

CITY OF PATASKALA PLANNING AND ZONING COMMISSION

Public Meeting Minutes

Wednesday, December 6, 2017

The City of Pataskala Planning and Zoning Commission convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, on Wednesday, December 6, 2017.

Present were:

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

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Director
Zack Cowan, City Planner
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, Replat Application REP-17-001, Klema Drive.

Mr. Cowan reviewed the Staff Report, noting the applicant is requesting to combine two lots in the Taylor Road Commercial Park. In 1997, Lot 12 was split into four sections and renamed as lots 12A, 12B, 12C, and an unnamed 0.67 acre lot. Located north of the 0.67-acre lot is a vacant 3.5-acre parcel that was not included in the subdivision plat and the 0.67 acre lot is still a part of the Taylor Road Commercial Park which requires a replat; road frontage is required on Klema Drive to develop the property. Mr. Cowan noted road access to Harrison Street would not be beneficial or safe as Harrison Street is in a residential neighborhood. The proposed development will provide access from Klema Drive and a possible modification has been placed to ensure it is recorded with the replat. The Public Service Director commented that no access shall be permitted from Harrison Street. The three modifications were reviewed.

A discussion was had regarding possible acreage discrepancy.

Mr. Cowan noted it may be a possible typo as the plat provided is a draft and will be corrected on the updated plat.

Victor Meredith, 6080 Stockton Trail Way, Columbus, was placed under oath.

Mr. Meredith stated his company sells heavy highway construction materials to contractors.

Mr. Kendall asked for specific use of the property.

Mr. Meredith stated there will be an office and warehouse and a small production facility to make precast units for utility contractors.

Mr. Kendall asked if there would be a concrete plant.

Mr. Meredith stated no concrete plant, and will purchase concrete from Ernst and Buckeye Concrete.

Mr. Ripley made a motion to approve Replat Application REP-17-001, pursuant to Section 1123.02 of the Pataskala Code, with the following modifications:

1. The applicant shall submit a replat of the Taylor Road Commercial Park to the Planning and Zoning Department for review and approval.
2. Prior to any development, the replat shall be recorded with Licking County.
3. Access to Harrison Street from the property shall be prohibited. A note indicating this shall be included on the replat.

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

Next on the agenda, Rezoning Application ZON-17-011, Klema Drive.

Mr. Cowan reviewed the Staff Report, noting the applicant is seeking to rezone the vacant property to develop it for manufacturing and distribution purposes, which is permitted under M-1 – Light Manufacturing. The vacant property is currently split-zoned as R-20 – Medium Density Residential on the south eastern portion and M-1 – Light Manufacturing for the remainder of the property. The applicant has recently combined three parcels to create the new 3.5-acre lot in order to develop the property for manufacturing purposes. Due to the property being split-zoned between residential and manufacturing, the regulations that apply for each zone district can become complicated and make it difficult to determine which regulations apply to the property. The City’s Law Director has previously stated that split-zoning is “technically illegal”, therefore, the applicant is taking the necessary steps to correct the issue before developing the property. Staff has not received any input from neighboring property owners or from any departments. Upon recommendation from the Planning and Zoning Commission, the application will be heard before City Council for final approval of the rezoning.

Victor Meredith, 6080 Stockton Trail Way, Columbus, was placed under oath.

Mr. Meredith had no additional comments.

Ms. Rodgers inquired as to the size of the entrance.

Mr. Meredith noted a 30’ driveway apron into a 25’ wide driveway.

Mr. Boggs inquired as to buffering against Harrison Street.

Mr. Cowan noted the property being wooded, and the applicant intends to keep the wooded area. Mr. Cowan further noted M-1 use is required to have L5 landscaping when abutting residential property. Mr. Cowan further noted the applicant may submit a landscaping plan that can be approved administratively.

Mr. Meredith stated his intention is to keep the trees.

Mr. Truex made a motion to recommend to City Council for approval Rezoning Application ZON-17-011, pursuant to Section 1217.10 of the Pataskala Code. Seconded by Mr. Ripley. Mr. Kendall, Mr. Ripley, Mr. Truex, Mr. Boggs, Ms. Rodgers, Mr. McGowan and Mr. Epperson voted yes. The motion was approved.

