



CITY OF PATASKALA PLANNING AND ZONING COMMISSION

City Hall, Council Chambers
621 West Broad Street
Pataskala, Ohio 43062

STAFF REPORT

July 5, 2017

Final Plan Amendment Application ZON-17-006

Applicant:	Wilcox Communities
Owner:	Wilcox Communities
Location:	Emswiler Way (064-152712-00.001 & 064-152712-00.003)
Acreage:	49.6 acres
Zoning:	PDD – Planned Development District
Request:	Requesting approval of an amendment to an approved Final Development Plan pursuant to Section 1255.20 of the Pataskala Code.

Description of the Request:

The applicant is seeking to amend a Final Development Plan for Subareas B, C and D of the Hazelton Town Center development.

Staff Summary:

The Hazelton Town Center property was rezoned in 2003 to the Planned Development District by the original developer and was designed to be a 107.5-acre mixed use development straddling both sides of State Route 310. Only a portion of the western half of the Hazelton Town Center property was developed; the assisted living facility and the retail. Only the western portion of the Hazelton Town Center property, except the assisted living facility, is being considered as part of this Final Plan Amendment application.

In 2017 Wilcox Communities acquired the western portion of the Hazelton Town Center Property and has renamed it the Pataskala Town Center as part of this application. The following is a summary of each Subarea to be considered as part of this application.

Subarea B – Condominiums

Subarea B was originally Subarea A, which also included the existing assisted living facility. On the original final development plan, Subarea B was to be dedicated to the City; however, the City is no longer interested in acquiring that parcel. Furthermore, any amendment to the existing Subarea A would have effected and required approval from the assisted living facility. Therefore, the applicant reapplied the Subarea B title to this portion of the property to address the issues outlined above. The original Subarea B has been incorporated into the preserve area of the original Subarea A.

As proposed, the property would contain a maximum of 90 single-story condominium units. The condominiums would be housed in four, five and six unit buildings. Each condominium unit would have an outdoor patio, which would encroach into the required setbacks, but is permitted by the Code. Each

condominium unit would have a two-car garage and would have a coach light on the front of the unit. The Code requires as post light; however, the applicant has requested a deviation from this requirement. Subarea B would contain the clubhouse for the condominium development. One illuminated sign would be located at the entrance to Subarea B off Emswiler Way. The interior roads of Subarea B would be private, while the extension of Emswiler Way would be public. Utilities will be public and located within easements. Street lights would be installed throughout the subarea. A summary of the proposed changes to the original final development plan are as follows:

	Original	Proposed
Permitted Uses	Assisted Living Facility, Assisted Living Independent Apartments and Cottages, Condominiums, Daycare Facilities, Religious Institutions, Parks and Playgrounds.	Condominiums
Conditional Uses	Neighborhood or community recreational facilities, public and private schools for academic instruction state accredited	None
Units Per Acre	6 (condominiums)	3.95
Maximum Height	45 feet	25 feet
Minimum Square Footage	900 square feet	1,100 square feet (Two Bedroom)
Perimeter Setbacks	22 feet	25 feet
Landscaping	Per City Code	Deviations Requested
Preserve Area	4.9 acres	10.06 acres

Subarea C – Condominiums/Single-Family Residential

Under the original approval, Subarea C was zoned for single-family homes. As proposed, Subarea C would be zoned for both condominiums or single-family homes. The applicant’s primary choice is to construct the condominiums; however, that decision would be based upon the success of the condominiums in Subarea B. If the applicant determines that the condominiums in Subarea B were not successful, the applicant has stated that they would pursue the construction of the single-family homes. Proposals for the condominiums and single-family homes are shown in the development plan and outlined in the development text.

The condominium proposal would contain a maximum of 84 single-story condominium units. The condominiums would be housed in four, five and six unit buildings. Each condominium unit would have an outdoor patio, which would encroach into the required setbacks, but is permitted by the Code. Each condominium unit would have a two-car garage and would have a coach light on the front of the unit. The Code requires a post light; however, the applicant has requested a deviation from this requirement.

