



**City of Pataskala Planning & Zoning Department**  
**Scott Fulton, Director of Planning**  
*Director of Planning's Report to Council*

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**Current Projects**

➤ **Planning and Zoning Commission**

**April 3, 2024 Hearing:** The following applications are scheduled to be heard at the April 3, 2024 Planning and Zoning Commission hearing:

- Application PM-24-001: Red Rock Investment Partners, LCC is requesting a recommendation of approval of a Planned Manufacturing application pursuant to Section 1253.10 of the Pataskala Code for the property located at 3000-3007 Etna Parkway (Parcel No. 064-152862-00.001). (*Tabled March 6, 2024*)
- Application ZON-24-004: The City of Pataskala is requesting a recommendation of approval to amend Chapter 1257 – Flood Damage Prevention and Flood Plain Overlay District (FP) pursuant to Section 1217.07 of the Pataskala Code.

➤ **Board of Zoning Appeals**

**April 9, 2024 Hearing:** No applications were submitted for the April 9, 2024 Board of Zoning Appeals hearing; therefore, the meeting has been canceled.

➤ **Ordinance 2023-4458**

- Fair Lady Development Holdings, LLC is requesting to rezone +/- 192.666-acres from the RR – Rural Residential and R-87 – Medium-Low Density Residential districts to the PM – Planned Manufacturing district pursuant to Section 1217.13 of the Pataskala Code for properties located at 0 Clark State Road, 0 Summit Road and 14530 Graham Road (PID: 063-140550-00.000, 063-141840-00.000, 063-151764-00.000, and 063-145944-00.001).
- The Planning and Zoning Commission recommended disapproval of the application on October 4, 2023.
- A Council public hearing was scheduled for December 4, 2023 at 6:00pm, but has been postponed until January 16, 2024 at 6:00pm
- Staff were requested to prepare a list of the Planning and Zoning Commission's concerns regarding the Fair Lady rezoning and staff's assessment of how the updated PM – Planned Manufacturing regulations would, or would not, address these concerns.
- The first reading of the ordinance was on January 22, 2024 and was subsequently tabled.
- Staff received a copy of proposed easement language designed to address concerns and is in the process of reviewing and commenting on the language.

- Staff reviewed the proposed easement language and provided comments to the applicant on February 22. Staff is awaiting a revised copy of the proposed easement language.
- On March 8, 2024 revised easement language was submitted based upon staff's comments; however, the property owner left a voicemail on March 7, 2024 indicating that she wanted the City to cease all activity related to the project. She stated that she has other plans for the property.
- On March 13, 2024, the issue stemming from March 7, 2024 was resolved and the ordinance remained on the agenda.
- On March 20, 2024 staff provided additional comments (attached) on the revised easement language.
- Staff is happy to answer any questions related to this rezoning ordinance.

➤ **Ordinance 2024-4464**

- Ryan Badger, Badger Land Concepts, is requesting to rezone five (5) lots, totaling 1.242 +/- acres, from R-20 – Medium Density Residential to GB – General Business pursuant to Section 1217.13 of the Pataskala Code for the properties located at 8855 East Broad Street and 18 South Belmar Drive.
- The Planning and Zoning Commission recommended approval of the application on March 6, 2024.
- A Council public hearing is scheduled for May 20, 2024 at 6:30pm.

➤ **Ordinance 2024-4465**

- Ryan Badger, Badger Land Concepts, is requesting to rezone 0.41 +/- acres from R-20 – Medium Density Residential to GB – General Business pursuant to Section 1217.13 of the Pataskala Code for the property located at 43 South Belmar Drive.
- The Planning and Zoning Commission recommended approval of the application on March 6, 2024.
- A Council public hearing is scheduled for May 20, 2024 at 6:45pm.

➤ **Ordinance 2024-4466**

- Connie K. Klema is Requesting a recommendation of approval to rezone three (3) properties, totaling 136.75 +/- acres, from AG – Agricultural to PM – Planned Manufacturing with a Planned District Overlay pursuant to Sections 1217.13 and 1261.06 of the Pataskala Code for the properties located at 7482 Columbia Road and 0 Columbia Road.
- The Planning and Zoning Commission recommended approval of the application on March 6, 2024.
- A Council public hearing is scheduled for May 6, 2024 at 6:15pm.

➤ **Ordinance 2024-4467**

- The City of Pataskala is requesting to amend Chapter 1257 – Flood Damage Prevention and Flood Plain Overlay District (FP) pursuant to Section 1217.10 of the Pataskala Code.
- A Council public hearing is scheduled for May 6, 2024 at 6:45pm.

➤ **100 Connor Avenue**

- The Planning and Zoning Department has been working on an ongoing code violation of Section 1223.05(a)(2) for litter, refuse and debris since October of 2022.
- As this has not achieved compliance, the Planning and Zoning Department may refile the case as a violation of Chapter 723 – Junk Yards, identifying the property as an illegal junk yard and giving the City the authority to clean up the property, if so desired.
- The Planning and Zoning Department will keep Council apprised of this case as more information is known.

