

**CITY OF PATASKALA PLANNING AND ZONING COMMISSION**

**Organizational Hearing Minutes**

**Wednesday, January 4, 2017**

The City of Pataskala Planning and Zoning Commission convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, on Wednesday, January 4, 2017.

Present were:

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

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Director of Planning  
Zack Cowan, City Planner  
Lisa Paxton, Zoning Clerk

Director Scott Fulton opened the hearing at 6:15 p.m. Zach Cowan led the Pledge of Allegiance.

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

First on the Agenda, **Adoption of 2017 Planning and Zoning Commission Hearing Schedule.**

Mr. Truex made a motion to approve the 2017 Planning and Zoning Commission hearing schedule. Seconded by Mr. Ripley. Mr. McGowan, Mr. Ripley, Mr. Truex, Mr. Boggs, Ms. Rodgers and Mr. Kendall voted yes. The motion was approved.

Next on the Agenda, **Adoption of *Robert's Rules Order* for the 2017 Planning & Zoning Commission hearings.**

Mr. Boggs made a motion to adopt *Robert's Rules of Order*. Seconded by Mr. Truex. Mr. Kendall, Mr. Truex, Mr. Boggs, Mr. McGowan, Mr. Ripley and Ms. Rodgers voted yes. The motion was approved.

Next on the Agenda, **Nomination for Chairperson.**

Mr. Ripley nominated Mr. Boggs for Chairperson. Seconded by Mr. Truex. Mr. McGowan, Mr. Kendall, Mr. Truex, Mr. Ripley and Ms. Rodgers voted yes. Mr. Boggs abstained. The motion was approved.

Next on the Agenda, **Nomination for Vice Chairperson.**

Mr. McGowan nominated Mr. Truex for Vice Chairperson. Seconded by Mr. Ripley. Mr. Boggs, Mr. Kendall, Mr. McGowan, Mr. Ripley and Ms. Rodgers voted yes. Mr. Truex abstained. The motion was approved.

Next on the Agenda, **Planning and Zoning Commission 2017 Hearing Procedures.**

A brief discussion was had regarding updating the 2017 hearing procedures.

No action was taken at this time.

Mr. Ripley made a motion to adjourn the organizational meeting. Seconded by Mr. McGowan. Ms. Rodgers. Mr. McGowan, Mr. Kendall, Mr. Truex, Mr. Ripley and Mr. Boggs voted yes.

The meeting adjourned at 6:20 p.m.

Minutes of the January 4, 2017 Planning and Zoning Commission organizational hearing were approved on \_\_\_\_\_, 20\_\_.

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Chairman Boggs

**CITY OF PATASKALA PLANNING AND ZONING COMMISSION**

**Public Hearing Minutes**

**Wednesday, January 4, 2017**

The City of Pataskala Planning and Zoning Commission convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, on Wednesday, January 4, 2017.

Present were:

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

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Director of Planning  
Zack Cowan, City Planner  
Lisa Paxton, Zoning Clerk

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

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

First on the agenda, **Remove from Table Final Plan Application ZON-16-006**

Mr. Boggs made a motion to remove from the table Final Plan Application ZON-16-006. Seconded by Mr. Kendall. Mr. Truex, Ms. Rodgers, Mr. Ripley, Mr. McGowan, Mr. Kendall and Mr. Boggs voted yes. The motion was approved.

Next on the Agenda, **Final Plan Application ZON-16-006.**

Mr. Cowan reviewed the Staff Report, noting the Applicant is seeking final development plan approval for Phase 1 of Broadmoore Commons that would consist of traditional single-family homes and attached two-family homes. Mr. Cowan noted the property rezoned to Planned Development District in 1999 but ultimately expired due to lack of progress. The Applicant submitted revised plans on April 8, 2016 and preliminary development plan was approved on May 4, 2016. The Applicant submitted final development plans on August 4 and October 18, 2016 due to requested revisions. A technical review meeting was requested and held on November 16, 2016. The building setback for lots 15-19 have been reduced from 25 feet to 20 feet to accommodate the required cul-de-sac diameter of 96 feet. Mr. Cowan also added if the final development is approved by the Planning and Zoning Commission, the recommendation will not be required to appear before City Council as the property is currently zoned Planned Development District.