The single-family home proposal would contain a maximum of 49 lots and each home would have a two-car garage. The homes would have a coach light instead of the required post light and a deviation has been requested.

The interior roads of Subarea C would be private, while the extension of Emswiler Way and Richwood Drive would be public. Utilities will be public and located within easements. Street lights would be installed throughout the subarea. The preserve from the previously approved plan will remain. A summary of the proposed changes to the original final development plan are as follows:

	Original	Proposed
Permitted Uses	Single Family Houses, Public Parks and Playgrounds	Single Family Houses, Condominiums
Conditional Uses	Neighborhood or community recreational facilities, public and private schools for academic instruction state accredited	None
Units Per Acre	3.93	4.55 (Condominium) 2.65 (Single Family)
Number of Lots	50	49
Maximum Height	35 feet	25 feet (Condominium) 35 feet (Single Family)
Minimum Square Footage	1,300 square feet (Ranch) 1,800 square feet (Two story)	<u>Single Family</u> 1,300 square feet (Ranch) 1,800 (Two Story) <u>Condominium</u> 900 square feet (One Bedroom) 1,100 square feet (two Bedroom)
Perimeter Setbacks	22 feet	25 feet
Single-Family Setbacks	Front: 30 feet Side: 8 feet Rear: 20	Front: 25 feet Side: 5 feet Rear: 25 feet
Minimum Lot Size	8,500 square feet	6,000 square feet
Landscaping	Per City Code	Deviations Requested
Preserve Area	6.5 acres	7.18 acres

Subarea D – Commercial

Subarea D is the commercial portion of the development and currently has two of the three buildings constructed. In addition to the previously approved third building, the applicant has proposed a different building configuration as an option as part of the development plan. The applicant would like to make the existing right-in right-out a full access entrance and will be working with the City to determine what steps need to be taken in order to accomplish this. The applicant is also considering removing the diagonal street based upon a recommendation by city staff. The path along State Route 310 will be reconfigured and replaced within one year of the completion of a City path project along State Route 310 to the north.

The applicant has proposed two monument signs to be placed in Subarea D, one located in the grassy area by Emswiler Way, the other located next to the existing right-in right-out entrance onto State Route 310. The applicant will pursue a master sign plan at a later date to address the signage in Subarea D.

A summary of the proposed changes to the original final development plan are as follows:

	Original	Proposed
Permitted Uses	Local Business and Multi-Family	General Business
Conditional Uses	Local Business and Multi-Family	General Business
Monument Signs	None	Two
Landscaping	Per City Code	Deviations Requested

Deviations:

The applicant has proposed several deviations as part of their proposal. Below is the text from the development plan outlining the deviation requests and the basis for the requests:

1. The Applicant requests a deviation from section 1283.07(B) & (C) with respect to L2 landscape screening in Subarea C along Richwood Drive & Emswiler Way.
Basis for Request – regarding Richwood Drive, there are a considerable number of driveways on both sides of the street and continuous screening under L2 would not be an appropriate design to use in each front yard. Alternatively, the street trees to be planted pursuant to section 1283.05, as well as the building planting plans, together will provide sufficient landscaping along the street. Regarding Emswiler Way, the intent is for both residential Subareas B & C to be a cohesive neighborhood, and the L2 continuous screening would negatively impact the cohesive feel of the subareas. The Applicant has proposed an alternative landscape design along Emswiler Way with a series of landscape beds and 2” caliper trees, which will maintain a quality appearance but won’t create a negative separation between the subareas.
2. The Applicant requests a deviation from Section 1283.07(B) & (C) with respect to L# landscape screening in Subarea C along the Willis property
Basis for Request – the neighboring Willis property is heavily wooded and does not present a situation where screening would create any benefit for either property.
3. The Applicant requests a deviation from Section 1283.07(B) & (C) with respect to L3 landscape screening and construction of a 7’ fence in Subarea C along the Adjacent Subarea D retail property.
Basis for Request – the neighboring retail property is also owned by the Applicant and a fence and heavy screening will take away from the original intent of creating a ‘town center’ feel with interconnectivity and a cohesive overall neighborhood. The Applicant has proposed an alternative landscape design of twelve evergreen spruce trees installed at 6’-7’ height which will create some visual screening but won’t create such a drastic and negative separation between the subareas.
4. The Applicant requests a deviation from Section 1283.07(B) & (C) with respect to L2 landscape screening in Subarea B along Emswiler Way.
Basis for Request – the intent is for both residential Subareas B & C to be a cohesive neighborhood, and the L2 continuous screening would negatively impact the cohesive feel of the subareas. The applicant has proposed an alternative landscape design along Emswiler Way with a series of landscape bed and 2” caliper trees, which will maintain a quality appearance but won’t create a negative separation between the subareas. Additionally, the proposed landscape design includes an entry feature for the main entry point on Emswiler Way.