Next on the agenda, Rezoning Application ZON-17-010.

Mr. Cowan reviewed the Staff Report, noting the Planning and Zoning Commission approved the Final Plan for the Carrington Ridge apartment development in February 2014. In March of 2017, the development was amended to revise the buildings in Phase 2 and to add additional trees in Phase 1. The applicant is proposing to modify the final plan to improve the grading conditions around the eastern edge of the northernmost building, building #4, in Phase 2. This will require the removal of 12 existing trees located in "Environmental Feature B" from the approved landscaping plan and replaced with 24 native species throughout Phases 1 & 2, as indicated on the revised plan. In addition, the revised grading will route storm water around the rear of building #4. According to Section 1255.14(c) of the Pataskala Code, substitution of landscaping materials may be approved administratively; however, "Environmental Feature B" was noted as "To Remain" on the approved final development plan, therefore, due to the removal of trees from the environmental feature, approval of a final plan amendment is necessary to revise the landscaping plan. The City Engineer commented he does not believe that any drainage or other concerns will come into play with the request. Mr. Cowan noted the possible modifications along with plans shall be submitted, reflecting all revisions.

A discussion was had regarding the location where the trees will be replaced.

The location of the cemetery was reviewed.

Mr. Truex inquired as to Phase 2.

Phase 2 plans were reviewed.

Ms. Rodgers noted older, established trees were being removed, and inquired as to the area where the trees are being removed.

Mr. Cowan indicated the area is at the very front of the "environmental feature".

Ms. Rodgers inquired as to the size of trees that will be replaced.

A discussion was had regarding the tree list.

Mr. Epperson asked what the note of “to remain” in the Final Plan meant.

Mr. Cowan noted the intent was to leave some environmental features, which is a requirement of the Planned Development District.

Mr. Epperson asked if it were those particular trees, or just happened to be a clump of trees that fit the environmental features.

Mr. Fulton stated the plans were prepared prior to current Staff and believes it was part of an effort with the Planned Development Districts to have open space; but to say it was those particular trees, he could not.

John Lind, 1145 Stoutseville Pike, Circleville, on behalf of Pride One Construction and Redwood Living, was placed under oath.

Mr. Lind noted the tree area being 100’ by 50’. Mr. Lind also noted mistakenly removing trees from the area and didn’t realize they were to remain. Mr. Lind further stated the front trees, cottonwood trees, are in a deep hole and wanting to regrade the front area and leave the back trees that are a scattering of deciduous and evergreen trees.

A discussion was had regarding replacement trees and replanting locations.

Photos of the tree area were reviewed.

Mr. Truex inquired as to which trees were to be removed and how many were staying.

Mr. Lind indicated the ones to be removed and the ones that would stay.

Mr. Fulton reported the vast majority of the existing trees in the environmental feature will remain, remarked that the area does not look like a natural occurring feature on the property.

Mr. Lind stated he thought the replacement trees were being placed in the environmental feature and not scattered around, but will do whatever the Board requests.

A discussion was had regarding building #4, including the revised drainage and grading lines between the building and the environmental feature.

Stump removal was discussed.

Ms. Rodgers inquired as to what type and size of trees will be replaced.

Mr. Fulton noted the list of trees that are required to be replanted, a bare minimum of 2.5” caliper and 5’ high off the ground, and a 2:1 ratio. Mr. Fulton also noted it being the developer’s choice to place the trees throughout the development.

Mr. Truex inquired as to the buffer for the cemetery.

Mr. Fulton stated the buffer adjacent to the cemetery will not be impacted and, from the initial approval, the buffer has been strengthened. Mr. Fulton noted the developer and cemetery met in consultation and had a revised landscaping plan that enhanced the buffer.

Mr. McGowan noted he would like to see trees replanted where they are being removed.

Further discussion was had regarding tree placement.

