

CITY OF PATASKALA PLANNING AND ZONING COMMISSION

Meeting Minutes

**Wednesday, April 4, 2018**

The City of Pataskala Planning and Zoning Commission convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, on Wednesday, April 4, 2018.

Present were:

Rick Boggs  
Dustin Epperson  
Gary Kendall  
Darin McGowan  
Randall Ripley  
Anne Rodgers  
Jerry Truex

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Director of Planning  
Lisa Paxton, Zoning Clerk

Chairman Boggs opened the meeting at 6:30 p.m., followed by the Pledge of Allegiance.

Roll call was made. Present were: Rick Boggs, Gary Kendall, Darin McGowan, Randall Ripley, Anne Rodgers, Dustin Epperson and Jerry Truex.

***First on the agenda, Rezoning Application ZON-18-005 – The Expansion of Settlement at Pataskala.***

Mr. Fulton noted the applicant request has been made to table Rezoning Application ZON-18-005.

David Pace, 377 Enos Loomis Street, was placed under oath.

Mr. Pace noted his concerns regarding the size of the proposed lots and the need for another access.

Chris Crawford, 373 Enos Loomis Street, was placed under oath.

Mr. Crawford noted his concerns regarding the small homes being proposed, drainage issues, wetland disturbance, green space and property values

Mr. Ripley made a motion to table Application ZON-18-005. Seconded by Mr. Truex. Mr. Epperson, Mr. Kendall, Mr. Boggs, Mr. Ripley, Mr. Truex, Mr. McGowan and Ms. Rodgers voted yes. The motion was approved.

***Next on the agenda, Final Plan Application FP-18-002 – Hazelwood Subdivision, Remove from Table.***

Mr. Boggs made a motion to remove Final Plan Application FP-18-002 from the table. Seconded by Mr. Truex. Mr. Ripley, Ms. Rodgers, Mr. Kendall, Mr. McGowan, Mr. Truex, Mr. Boggs and Mr. Epperson voted yes. The motion was approved.

***Next on the agenda, Final Plan Application FP-18-002 – Hazelwood Subdivision.***

Mr. Fulton gave an overview of the Staff Report, noting the applicant is requesting to amend an approved Final Plan for the Hazelwood Subdivision, Section 4, Part 1 and Section 5, Part 2 to allow for a 73-lot subdivision of single-family homes. The Final Plan for the entire Hazelwood Subdivision was approved in 2000, which included a total of nine (9) phases. An amendment for the Final Plan for Hazelwood Section 5 Part 1 subdivision was approved in June 2017 and consisted of 34 lots. The applicant is proposing to amend the Final Plan for Section 4, Part 1 and Section 5, Part 2. As part of this revision, a portion of Section 4, Part 1 will be renamed Section 6, Part 1 and will be a separate phase of the development.

Joel West, 475 Metro Place South, Dublin, Ohio 43017 was placed under oath.

Mr. West noted the deviations and modifications from the original plans, and having no issues with the Staff comments/recommendations.

Steve Vaughan, 189 Shaleridge Drive, Rick Green, 177 Shaleridge Drive and Johnathan Fehrman were placed under oath.

Mr. Vaughan noted his concern regarding children's access to the retention pond, asking for a fence to be installed to keep children safe. Mr. Vaughan also noted his concern with a manhole in his back yard.

Mr. Fulton stated there will be no connections to the manhole.

Mr. Vaughan inquired as to lowering the manhole.

Mr. Fulton noted that being a utility department inquiry.

Mr. Fehrman noted the same issues as Mr. Vaughan, including, water issues, erosion control, debris in the creek and concerns regarding damaging new fencing.

Mr. Green noted drainage issues on his property, and ongoing drainage issues in Barrington Ridge. Logs and debris were also noted.

Mr. Fulton noted the Public Service Director's appointment with Mr. Green to address drainage concerns.

Mr. West noted the edge of the basin will be 60-80' from the property line. Boring under the stream for the City's waterline connection was discussed. Mr. West noted having no issues discussing some type of fencing around the basin as part of the overall landscaping plan. Mr. West further noted final engineer plans have not been submitted and the only activity that has been done is limited tree clearing.

Multiple people speaking regarding trees being cut down.

Mr. West noted receiving a permit from the US Fish and Wildlife and OEPA to drop trees. Mr. West stated plans will be submitted to the City regarding erosion control, as plans still need to be reviewed and approved by the City. Mr. West further indicated on the site plan where the tree clearing was taking place, and the requirement to do a bat mist net survey in the summer on the rest of the property.

Silt origination was discussed along with recent rains.

Mr. Kendall asked Mr. West if there were any issues working with the residents concerning children having access to the pond and installing some type of fencing.

