



## City of Pataskala *Legislative Report to Council*

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### Legislative Report

#### February 18, 2020 Council Meeting

#### Unfinished Business

##### A. Ordinances

➤ **ORDINANCE 2019-4354 – 3<sup>rd</sup> READING**

The applicant is seeking approval of a Preliminary Development Plan proposed Planned Development District, “Sage Point”, a 183 lot residential subdivision to be located on the unimproved 84 +/- acre property located a 6031 Summit Road. This property was previously proposed for development into a residential subdivision in 2001, 2005 and 2007; however, the proposal was denied by Council. The Comprehensive Plan recommends the property as High Density Residential, which would be approximately 2.17 units per acre in this instance. The proposed rezoning would have approximately 2.17 units per acre. The Planning and Zoning Commission recommended disapproval of the rezoning on November 6, 2019.

➤ **ORDINANCE 2019-4355 – 3<sup>rd</sup> READING**

The applicant is requesting to add Chapter 1296 (Residential Appearance Standards) to the Pataskala Code which would create architectural and design regulations for new homes constructed in Major Subdivisions. Major Subdivisions is the creation of six (6) or more lots and/or the creation or extension of any roads of easements of access. The Development Committee recommended the proposed amendment proceed through the code amendment process on September 30, 2019. The Planning and Zoning Commission recommended approval of the amendment on November 6, 2019.

➤ **ORDINANCE 2019-4356 – 3<sup>rd</sup> READING**

The applicant is requesting to rezone the property located at 10560 Mill Street Road from AG – Agricultural to R-87 – Medium Low Density Residential for the purpose of splitting the property into six (6) separate residential lots. The lots would range in size from 2.2 to 2.8 acres with one larger 6.65 acre parcel (21.42 acres total). The Comprehensive Plan recommends the property as Medium Density Residential, which would be approximately 46 units per acre in this instance. The proposed rezoning would have approximately 0.28 units per acre. The Planning and Zoning Commission recommended disapproval of the rezoning on November 6, 2019.

➤ **ORDINANCE 2020-4358 – 2<sup>nd</sup> READING**

The purpose of the Distressed Properties amendment is to protect the health, safety and welfare of the citizens of Pataskala, reduce the potential for economic decline as a result of public nuisances, protect aesthetic standards, and preserve and protect property values.

The Distressed Properties regulations would apply to the following:

- A. All parcels located within a platted subdivision
- B. All commercially zoned parcels
- C. All R-M – Multi-Family Residential zoned parcels
- D. All industrially zoned parcels
- E. All R-MH – Manufactured Home Residential zoned parcels
- F. All parcels one and one-half (1.5) acres or less

These regulations would not apply to a qualifying parcel that is actively undergoing construction or repair as evidenced by a valid building and/or zoning permit and actively progressing to complete the construction or repair.

The Distressed Properties regulations addresses maintenance standards including, but not limited to, keeping yards free of litter, maintaining pools so as to not harbor mosquitos, maintaining the exterior of a structure in good repair, and maintaining exterior walking surfaces so as to not pose a danger. The regulations also address security standards such as securing vacant buildings so as to be inaccessible to wildlife and unauthorized persons.

If a violation of these regulations is found to exist, the enforcing official would proceed through the standard zoning violation process unless the person in charge of the property applies for an abatement plan. An abatement plan allows the person in charge of the property and the enforcement official to agree to a time frame to correct the issues if the repairs are extensive or costly. If the abatement plan is not adhered to and/or if an extension is not granted, the enforcement official may proceed through the standard zoning violation process.

## **New Business**

### A. Ordinances

➤ **ORDINANCE 2020-4359 1<sup>ST</sup> READING**

The purpose of Chapter 1287 – Off-Site Impacts is to protect uses in all districts from certain objectionable off-site impacts including, but not limited to, noise, vibration, glare and odors. As the Chapter is currently written there is no penalty section, thereby making the provisions of this chapter unenforceable. The amendment would add a penalty section referencing the standard penalties of Section 1209.99 of the Pataskala Code.