5. The Applicant requests a deviation from Section 1283.07(B) & (C) with respect to L4 landscape screening in Subarea B along the electrical easement to the south.
Basis for Request – landscaping plantings cannot be placed in AEP’s electrical easement and the plantings would greatly impact the proposed site plan.
6. The applicant requests a deviation from Section 1283.07(B) & (C) with respect to L3 landscape screening in Subarea B along the adjacent Subarea A nursing home.
Basis for Request – the neighboring nursing home facility is an attractive property which complements the condominium development, and heavy screening will take away from the original intent of creating a ‘town center’ feel with interconnectivity and a cohesive overall neighborhood. The Applicant has proposed an alternative landscape design of twenty evergreen spruce trees installed at 6’-7’ heights which will create some visual screening but won’t create such a drastic and negative separation between the subareas.
7. The Applicant requests a deviation from Section 1121.015(B) with respect to pole-type lights in the front yard of each lot in the condominium subareas.
 Basis for Request – each condominium will have decorative coach lights on the building and street lights will be installed throughout the community

Staff Review: *The following summary does not constitute recommendations but merely conclusions and suggestions from staff.*

Due to the number of changes being made, staff has attached a map of the original subarea layout to give the Planning and Zoning Commission a better perspective of what was originally approved.

The City is aware of the water pressure issue that currently exists in the Sugar Mill subdivision and how the addition of 174 residential units in the area would exacerbate that issue. As part of this project the Utilities Department has begun an investigation on what options are available. Although the investigation has yet to be completed, the Applicant understands the issue and has agreed to work with the City on corrective measures. The Utilities Department has provided comments and a possible modification has been added below to address this issue.

Surrounding Area:

Direction	Zoning	Land Use
North	PDD – Planned Development District LB – Local Business	Single Family Homes Vacant
East	PDD – Planned Development District	Farm Land
South	AG – Agriculture	Farm Land
West	AG - Agriculture	Farm Land

Rezoning Approval:

Pursuant to Section 1255.20 of the Pataskala Code, the Planning and Zoning Commission shall consider approval of Final Development Plan in accordance with the following criteria:

1. The Final Development Plan conforms in all pertinent respects to the approved Preliminary Development Plan, provided that the Planning and Zoning Commission may authorize plans amended as specified in Section 1255.14.
2. That the proposed development advances the general health and safety of the City of Pataskala.
3. That the Planning and Zoning Commission is satisfied that the developer has provided sufficient guarantees or demonstrates possession of the requisite financial resources to complete the project.
4. That the interior road system, proposed parking, and any off-site improvements are suitable, safe, and adequate to carry anticipated vehicular and pedestrian traffic generated by and within the proposed development and to adjacent property.
5. The development has adequate public services and open spaces.
6. The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with any applicable regulations.
7. The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity.
8. Signs, as shown on the submitted sign plan, will be of a coordinated effect throughout the planned district, and with adjacent development; are of appropriate size, scale, design, and relationship with principal buildings the site and surroundings, so as to maintain safe and orderly pedestrian and vehicular circulation.
9. The landscape plan adequately enhances the principal buildings and site; maintains existing trees to the extent possible; buffers adjacent incompatible uses; breaks up large expanses of pavement with natural materials; and utilizes appropriate plant selections for the buildings, site and climate.
10. That the existing and proposed utilities, including water and sewer service, and drainage will be adequate for the population densities and nonresidential uses proposed in the Planned Development District and complies with applicable regulations established by the City or any other governmental entity which may have jurisdiction over such matters.
11. Phases of projects are planned so that these conditions are complied with to meet the needs of that phase upon its completion.
12. That any other items shown in the final development plan or in the accompanying text be addressed to the Planning and Zoning Commission's satisfaction.

