

CITY OF PATASKALA PLANNING AND ZONING COMMISSION

Public Hearing Minutes

**Wednesday, March 6, 2019**

The City of Pataskala Planning and Zoning Commission convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, on Wednesday, March 6, 2019.

Present were:

Rick Boggs, Chairman  
Jerry Truex, Vice Chairman  
Robert Beggerow  
Dustin Epperson  
Darin McGowan  
Randall Ripley  
Anne Rodgers

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Director of Planning  
Jack Kuntzman, City Planner  
Lisa Paxton, Zoning Clerk

Also Present:

Alan Haines, Public Service Director

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

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

***Rezoning Application ZON-18-004 remained tabled.***

Mr. Boggs made a motion to modify the agenda. Seconded by Mr. Truex. Ms. Rodgers, Mr. McGowan, Mr. Epperson, Mr. Beggerow, Mr. Boggs, Mr. Ripley and Mr. Truex voted yes. The motion was approved.

***First on the Agenda, Transportation Corridor Overlay district Application TCOD-19-001.***

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant is requesting approval of a Transportation Corridor Overlay District Permit for a 42-unit apartment complex. Mr. Kuntzman noted the tabled Variance. A summary was given regarding the proposed development, including parking, access, signage, landscaping and lighting. The proposed development is not in line with the Comprehensive Plan; however, the property is currently zoned RM-Multi-Family Residential, which apartments are a permitted use. Department and Agency comments were noted. Modifications were noted.

A discussion was had regarding the tabled variance.

Mr. Epperson noted the 2006 future land use being high density residential and inquired as to when the property was zoned.

Mr. Fulton stated Jefferson Meadow Condominiums complex was to continue onto this property, however, the recession stopped the development.

Mr. Truex asked if walkways or paths would join the communities.

It was noted Jefferson Meadows being a private complex.

Mr. Boggs noted an issue with the public notifications.

A discussion was had regarding the apartment's elevations and parking.

Ms. Rodgers inquired as to restricting the number of adults per unit.

Mr. Fulton stated he doesn't believe the City can legally restrict the amount of adults per unit.

Ms. Rodgers indicated reading the Ohio Fair Housing Law allowing the restrictions of adults but not children. Ms. Rodgers also has concerns regarding the number of spaces for parking.

Jason Heitmeyer, 7010 Deer Run Road, Pickerington, Ohio was placed under oath.

Mr. Heitmeyer stated he is a local builder and his intention is to create a beautiful apartment complex. He further noted being in contract with a neighboring property owner to purchase the property, subject to the approval of the lot split.

Modifications were noted.

Overflow parking was noted.

Ms. Rodgers asked if there would be a restriction of adults per unit.

Mr. Heitmeyer stated he had not considered restrictions.

Mr. Rodgers inquired as to unit pricing.

Mr. Heitmeyer indicated \$1,400 for a three-bedroom and \$1,300 for a two-bedroom.

Ms. Rodgers noted concerns regarding multiple adults living in one unit.

Mr. Heitmeyer indicated he appreciates the comments and will take them into consideration.

Security was noted, along with garage parking and storage.

Dumpster access was noted.

Scott Sands, PE, Sands and Decker, 1495 Old Henderson Road, Columbus, was placed under oath.

Mr. Sands noted analyzing the turning movements on the property for fire engines, refuse collection trucks, and will look to see if there's a better way to reconfigure the dumpster location.

Apartment interior was noted.

Gena Latimer, 422 Hillgail Circle, was placed under oath.

Ms. Latimer noted concerns regarding school overcrowding, traffic, parking issues, lighting for safety and the need for senior housing.

Gary Sunderman, 652 Monticello Court, was placed under oath.

Mr. Sunderman noted concerns with density and safety.

Nancy Arledge, 459 Middleground Road, was placed under oath.

Ms. Arledge noted concerns regarding apartments, safety, traffic and public service access.

Deborah Gutman, 5177 Watkins Road, was placed under oath.

Ms. Gutman noted the development and design not being in sync with the community. Traffic concerns were noted.

Barbara Bise, 5419 Watkins Road, was placed under oath.

Ms. Bise noted property value, traffic concerns.

Eric Fahner, 667 Forward Pass Road, was placed under oath.

Mr. Fahner asked if a traffic study was prepared.

Mr. Fulton stated no requirement for a traffic study.