➤ **ORDINANCE 2020-4361 SUPPLEMENTAL APPROPRIATION – 1<sup>ST</sup> READING**

In response to Council's direction to remedy the stormwater drainage issues along Town Street and Vine Street, the Administration is proposing infrastructure

improvements to correct the drainage issues. This project is anticipated to cost as much as \$275,000 and was not included in the 2020 budget approved by Council. As a result, we are requesting an increase in appropriations to cover the not to exceed amount, and an emergency declaration so that work can proceed immediately. **We are respectfully requesting that Council hold the 1<sup>st</sup> reading of the ordinance at the February 18<sup>th</sup> meeting, waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings and approve the ordinance at the 1<sup>st</sup> reading.**

- *Section 1: Town & Vine Drainage Improvements* – In order to correct the serious drainage issues along Town and Vine Streets, the Administration is recommending that the city construct stormwater drainage infrastructure improvements. Although formal project costs are not yet available, the project has been estimated to cost as much as \$275,000. Time is of the essence in this situation and an emergency declaration has been included in the legislation. **We are requesting an increase in approved appropriations of \$275,000 in order to cover the estimated costs for the improvements.**

## B. Resolutions

➤ **RESOLUTION 2020-015– A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH SPENCO EXCAVATING, INC. TO PROCURE MATERIALS FOR THE TOWN STREET TRUNK SEWER PROJECT**

Approval of Resolution 2020-015 will provide for SpenCo Excavating, Inc. to order manholes and catch basins for the Town Street Trunk Sewer Project.

Structure fabrication is the largest potential for delay on this project that has been identified that can be mitigated. As this process can take 30 to 60 days depending on submittal review time and availability of the manufacturer to produce the structures, placing the order sooner will maximize the City's potential to start the project as early as possible.

While the plans for the project are not yet complete, and a formal bid has not been submitted, we do have enough information to order the structures that will need to be fabricated. The material cost for these structures will be included in the bid line item for the project and paid accordingly. This cost is included in the value of the proposed Supplemental Ordinance 2020-4361 and will be accounted for in the contractor's total project cost.

Approval of Resolution 2020-015 is recommended.

➤ **RESOLUTION 2020-016 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT, WITH GLAUS, PYLE, SCHOMER, BURNS AND DEHAVEN, INC. (GPD GROUP), TO PERFORM A SAFETY STUDY AND TO ASSEMBLE AND SUBMIT A HIGHWAY SAFETY IMPROVEMENT PROGRAM APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION ON THE CITY'S BEHALF FOR FUNDING IMPROVEMENTS TO THE INTERSECTION OF BROAD STREET AND SUMMIT ROAD**

Approval of this resolution will authorize GPD Group to perform a Safety Study and assemble and submit a funding application package through the Ohio Department of Transportation's Highway Safety Improvement Program.

The City recently completed the Intersection Safety and Capacity Study to rate and rank the condition of 7 major intersections within the City. This study provided the City with base-line intersection information, and with it, the City was able to plug in

funding scenarios and other factors to determine that the intersection of Broad Street and Summit Road is the first intersection that will be expanded and upgraded.

Due to the high cost of intersection improvement projects, seeking available funding through the State of Ohio will help to offset City costs. The Highway Safety Improvement Program has been identified as an applicable funding source, and one that will cover 80% to 100% of project costs if selected.

The application package for this program requires that an intersection specific Safety Study be performed and included in the application. While the Intersection Safety and Capacity Study gave an overview of all intersections, this Safety Study will take an in-depth look at the intersection of Broad Street and Summit Road. This study will identify a preferred alternative, and provide preliminary plan exhibits, cost estimates, and a cost to benefit analysis for the preferred alternative.

This work is part of Public Service Department Capital Improvements Project SVC-19-001, and as part of this project, \$95,000 was budgeted for engineering in 2020. This project line item is planned to be used to fund this Safety Study and application package.

Approval of Resolution 2020-016 is recommended.

➤ **RESOLUTION 2020-017 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR CONSTRUCTION OF THE TAYLOR ROAD STORM SEWER IMPROVEMENT PROJECT**

Approval of this resolution would provide for American Structurepoint, Inc. to complete bidding services for the Taylor Road Storm Sewer Improvement Project. Bidding services include advertisement for, receipt, and review of bids, and is part of the Design Engineering Services, which is identified in the budget as part of Public Service Department project number SVC-16-013.

The proposed cost for bidding services is included in the total value of \$32,000 that was approved as part of Resolution 2019-060 for Engineering Services of the Taylor Road Storm Sewer project.

Approval of Resolution 2020-017 is recommended.