Mr. Fulton noted if the Board would like to see replacement trees relocated in the environmental area, that is something that can be done as part of the modifications, and the applicant can come back with a revised landscaping plan, administratively it can be approved, or another option is to table the application and have the revised landscaping plan drawn up showing trees in the environmental area.

Mr. Boggs asked for a clarification regarding the list of trees and if it can be one type of tree or any combination of trees.

Mr. Fulton noted in the affirmative, and also noted the "subject to availability".

A discussion was had regarding the number of trees to place in the environmental area.

A discussion was had to table the application.

Mike Merchant, 9800 Creek Road, representing Pataskala Cemetery Board of Trustees.

Mr. Merchant noted his concerns regarding removal of trees in the environmental area, and the trees are a buffer for the cemetery. Mr. Merchant stated he receives a complaint weekly asking why there is not more buffer between the cemetery and the apartments. Mr. Merchant stated he reviewed the overall plan, and it being incorrect; there is a line of pine trees currently there and the plans show the pine trees being replaced.

Mr. Fulton stated the trees will not be changing, and the developer will need to reflect what is actually there on the revised plans. Mr. Fulton indicated he believes an old landscaping plan was used to place the revisions on without factoring in the new landscaping plan.

Mr. McGowan asked if the hearing is tabled, would a revised landscaping plan be available for the next meeting.

Mr. Fulton indicated that the Board may request a revised landscaping plan.

Mr. Truex asked Mr. Merchant if more trees are needed along the cemetery.

Mr. Merchant noted in the affirmative. Mr. Merchant also stated the environmental area was to be used as a buffer and to be left alone.

Further discussion was had regarding the number of trees to be removed.

Mr. Kendall suggested the contractor mark the trees to be removed and take photographs.

Mr. Fulton noted marking the trees can be added as a modification.

Further discussion was had regarding marking trees that will be removed.

Mr. Merchant inquired as to future requests to remove trees, and the definition of “environmental area”.

Mr. Fulton mentioned previous discussion that was had, noting there is nothing in the code that defines “environmental area”, “reserve”, etc.; it is all the same.

Mr. Merchant asked why this is coming before the Board when it was designated as an “environmental area”.

Mr. McGowan stated developers place it in the plans because it sounds good.

Revising plans were discussed.

A discussion was had regarding buffering along the cemetery and placing the replacement trees closer to the cemetery.

A discussion was had regarding tabling the application.

Mr. Truex made a motion to table Zoning Application ZON-17-010, requesting a revision of the landscaping plan, and the twelve trees to be removed are to be flagged, or tagged, for approval. Six of the replacing 24 trees are to be replaced in the environmental area and a number to be determined are to be placed along the cemetery’s east line. Seconded by Mr. McGowan. Mr. Boggs, Mr. Ripley, Mr. Truex, Mr. Kendall, Mr. Epperson, Mr. McGowan and Ms. Rodgers voted yes. The motion was approved.

Next of the Agenda, Excuse of Absence of Jerry Truex from the September 6, 2017 hearing.

Mr. Boggs made a motion to approve the absence of Jerry Truex from the September 6, 2017 hearing. Seconded by Mr. Epperson. Mr. Epperson, Mr. McGowan, Ms. Rodgers, Mr. Kendall, Mr. Ripley and Mr. Boggs voted yes. Mr. Truex abstained. The motion was approved.

Next on the Agenda, Approval of the September 6, 2017 meeting minutes.

Mr. Boggs made a motion to approve the minutes from the September 6, 2017 hearing. Seconded by Mr. McGowan. Mr. Ripley, Mr. McGowan, Mr. Boggs, Mr. Kendall, Ms. Rodgers Mr. Truex, Ms. Rodgers and Mr. Epperson voted yes. The motion was approved.

Mr. Truex made a motion to adjourn the meeting. Seconded by Ms. Rodgers, Mr. McGowan, Mr. Boggs,

Ms. Rodgers, Mr. Epperson, Mr. Truex, Mr. Ripley and Mr. Kendall voted yes. The meeting was adjourned at 7:48 p.m.

Minutes of the December 6, 2017 Planning and Zoning Commission meeting were approved on

_____, 2018.

Signature