Mr. West indicated not having any issues regarding working with the residents.

A discussion was had regarding a tree that was against a fence.

Mr. Green noted having no issues prior to the trees being cut down.

Mr. Vaughan noted trees being cut and rolling downhill.

Mr. Truex inquired as to when the downed trees will be removed.

Mr. West indicated in the next two to three weeks.

A discussion was had regarding removal of the downed trees and silt fencing.

Mr. West noted removal of dead and diseased trees, on a case-by-case basis.

Ash tree issues were noted.

Mr. West mentioned having a land site supervisor.

The booster station and water connection was discussed.

Mr. Truex inquired as to buffering.

Mr. Fulton noted buffering is not required, but may be added at the pleasure of the Commission.

Mr. West indicated a landscaping plan.

Pictures of the clearing was presented to the Commission.

A discussion was had regarding cleaning the roads of mud and debris.

Traffic control and engineering plans were noted.

The Commission noted buffering and fencing.

Silt fencing was further discussed.

Mr. Truex made a motion to approve the amendment to Final Plan Application FP-18-002, pursuant to Section 1113.17 of the Pataskala Code, with the following modifications:

1. All comments provided by the Planning and Zoning Department shall be addressed and administratively approved.
2. All comments provided by the City Engineer shall be addressed and administratively approved.
3. All comments provided by the Utility Director shall be addressed and administratively approved.
4. The applicant shall submit Engineering Plans for review and approval.
5. Install fencing around the southeast side of the retention Pond. Fencing and Landscape buffering to be approved by Zoning Staff.
6. Engineer's recommendation regarding silt fencing.

Seconded by Mr. Epperson. Ms. Rodgers, Mr. McGowan, Mr. Epperson, Mr. Kendall, Mr. Truex, Mr. Ripley and Mr. Boggs voted yes. The motion was approved.

***Next on the agenda, Final Plan Application ZON-17-007, Refugee Road SW, Hunters Crossing, request to remove from table.***

Mr. Boggs made a motion to remove from table, Final Plan Application ZON-17-007. Seconded by Mr. Kendall. Mr. Truex, Mr. Ripley, Mr. Boggs, Mr. Kendall, Mr. Epperson, Mr. McGowan and Ms. Rodgers voted yes. The motion was approved.

***Next on the agenda, Final Plan Application ZON-17-007, Refugee Road SW, Hunters Crossing.***

Mr. Fulton gave an overview of the Staff Report, noting the applicant would like to rezone the property from R-87 – Medium-Low Density Residential to PDD – Planned Development District. Mr. Fulton noted the application was tabled in August of 2017 and the present a revised plan and place back on the table to address any comments that is received from the Commission.

Mr. Kendall inquired as to drainage issue that were previously noted.

Mr. Fulton stated this is still in the preliminary plan stage; however, the Public Service Director noted drainage would need to be verified, along with a stream/creek that runs through individual lots addressed.

Connie Klema, PO Box 991, Pataskala, was placed under oath, representing NVR.

Ms. Klema reviewed concerns and noted suggestions to NVR, along with meeting with Dr. Waggoner, providing him with revisions and the phasing plan. Ms. Klema gave a breakdown of the previous proposal and noted reduction of single family homes, the increase of single family lot size, and no change to empty nester lot size. An increase of square footage for single family homes and empty nester homes were also noted. Single family homes and empty nester prices were noted. Ms. Klema

noted all developers understand storm water issues with any site, existing and developed, along with erosion control will be addressed. Right of way, buffering and turn lanes were also noted.

Mr. Kendall inquired as to how many bedrooms will be in the empty nester homes.

Ms. Klema noted she would get the information.

Mr. Kendall noted young families with children moving in to empty nester homes and what would be their incentive not to purchase an empty nester home.

Ms. Klema stated the amenities that come with those types of houses, young families would probably be less likely to spend \$260,000 to \$300,000 for a one, one-and-a-half bedroom home.

Mr. Kendall asked for a clarification regarding the phasing plan.

Ms. Klema indicated from the comments that were received phases will probably have to change.

Mr. Kendall noted his concerns with Phase I and Phase II and empty nesters.

Mr. Boggs noted a concern regarding the percentage of homes that abut open space and the expanding the right of way and front lots that may be at risk.

Ms. Klema noted being aware of the concerns and went through the issues with the engineers.

Mr. Epperson inquired as to cluster houses and setbacks.

Ms. Klema indicated increasing the lot sizes and increased the house sizes and didn't know if setbacks will change.

Mr. Truex inquired as to the entrance lining up with White Feather Farm's entrance.

Ms. Klema stated not knowing, but something could be considered.

