency is standard; Priestas said standard.

RECOMMENDATION: Consent Agenda.

ITEM FROM THE MAYOR

[MR-0014-2018](#) TO CONFIRM THE MAYOR'S APPOINTMENT OF KELLY FOX TO THE COMMUNITY IMPROVEMENT CORPORATION (CIC) FOR THE REMAINDER OF A THREE YEAR TERM EXPIRING DECEMBER 31, 2019.

Holbrook said Mayor is not here but this is replacing Matt Ference who resigned in February.

RECOMMENDATION: Consent Agenda.

ITEM FROM THE CITY ATTORNEY

[ORD-0025-2018](#) TO AMEND CITY CODE, SECTION 521.06, DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Ewald said this was reviewed due to a response to residents; believe we can change code to a more objective standard that could be evaluated on a case by case basis; McGregor asked about part 3, cracks of one half inch or more; measured gap between sections and it goes from .5 to 1 inch; are they considering this a crack; seems awfully small; Priestas said would not be the tool joint; cracks in the control joints would be considered; McGregor asked why we consider cracks; Priestas said shoes and heels; Leeseberg said also the water going through; Renner asked if City can lend its power with contracts to get a price by volume for the average homeowner to repair their sidewalks; Priestas said looking at that; looking to possibly include sidewalks as we review streets; want to take advantage of our buying power as a City; have a lot of work to do; Franey said possible to consider for next street program; a lot involved; City will not be paying for that work; Angelou asked administration to look into the options for residents compared to other cities; Schnetzer asked how this will be enforced; Priestas said through our code enforcement officer; Franey said the Mayor made a comment for a wording change; item #3, would like that better defined; possible that this will be changed; McGregor asked if we have a program where the zoning officer inspects an area or looks at sidewalks periodically; in a proactive position; Franey said right now it is mostly reactive; looking at sidewalks with street program is a way to be proactive; Priestas said will look at general areas and not isolated areas.

Leeseberg said will have fence code for next committee; Ewald said met with Police Chief and City of Columbus to review mobile food vendor code; pulled back for now; discussing opening that to other suburbs; may be a cost savings to Gahanna and a way to implement with less code; Metzbower asked about liability; Ewald said not an issue; want to make sure these facilities are safe for the public to be in and around; Leeseberg said background is looking at safety and that the vehicles are moving on our streets; want to make sure they are safe; they have to get their own health code; Metzbower said original intent was to go through Columbus; there was a deadline; Ewald said they moved their deadline; it is now in September; Angelou said also that there have to be two entrance and exit points on a trailer; the one at Creekside only has one entrance.

RECOMMENDATION: Consent Agenda, adding definition clarification.

COMMITTEE REPORTS - no action required.

[2018-0047](#)

Committee Reports 3.12.18

ADJOURNMENT

8:46 p.m.