A discussion was had regarding engineering plans, drainage and turn lane.

Mr. Fahner requested a traffic study to be done. Concerns regarding lighting, school bus stops, parking and fire department access were noted.

Kandee Engle, 177 Trail East, Etna, was placed under oath.

Ms. Engle noted concerns regarding high density, school district capacity and busing.

Bob Jennell, Superintendent of Southwest Licking Schools, was placed under oath.

Mr. Jennell stated not opposed to growth, however, noted concerns with school capacity, traffic issues and infrastructure.

Ryan Young, 214 Aston Court, was placed under oath.

Mr. Young noted traffic and safety concerns.

Drew Clark, 174 Wintergreen Loop, was placed under oath.

Mr. Clark noted public notification concern. Traffic and safety concerns were noted, along with the need for a traffic study.

Jana Davis, 5419 Watkins Road, was placed under oath.

Ms. Davis noted security concerns and property values.

Tim Barrett, 575 Richmond Drive, was placed under oath.

Mr. Barrett noted concerns regarding the landscaping waiver.

Beth Sexton, 5447 Watkins Road, was placed under oath.

Ms. Sexton noted property value, traffic and crime concerns.

Mr. Heitmeyer stated the fire department reviewed and approved the site plan. The right-in turn lane, recreation equipment and lighting was noted.

A discussion was had regarding adding "security" to the modifications.

Mr. Truex inquired as to a traffic study.

Mr. Haines gave an overview of an impact study and access study.

A discussion was had regarding school bus stop safety.

Parking access and garages were noted.

Mr. Ripley indicated that in the past, developers and neighbors would meet to identify issues and find common ground.

Ms. Rodgers would like an impact study to be completed.

Further discussion was had regarding an Impact study.

Mark Van Buren, 4832 Keller Road, Hebron, was placed under oath.

Mr. Van Buren suggested a service road.

A discussion was had regarding tabling the application.

Mr. Truex made a motion to table Transportation Corridor Overlay District TCOD-19-001. Seconded by

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

Recess was taken.

***Next on the Agenda, Rezoning Application, ZON-19-003, Grand Communities.***

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant is requesting approval of a Preliminary Plan to develop a 211-lot Planned Development District "Sage Pointe". The property is an 84.18 acre property that is currently zoned R-87, Medium-Low Density Residential District. Lot size, access points, emergency access and landscaping were reviewed. Department and Agency comments were noted.

A discussion was had regarding tabling the Application to resolve the Department and Agency concerns.

Ms. Rodgers inquired into prior rezoning attempts.

Mr. Fulton noted drainage had been a concern with previous rezoning requests.

Amanda Webb, 3940 Olympic Boulevard, Erlanger, Kentucky was placed under oath.

Ms. Webb gave an overview of the development plan. Offsite improvements, open space, trails, ponds and development layout were reviewed. Ten acres dedicated to the Licking Heights School District was noted. Ms. Webb noted a traffic study being completed and improvements will be made.

Mr. Beggerow inquired as to pricing of the homes.

Ms. Webb indicated mid- to high-2s, up to the mid-3s.

Divergences were discussed.

Ms. Rodgers asked for a clarification regarding the letter from the Licking Heights School Districts.

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

Ms. Klema indicated meeting with the school district three times, and noted conversations with Dr. Wagner.

Ms. Rodgers asked what Dr. Wagner meant by, "offering to partner on future projects to help the area".

Ms. Klema stated she did not know.

Ms. Klema gave an overview of the development plan.

Traffic impact study was discussed.

Mr. Epperson noted cluster housing concerns.

Sidewalks were discussed.

Staff comments were noted.

Mr. Boggs asked for a clarification regarding the narrative of “development standards for the school bus sub area”.

Ms. Webb noted it being a protection in case the school did not accept the 10 acre dedication.

Jericka Zuckerman, 6368 Summit Road, was placed under oath.

Ms. Zuckerman noted concerns regarding density, school capacity, property values, roads and drainage concerns.

Ryan Lammers, 110 Ashley Lane, was placed under oath.

Mr. Lammers noted concerns regarding density, fire department access, schools, traffic and property value.

Jody Bowen, 13645 Cleveland Road, was placed under oath.

Ms. Bowen noted concerns regarding density, traffic and safety.

Susan Holmes, 6334 Summit Road, was placed under oath.