Terry Andrews, 1229 Shagbark Road, Gahanna, Ohio, representing Westport Homes, was placed under oath.

Mr. Andrews noted final development plan for Phase 1. Mr. Andrews gave a brief summary of the plans that have been submitted.

Philip Wagner, Superintendent of Licking Heights School District, was placed under oath.

Mr. Wagner noted issues of student overcrowding in the school district, and wanted to confirm no apartments will be built.

Mr. Scott there will be no apartments built.

Robert Carr, 1350 Mink Street, Pataskala, Ohio, was placed under oath.

Mr. Carr stated he owns a farm behind the subject property and also expressed his concerns regarding overcrowding of the school district. Mr. Carr pointed out that he farms his property, and farms produce smells, dust and dirt, and wants the City to know he is expressing his concern with a subdivision close to his farm.

Mr. Fulton noted provisions for Agricultural exemptions that protect farming activities.

Brenda Starr-Jude, 182 Fox Croft Road, Lexington, Ohio, was placed under oath.

Ms. Starr, speaking on behalf of her parents, noted her parents own property beside the subject property and inquired as to the locations of the new homes.

Mr. Andrew reviewed the site map of the subject property and drainage locations were noted.

Mr. Fulton indicated the City Engineer has reviewed the application and there should be no impact on drainage.

Ms. Starr asked if the drainage would be in writing.

Mr. Fulton stated City Officials will sign and approve drainage plans.

Timothy Starr, 1099 West Main Street, Newark, was placed under oath.

Mr. Starr inquired as to the retention pond.

Mr. Andrews reviewed the site map with Mr. Starr, discussing drainage.

Further discussion was had regarding drainage, water runoff.

Mr. Carr inquired if fencing would be placed between properties.

Mr. Andrews indicated he had previously spoke with neighbors regarding fencing.

Mr. Carr stated he wanted fencing to separate his property with the new development.

Mr. Andrews indicated the tree line will be preserved.

A discussion was had regarding fencing/mounding.

Mr. Truex indicated Phase 1 does not reach Mr. Carr's property.

Mr. Cowan indicated in the affirmative; final development plans will need to be submitted for Phases 2, 3 and 4.

A discussion was had regarding Phase 1.

Mr. Boggs asked the Board for questions.

Mr. Truex add if mounding were to be placed, trees would die. Mr. Truex asked Mr. Andrews if the fencing was to be replaced.

Mr. Carr noted the current fencing is approximately 80 years old.

A further discussion was had regarding fencing.

Mr. Truex noted modifications to be included.

Mr. Ripley advised that the developer needs to talk to neighbors.

Mr. Andrews reported being before the Board four previous times and speaking with the neighbors that attended those hearings. Mr. Andrews also noted coming back before the Board for subsequent phases.

Ms. Rodgers inquired as to a second entrance.

Mr. Andrews noted the fire department approving a boulevard, and the construction of turn lanes on Broad Street.

Ms. Rodgers reported seeing no comments from the School Board.

Mr. Fulton noted no formal comments were provided from the School Board in writing.

Ms. Rodgers stated this being the first time she heard the School District's concerns.

Mr. Wagner commented on dealing with other issues and didn't know of all of the development plans. Mr. Wagner noted working with the City Administrator and stated he's received regular notices over the past six months regarding Planning and Zoning plans. Mr. Wagner indicated not knowing to appear before the Commision hearings and thought he was to go through City Administration. Mr. Wagner indicated having meetings with the City and developers, and expressed concerns of a potential apartment complex. Mr. Wagner also noted it had been explained to him the plans go back to 1999.

Mr. Fulton commented Planning and Zoning Commision and Board of Zoning Appeal applications and supporting documents have been submitted to the school districts, fire department, police department, water and sewer departments for the past two years. Mr. Fulton noted written comments are requested from the Departments and Agencies and those comments are attached to Staff Reports. Mr.