Mr. Boggs noted it being on the original plan.

Mr. Truex wants to make sure there's a nice entrance and not having two drives adjacent to each other.

Ms. Rodgers noted a minimum of 1,300 square feet is required for homes with a basement and 1,450 square feet for homes without a basement.

Ms. Klema noted the empty nester home would require a divergent.

Mr. Ripley inquired as to the contrast between R-87 and what is being requested.

Ms. Klema indicated the Future Land Use Map shows one house per 20,000 square feet, and R-87 is one house per two acres.

Donald Schmidt, 8333 Summit Road, Etna.

Mr. Schmitt noted that his concern is the outlet of the retention pond and how it will be handled, and if Etna Township was being contacted.

Mr. Boggs noted, as stated in the comments, the developer would need to work with the County and the Township. Mr. Boggs asked if Etna Township has had a formal contact.

Mr. Fulton noted if the applicant wishes to move forward, the County and Etna Township will be notified.

Mr. Schmidt noted the stream that runs through his property.

Bernard Brush, Esq., 5530 Columbia Road, was placed under oath, on behalf of Vernon Slonaker.

Mr. Brush stated the key issues being drainage, density and road repairs. Mr. Brush further noted traffic issues on Broad Street, Mink Street. Mr. Brush stated his concern with lifestyle homes and having many people at one time living in the home. Mr. Brush noted school crowding, property taxes and doesn't see this being good for Pataskala. Mr. Brush asked to vote it down or start over.

Mr. Boggs stated there have been some progress, however, there are still significant concerns regarding density and traffic.

Mr. Truex noted his concern with increasing the lifestyle homes and heavy density.

Mr. McGowan noted his concern regarding the road, but no issues with the density.

Ms. Klema noted her concerns and also noted roads shouldn't control someone's rights with their property; per the City's regulations, a developer has to improve the road at their own cost.

Ms. Klema noted empty nesters are needed, smaller homes, high quality priced houses are being grabbed up quickly as older people don't want a big house or leave their community. Ms. Klema also noted her concern with the comments made regarding multiple people living in a house. Ms. Klema stated NVR is aware that if the road cannot be developed and the cost can't be accommodated, they cannot do it; however, they are willing to try to address all of the concerns.

A discussion was had regarding developable lots.

A discussion was had regarding density issues.

Drainage issues were noted.

Mr. Boggs made a motion to table Preliminary Plan Application ZON-17-007. Seconded by Mr. Ripley. Ms. Rodgers, Mr. McGowan, Mr. Epperson, Mr. Kendall, Mr. Truex, Mr. Ripley and Mr. Boggs voted yes. The motion was tabled.

***Next on the agenda, Other Business – Columbus Metro Equities Project on Cleveland/Summit.***

An informal meeting was had regarding Fischer Homes requesting review and feedback of a Concept Plan for a proposed rezoning to a Planned Development District pursuant to Section 1255.12(b) of the Pataskala Code.

Amanda Webb and Mike Cady were placed under oath.

An overview and discussion of the concept plan was had, noting Staff's comments.

Density and storm drainage issues were discussed.

***Next on the agenda, Code Amendment Application ZON-18-006, Wireless Telecommunication Facilities.***

Mr. Fulton reviewed the Staff Report, also noting the proposed amendment would add Chapter 1293, providing regulations for cell towers. Currently, the only regulation that addresses cell towers is found in Section 1293.08 of the Code.

A discussion was had regarding current cell towers in the City.

Further discussion was had regarding permitting and regulations.

Mr. Boggs made a motion to recommend to Council Code Amendment Application ZON-18-006. Seconded by Mr. Epperson. Mr. McGowan, Ms. Rodgers, Mr. Epperson, Mr. Ripley, Mr. Boggs, Mr. Truex and Mr. Kendall voted yes. The motion was approved.

***Next on the agenda, March 7, 2018 Regular Meeting Minutes.***

Mr. Truex made a motion to approve the meeting minutes from the March 7, 2018 regular meeting. Seconded by Mr. McGowan. Mr. Truex, Mr. Ripley, Mr. Boggs, Mr. Epperson, s. Rodgers. Mr. Kendall and Mr. McGowan voted yes. The motion was approved.

Mr. Truex made a motion to adjourn the meeting. Seconded by Mr. Kendall. Mr. Ripley, Ms. Rodgers, Mr. Kendall, Mr. McGowan, Mr. Truex, Mr. Boggs and Mr. Epperson voted yes. The meeting was adjourned at 9:23 p.m.

Minutes of the April 4, 2018 Planning and Zoning Commission meeting were approved on

\_\_\_\_\_, 2018.

---

Chairperson Rick Boggs