Department and Agency Review

- Zoning Inspector – No Comments
- City Engineer – See attached
- Public Service – See attached
- Utilities Department – See attached
- Police Department – No Comments
- West Licking Joint Fire District – See attached
- Southwest Licking School District – No Comments

Modifications:

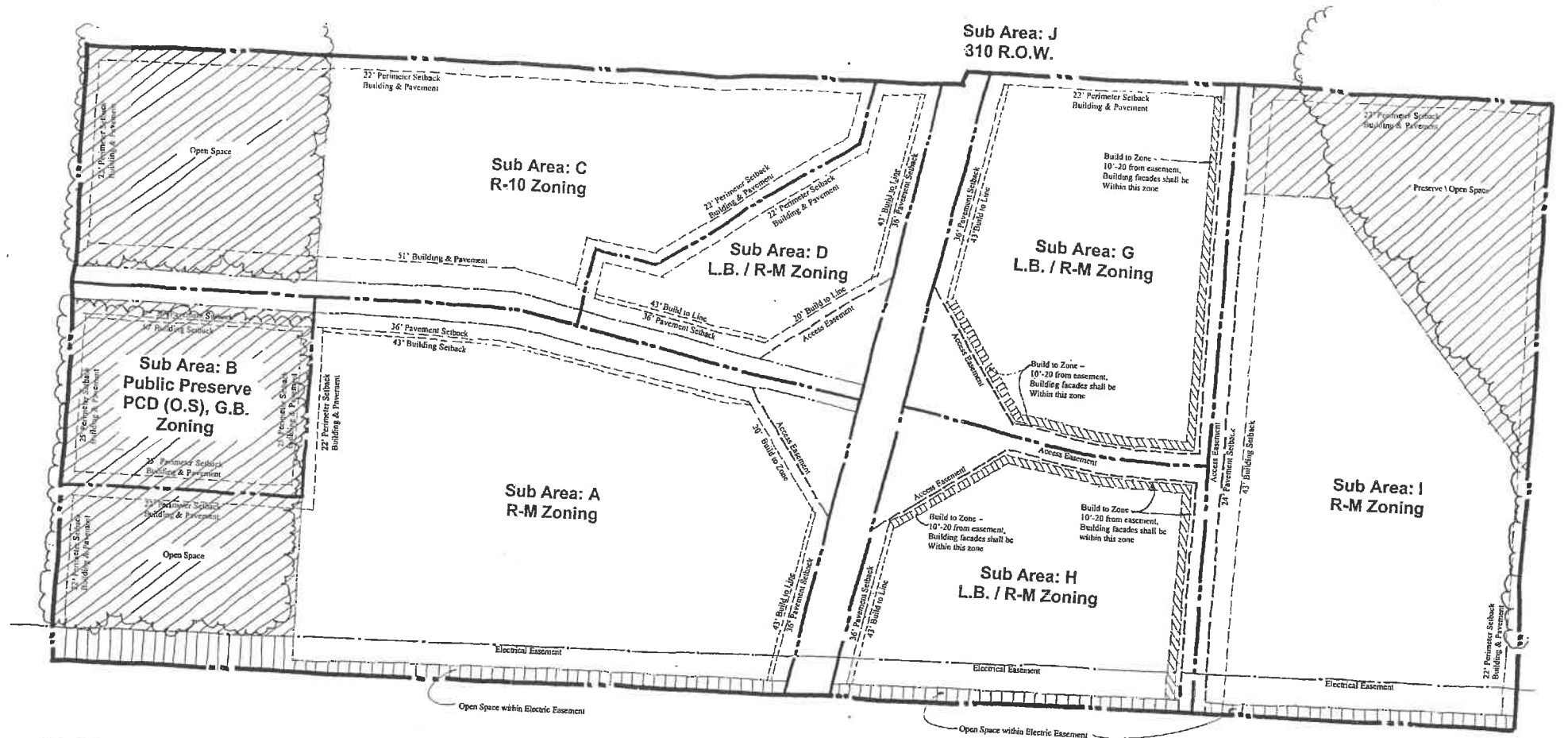
Should the Board choose to approve the applicant's request, the following modifications may be considered:

1. The applicant shall change the name of the development since a "Pataskala Town Center" already exists in Harrison Township.
2. The applicant shall submit revised landscaping plans that fully address the provisions addressed in the development text and shall include the revised landscaping plans as part of the development plan.
3. The applicant shall clarify in the development text that conditionally permitted uses of the GB – General Business District shall be conditionally permitted in Subarea D.
4. Regulations for the patios shall be described in the development text and indicated in the development plan.
5. The minimum square footage requirements for condominiums in Subareas B and C shall be clarified in the development text.
6. The proposed deviations shall be approved pursuant to Section 1255.14(b)(3)(A) of the Pataskala Code.
7. In the development text under Subarea C, "Typical Lot Size" shall be revised to say "Minimum Lot Size".
8. The applicant shall complete the entirety of Emswiler Way as delineated on the development plan as part of Phase 1 of the project.
9. The note on sheet 3 of the development plan stating "Temporary Knock Down Bollards (To be removed when the construction of Phase 2 is complete)" shall be removed.
10. The applicant shall address all comments of the City Engineer
11. The applicant shall address all comments of the Public Service Department.
12. The applicant shall address all comments of the Utilities Department.
13. The applicant shall address all comments of the West Licking Joint Fire District
14. A complete set of Construction Plans shall be submitted for review and approval prior to any construction activity.

Resolution:

For your convenience, the following resolution may be considered by the Planning and Zoning Commission when making a motion:

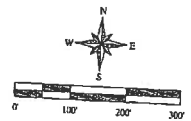
"I move to approve rezoning application number ZON-17-006 pursuant to Section 1255.20 of the Pataskala Code. ("with the following modifications" if modifications are to be placed on the approval)."



Sub Area	Land Use	Gross Acreage	Existing R.O.W. Acreage	Proposed R.O.W. Acreage	Electric Esmt. (net of ROW & DS esmt.)	Preserve / Open Space (net of Row)	30' Open Space Esmt. (net of ROW)	Net Developable Acreage
A	Retirement Community	26.7		1.7	1.3	4.8	1.7	17.4
B	Public Preserve	5.8		0.4	0.0	4.9	0.0	0.5
C	Single Family	19.2		1.0	0.0	6.5	0.0	11.7
D	Retail Out Parcel	6.3		0.9	0.0	0.3	0.0	5.1
Totals West of 310		58.0		4.0	1.3	16.3	1.7	34.7
C	Town Center	12.1		0.5	0.0	0.3	0.0	11.3
H	Town Center	10.4		0.6	1.0	0.4	0.5	7.9
I	Community Recreation	23.7		0.0	1.0	6.8	0.5	15.6
Totals East of 310		46.2		1.1	2.0	7.3	1.0	34.8
J	310 R.O.W.	3.3	2.9	0.4	0.0	0.0	0.0	0.0
Overall Totals		107.5		5.5	3.3	23.6	2.7	69.5

Net Existing Site: (107.5 - 2.9)
 Total Open Space Provided: (23.6 + 2.7)