Fulton added if comments are not submitted, in writing, there is no way to convey the thoughts of the Departments and Agencies to the Board.

Ms. Rodgers asked if anything had been provided in writing.

Mr. Boggs responded that comments were made, meetings were held, and there was a relief that the subdivision wasn't as dense with the apartments being eliminated.

Mr. Wagner noted emails and other communications that were provided.

Mr. Fulton stated review memo packets have been hand-delivered to the school's administration building, and noted the memo states to have comments to the Planning and Zoning Department by a particular date.

Mr. Wagner inquired as to the initial date of the onset of the plans.

Mr. Fulton stated Broadmoore Commons has been discussed since February of 2015, anytime a plan came through, it would have been delivered to the school's administrative offices with a memo indicating the Planning and Zoning Department is seeking comments, in writing, by a particular date so that it may be included in the Staff Report.

Mr. Wagner asked if the District should be doing something different and not working directly through the Administration.

Ms. Rodgers noted working with the Administration, but if the Commission doesn't have it in writing, then the Staff Report will state "no comments". Ms. Rodgers noted verbal conversations are conveyed, if the school has concerns. Ms. Rodgers stated her concerns when she receives no comments from the schools when there are building projects.

Mr. Fulton indicated there are deadlines that need to be met and that is why every memo states to have comments to the Planning and Zoning Department, in writing, by a certain date and it needs to be directly related to the plans.

Mr. Wagner noted previous email communications.

Mr. Fulton explained comments need to be directed towards the particular case within the timeframe allocated.

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

Ms. Klema noted not coming to tonight's hearing to speak about ZON-16-006; however, she stated she represented the developer when they first were discussing this project and the changes that were being made. Ms. Klema stated it should be on the record that someone on the Commission asked if the schools had been in contact. Ms. Klema noted a meeting and speaking with the superintendent and discussing the less dense areas and that the development would be attracting empty-nesters, and people felt comfortable with that.

Mr. Andrews noted one of the items they talked about when making their submission is to meet with the schools and other agencies and move through the process.

Mr. Boggs inquired as to the Broad Street improvement plan and when the timing for the construction, before Phase 1.

Mr. Andrews noted the turn lane, traffic light may start late winter, early spring.

Mr. Boggs followed up on fencing and noted it would come in to play at Phase 2 or Phase 3, and asked Staff and Mr. Andrews to determine what can be done, in terms of fencing, to be part of a final plan for Phase 3.

Mr. Cowan indicated in the affirmative.

Mr. Truex inquired as to how a light was to be placed on Broad Street.

Mr. Fulton explained that a traffic study was conducted and a traffic light was not necessary. Mr. Fulton added the fire department likes to see two access points into subdivisions and, upon investigation, it was not possible. The Applicant agreed to install a traffic light, in lieu of a second access point, to assist emergency equipment, should there be an issue at the intersection. The fire department would have the ability to stop the light and move in, if the intersection is congested, which was a concession by the Applicant, as there were no ways to get two access points into the subdivision.

The Mink and Broad Street traffic light was noted.

Ms. Rodgers asked if the speed limit would be reduced.

Mr. Fulton indicated it would remain at 50 mph, at this point; however, the Public Service Director would have to find certain criteria for the speed limit to be lowered, then go through City Council for approval.

Mr. Boggs stated the design speed for that area is 55 mph.

Wanda Taylor, 7438 Mink Street, Pataskala, was placed under oath.

Ms. Taylor noted her property backs up to the development, and stated concerns for fencing between the properties. Ms. Taylor also voiced her concerns regarding adding a traffic light between the two existing intersections of Summit Road and Mink Street. Ms. Taylor asked if a traffic light is needed, how the light will be triggered.

Mr. Fulton stated upon speaking with the Public Service Director, the light would be triggered if someone is exiting the subdivision.

Ms. Taylor asked if something would be in writing that she and Mr. Carr want a fence between their properties.

Mr. Boggs noted it not being necessary since statements have been made on the record and the hearing is recorded. Mr. Boggs also noted an agreement from the developer and Staff to work on the fencing issue when Phase 3 comes into play.

No further questions were presented.