Ms. Holmes noted concerns regarding storm drainage issues, traffic and schools.

Destiny Coleman, 6335 Summit Road, was placed under oath.

Ms. Coleman noted traffic concerns, narrow roads, school capacity.

Ms. Klema noted the open space does not include the 10 acre dedicated lot.

Mr. Boggs made a motion to table Rezoning Application ZON-19-003. Seconded by Mr. McGowan. Mr. Epperson, Mr. Beggerow, Mr. Boggs, Mr. Ripley, Mr. Truex, Mr. McGowan and Ms. Rodgers voted yes. The motion was approved.

***Next on the Agenda, Rezoning Application, ZON-19-001.***

Mr. Kessler requested Rezoning Application ZON-19-001 to be tabled. Mr. Kessler gave an overview of his request, noting office hours will be 1:00 to 3:00 p.m. on Fridays, and other times by appointment only.

Terry Allen, 63 Highland Hollow, was placed under oath.

Ms. Allen noted owning property on Oak Meadow Drive, and has concerns regarding a used car lot, traffic and safety.

Mr. Ripley made a motion to table Rezoning Application ZON-19-001. Seconded by Mr. Epperson. Mr. Ripley, Ms. Rodgers, Mr. Beggerow, Mr. McGowan, Mr. Truex, Mr. Boggs and Mr. Epperson voted yes. The motion was approved.

***Next on the Agenda, Rezoning Application, FP-19-001, Broadmoore Commons.***

Mr. Kuntzman gave an overview of the Staff Report, noting a divergence for 50-foot tree spacing, and a pedestrian path. Modifications were noted. Department and Agency comments were noted.

No further comments were given.

Mr. Truex made a motion to approve Final Plan Application FP-19-001 with the following modifications:

1. The Applicant shall address all comments from Planning and Zoning Staff.
2. The Applicant shall provide acceptable growth habitat documentation for the Boulevard American Linden.
3. The Planning and Zoning Commission shall approve variances for the following:
  - a. 1283.05(a), to allow for the spacing of street trees at 50-feet instead of 30-feet.
  - b. 1283.02(2), to allow for the path in Phase 5 to be installed in lieu of replacement trees in Phases 2 & 3.

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

***Next on the Agenda, Rezoning Application, FP-19-002, Broadmoore Commons.***

Mr. Kuntzman gave an overview of the Staff Report, noting a divergence for 50-foot tree spacing, and a pedestrian path. Modifications were noted. Department and Agency comments were noted.

Pedestrian paths were discussed.

Mr. Truex made a motion to approve Final Amendment Application FP-19-002, with the following modifications:

1. The Applicant shall address all comments from Planning and Zoning Staff.
2. The Planning and Zoning Commission shall grant divergences from the following:
  - a. 1283.05(a), to allow for the spacing of street trees at 50-feet instead of 30-feet.
  - b. 1283.02(2), to allow for the path in Phase 5 to be installed in lieu of replacement trees.

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

***Next on the Agenda, Code Amendment Application ZON-19-002, City of Pataskala, Unsafe Structures.***

Mr. Fulton gave an overview of the Staff Report, noting amending Section 1315 of the Pataskala Code to correct the discrepancy with the time allotted to demolish a structure, and to align with demolition regulations in Section 1221.06; provide provisions for emergency demolitions, allowing the City to take

appropriate action if a building or structure poses an immediate threat to the public welfare; and to edit terminology for consistency.

No questions or comments were presented.

Mr. Boggs made a motion to recommend approval of Code Amendment Application ZON-19-002 to City Council. Seconded by Ms. Rodgers. Mr. Epperson, Mr. Beggerow, Mr. Boggs, Mr. Ripley, Mr. Truex, Mr. McGowan and Ms. Rodgers voted yes. The motion was approved.

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

No other business was given.

***Next on the Agenda, approval of the February 6, 2019 regular meeting minutes.***

Mr. Ripley made a motion to approve the February 6, 2019 regular meeting minutes. Seconded by Mr. Epperson. Mr. Truex, Ms. Rodgers, Mr. Epperson, Mr. Beggerow, Mr. Boggs, Mr. McGowan and Mr. Ripley voted yes. The motion was approved.

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

The hearing was adjourned at 10:30 p.m.

Minutes of the March 6, 2019 Planning and Zoning Commission hearing were approved on

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