104.6
 26.3 25.1%



From: Jim Roberts
To: [Scott Fulton](#); [Alan Haines](#); [Zachary Cowan](#)
Cc: [Scott Haines](#)
Subject: Pataskala Town Center
Date: Sunday, May 21, 2017 10:54:24 PM

Gentlemen, at your request, Jobes Henderson & Associates, Inc. has reviewed the 'Final Development Plan Amendment' submitted for the Pataskala Town Center. This was submitted for review by the Board of Zoning Appeals. It should be noted that the full engineering plan review will generate many more comments from JHA, but we will offer comments on this submittal to help address any concerns before the final plans are developed.

Based on our review of this submittal, we offer the following comments:

1. We note in the narrative that land on the east side of SR 310 that was originally part of the development is now not included. Some concerns about access to that land and other impacts as they relate to the development on the west side will need to be addressed.
2. There are many items of interest and concern tied to the traffic study that is yet to be completed. We cannot comment on modifying the right-in/right-out or the main intersection until those studies are complete.
3. It would be a very unique situation to modify a speed limit for the benefit of a private development. If the city sees a benefit in evaluating the reduction of the speed limit for the good of the city, that is a different issue. We will want to consider whether the city will allow the developers consultants to perform this work or if it should be done independently.
4. The density, building design, landscaping, and signage are not areas where JHA will offer comments to the city with our engineering review.
5. We note that Emswiler Way and Richwood Drive are expected to be public streets and the other streets are to be private.
 1. Drive spacing requirements of the city may be violated with the layout as shown. This is an item that must be evaluated as the plans proceed.
 2. We do not agree that no turnaround is needed at the dead end of Emswiler Way between the Phase 1 and Phase 2 work. The only place to turn around would be on private property (Town Center Way) which is not an acceptable option.
 3. What is the future status of Emswiler Way? We see one note that says it will be extended to the west in the future, and we see another where Preserves 1 and 2 will not be impacted. Clarity is needed for master planning of the transportation system on the part of the city.
 4. When phase 2 is constructed, and permanent turnaround will be required at the end of Emswiler Way.
 5. A permanent turnaround will be required at the end of Cottonwood Drive.
6. The preliminary utility plan is not clear enough to offer any review comments on it at

this point. This will happen with the formal engineering plans. Just a couple of comments based on what we can see:

1. It looks like maybe there are two waterlines along Emswiler Driven one 8" and one 12". If so, what is the reason for this?
2. Waterline looping will be important for this development. This will also be evaluated during the plan review.

We appreciate the opportunity to work with the city on this review and we look forward to continuing to work with you as this project moves forward. Please let us know if there are any questions or if we can help in any other way.

Thanks.

Jim

James G. Roberts, P.E.
PRESIDENT

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From: Jim Roberts
To: [Zachary Cowan](#)
Cc: [Alan Haines](#); [Scott Fulton](#); [Scott Haines](#)
Subject: July 5 P&Z Meeting
Date: Wednesday, June 21, 2017 8:38:16 AM

Zack,

Jobes Henderson & Associates, Inc. has reviewed the packet for the July 5 Planning and Zoning Commission hearing. From the information we received, we note there is only one case on the agenda. We offer the following comments:

Case ZON-17-006 Final Plan Amendment - Pataskala Town Center

We have reviewed and commented on this site with the Preliminary Plan, and construction documents have not yet been submitted or reviewed. Therefore, we offer the following general comments:

1. Both the Traffic Impact Study and the Final Construction Plans must be reviewed by the city. The majority of our comments will be generated once those documents are submitted.
2. Our comments from the Preliminary Plan that have not been addressed still apply.
3. The Traffic Impact Study will generate considerable discussion. However, at this high level review stage, we do not see how the two angled drives that connect Emswiler Way to SR 310 can remain in place. There are multiple, significant issues with these:
 1. They violate intersection spacing on both roadways they connect to.
 2. They are at unacceptable skews on both roadways they connect to.
 3. SR 310 is a Major Collector at a minimum, and is also an ODOT facility. Allowing this configuration there would violate many ODOT requirements as well.
4. A master utility plan has been submitted. While we do not see any major issues based on that plan sheet, a more thorough review of the utilities will be forthcoming with the construction plan review.
 1. We would note a concern with what we perceive to be many bends on the waterline as shown. These can become areas of future maintenance problems so bends and fittings will need to be minimized in the final plan.