Mr. Kendall made a motion to approve Final Plan Application ZON-16-006 to include Modification No. 1, "Note "C" on the title sheet shall include "Reserve "C" shall not be constructed on." Seconded by Ms. Rodgers.

Mr. Ripley noted the developers, neighbors and Staff should begin discussions regarding Phase 3 fencing.

A discussion was had regarding modifications for Phase 3 fencing.

Mr. Fulton noted Staff will work with all parties involved to seek a resolution.

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

Next on the Agenda, Preliminary Plan Application PP-17-001, requesting and extension for the property at the end of Forest View Drive.

Mr. Cowan gave an overview of his Staff Report: A final plan for the Ravines at Hazelwood Part was approved by the Planning and Zoning Commission in 2001; however, the final plan was never acted upon and did not proceed to the construction phase of the project. On April 1, 2015, the Planning and Zoning Commission approved the preliminary plan for this subdivision. On March 2, 2016, an extension on the preliminary plan was approved to expire on August 31, 2016. On July 6, 2016, another extension was approved to expire on January 4, 2017. The Applicant is requesting an extension of the approval period for one (1) year, to January 4, 2018. The requested extension would allow the Applicant time to resolve some logistical issues with the proposed subdivision. The Applicant has been taking the necessary steps to correct the issues. Engineering drawings have been submitted to the Public Service Director on November 11 for review. In addition, the bridge portion of the site, which has been problematic for design, is being reviewed by EMHT for revised methods of construction.

Ms. Klema was previously placed under oath.

Ms. Klema noted the bridge being an issue. Ms. Klema read an email from Alan Haines. Ms. Klema noted dialog and reviews have been done. Ms. Klema also stated they are actively trying to get the Phase developed, but the plans need to be done correctly.

Mr. Truex inquired as to the bridge.

Mr. Fulton noted it being located on the northwest corner of the development and go from the current phase into the adjacent Hazelwood subdivision.

Ms. Klema noted the bridge has not been built.

Mr. Boggs asked if there were significant progress over the past six months.

Mr. Fulton noted Staff has seen progress on a consistent basis and sees no issues; they are taking the necessary steps. Because of logistical issues, they need additional time.

Mr. Boggs noted wanting to make sure the extension is okay, based on the City's perception, that everything is moving forward.



Mr. Fulton indicated in the affirmative.

No further questions or comments were presented.

Mr. Truex made a motion to approve an extension of the Preliminary Plan per section 1113.11 of the Pataskala Code for application PP-17-001 that will expire on January 4, 2018. Seconded by Ms. Rodgers. Mr. Ripley, Mr. Truex, Mr. McGowan, Ms. Rodgers, Mr. Boggs and Mr. Kendall voted yes. The motion was approved.

Next on the Agenda, **New Business**, Fee Schedule.

Mr. Fulton reviewed the Fee Schedule, noting this being in the preliminary stage, and the need to simplify and be more accommodating.

Mr. Ripley asked once the schedule is in place for a formal action, it would be a recommendation to Council.

Mr. Fulton noted it would be a code amendment and revised through an ordinance.

A discussion was had amongst the Board and Mr. Fulton regarding possible Fee Schedule changes.

Next on the Agenda, **Other Business**.

Mr. Fulton gave an overview of the Comprehensive Plan and a discussion was had.

Next on the Agenda, **Approval of the December 7, 2016 meeting minutes**.

Mr. Boggs made the motion to approve the minutes from the December 7, 2016 meeting with the noted amendment. Seconded by Mr. Truex. Mr. Truex, Mr. Boggs, Mr. McGowan, Mr. Ripley, Mr. Kendall and Ms. Rodgers voted yes. The motion was approved.

Mr. Truex made a motion to adjourn the meeting. Seconded by Mr. Kendall. Mr. Truex, Mr. Boggs. Mr. McGowan, Mr. Ripley, Mr. Kendal and Ms. Rodgers voted yes.

The meeting adjourned at 8:00 p.m.

Minutes of the January 4, 2017 Planning and Zoning Commission hearing were approved on

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Chairman Boggs