These are our only comments based on the plan information submitted. Again, our primary review will be based on the construction plans and stormwater calculations once those are submitted for review.

Thank you for the opportunity to provide this service to the city and please feel free to contact us with any questions or concerns.

Jim

James G. Roberts, P.E.

PRESIDENT

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From: [Alan Haines](#)
To: [Zachary Cowan](#)
Cc: [Scott Fulton](#)
Subject: ZON-17-006
Date: Thursday, June 29, 2017 5:07:06 PM

Zach,

Please see my comments below for the subject application:

1. Cover page, note 3
 - a. Right-of-way widths and street sections to be addressed in engineering plans.
2. Cover pager, code deviations, note 1 - Temporary turn-around at the end of Emswiler Way
 - a. The phasing as shown to include a stub for Richwood Dr. meets the intent of the temporary turn-around.
3. Sheet C200, note 2/Left turn lane modification as detailed in the text of the Final Development Plan Amendment
 - a. The process as described for proposed modifications, with all studies and all related costs being the responsibility of the developer, and verification and acceptance being required by the City before any improvements are made is acceptable.
4. Right-of-way for Emswiler Way needs to extend to the western property boundary and read "proposed right-of-way" instead of future right-of-way.

Regards,

Alan W. Haines, P.E.
Public Service Director
City of Pataskala

621 W. Broad Street
Suite 2B
Pataskala, Ohio 43062

Office: 740-927-0145
Cell: 614-746-5365
Fax: 740-927-0228

From: [Nathan Coey](#)
To: [Scott Fulton](#)
Subject: Wilcox
Date: Friday, June 23, 2017 12:01:29 PM

Something like this, is this ok?

Utility Department conditional approval (water and sewer) pending system wide hydraulic study. The study intent is to identify the potential impact to the system with options for infrastructure improvements as warranted based on study results. The Utility Director will not comment, nor approve or sign off on the development until final study report is completed.

Nathan W. Coey
Utility Director
City of Pataskala
621 W. Broad Street
Suite 1-D
Pataskala, Ohio 43062
Office: 740-927-4134
ncoey@ci.pataskala.oh.us

“Integrity is doing the right thing, even when no one is watching.”
C.S. Lewis

From: Singleton, John
To: [Zachary Cowan](#)
Cc: [White, Doug](#)
Subject: FP-17-001 ZON-17-006
Date: Tuesday, May 16, 2017 12:54:00 PM

Zack,

Please disregard yesterday's email. I was less rushed and had more time to look at the plans today. Below are the following comments:

Hazelwood Section 5 Part 1:

1. Fire hydrant on Corylus Dr. at Sta 16 needs to move North to within 50' of the intersection of Burtwood Dr.
2. Fire hydrant on Corylus DR. at Sta 24 needs to move North to within 50' of the intersection of Keela.
3. Fire hydrant on Keela at Sta 23.75 can be eliminated.

Wilcox Communities

1. All of the fire hydrants need to move to within 50' of intersections and corners throughout the project. The only one that does not need to be relocated is the fire hydrant on the stub street at the Northeast corner of the development.
2. Parking on the fire hydrant side of the streets is prohibited, and signs need to be posted.

This concludes our comments at this time. We will see you at the TRC on May 17 at 9:30 a.m.

Yours in Safety,

John R. Singleton
Fire Prevention Officer

West Licking Joint Fire District
851 East Broad Street
Pataskala, Ohio 43062
740-927-3046 Office
740-964-6621 Fax

www.westlickingfire.org





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