➤ **Pataskala CRA's**

- The Planning and Zoning Department has compiled information on the existing CRA's within the City for assessment and provided them to the Montrose Group.
- This assessment will determine the efficiency of existing CRA areas and determine if they should be expanded, retracted, or otherwise adjusted.
- Staff has completed the CRA Process Guide so that all parties (Council, Administration and the Company) are on the same page and know what to expect when navigating the CRA process. It is designed to be policy, rather than legislation, so that it can remain flexible.
- Staff and Montrose are working on the creation of a CRA for the northwest "innovation" district as outlined in the Comprehensive Plan.
- Staff presented a summary of the proposed Northwest Innovation District CRA to the Development Committee on June 21, 2022 for consideration. The Development Committee recommended that staff proceed with the formal creation of the CRA.
- A draft ordinance is currently under review by the Law Director. Once completed it, and associated CRA creation documents, will be presented to Development Committee.

➤ **Comprehensive Plan**

- The Planning and Zoning Department has identified the Economic Development goals outlined in the Comprehensive Plan for implementation and has reviewed them with Montrose and the City Administrator.
- The Planning and Zoning Department is prioritizing the planning and zoning goals outlined in the Comprehensive Plan for implementation. It is likely that Conservation Rural/Suburban regulations will be the first item addressed.
- With the passage and implementation of Impact Fees, staff has completed Action 6.3.1 of the Comprehensive Plan which states: "Consider the use of impact fees as a tool plan for and cover the cost associated with future development".

- Montrose is working on the creation of a CRA for the northern “innovation” district as outlined in the Comprehensive Plan as Action 4.2.2 which states: “Continue to market and explore opportunities for the northern innovation district”.
- Staff is working on the creation of the Summit Road TIF as outlined in the Comprehensive Plan as Action 2.2.2 which states: “Establish the area as a primary showplace for the City through public and private improvements”.
- Staff was asked to prepare a progress list for the goals and objectives contained in the Comprehensive Plan.

## Fair Lady Easement Comments – March 20, 2024

### General

1. Looks like the first parcel number in the first Whereas is missing a zero. Should be parcel number 063-141840-00.000. **Fixed**
  - Agreed
2. Should the parcel in Jersey Township along Morse Road (Parcel No. 082-107646-00.000) be included in the easement, specifically in regards to access? **No. This property will be developed separately in Jersey Township and may have access off Summit Road so there is no reason to include this property in the easement.**
  - Understood
3. Is the applicant planning on platting the property or doing lot splits? The City's preference is that the interior roads are private. As properties are split and subsequently sold, it could create issues (inadequate public road frontage, etc.) that could require a variance at a later date. **The initial division will be a lot split. It may be advisable or necessary to plat in the future. It is the intention that roadways will be private and we understand that variances could be necessary for future splits.**
  - Understood, but the proposed layout will likely result in the need for variances. This worries me a little.
4. If the property is platted, should this easement language be reflected on the plat? **If the property is platted in the future, yes, this easement can be reflected on the plat.**
  - Understood
5. Should there be a Whereas about the City's desire to ensure that appropriate measures are taken regarding the items listed and establish an enforcement mechanism if they are not? **Fixed.**
  - Agreed
6. Should the City be a signatory to the easement? **Fixed.**
  - Agreed
7. The language jumps between "Parcels", "Property", and "Land". Shouldn't be the same term throughout? **No "Property" refers to the all of the parcels collectively as they exist today; "Parcels" refers to each "lot" that will be created after subdivision. The term "land" is only used as it relates to legal requirements (ie: the declaration runs with the land is legal terminology that is necessary for this Declaration to follow in the chain of title).**
  - Understood
8. Can we indicate that any "violation" of the easement shall be handled in the Pataskala Mayors Court? **Fixed.**
  - Agreed
9. What is the penalty for "violation" of the easement requirements? **It should be treated as any zoning violation. See added language.**
  - Agreed

10. What are the notification requirements of a “violation”? Again, it should be treated as any zoning violation. **It should be treated as any zoning violation under Chapter 1209.**
  - Agreed

#### Water and Sewer Service

1. Has the South West Licking Water and Sewer District provided comment on the proposed language so as to not conflict with their desires and/or regulations? **We are in continual discussions with SWLWSD and we do not see any conflict at this time.**
  - Understood
2. Depending on how the water and sewer lines are run to the property, should a maintenance agreement be established in this document? For example, a main line comes into the property and branches off to the subdivided parcels. If the main line is damaged, etc., who pays to fix it? **We will ultimately be recording a more detailed set of industrial park restrictions that addresses shared costs, architectural approvals, signage, parking, etc. However, these restrictions are not necessary until such time as individual lots are sold to end-users.**
  - Understood

#### Storm Water Drainage

1. The Planning and Zoning Department issues a Certificate of Compliance once a building is completed, so that should be the terminology used. **Fixed.**
  - Agreed
2. Should a maintenance agreement be established in this document whereby all parties who utilize the stormwater facilities are collectively responsible for their maintenance? If so, I believe that the Public Service Department has additional language essentially stating that if the stormwater facilities are not adequately maintained, the City can rectify the issues. **Yes we will ultimately have a master set of restrictions that govern the industrial park but those will be drafted and recorded in the future.**
  - Understood

#### Roadways

1. “All contiguous public roadways”. Access to Graham Road is prohibited pursuant to the Planned Manufacturing regulations. Access to Summit Road and Clark State Road is strongly discouraged. The only reasonable access is via Morse Road and a future roundabout at the Clark State Road/Beech Road/Morse Road intersection. The Morse Road

access is not included in the rezoning as it is in Jersey Township. I think the “all contiguous public roadways” clause should be amended to reflect these issues. **Fixed.**

- Agreed
2. Should a maintenance agreement be established in this document whereby all parties who utilize the shared roadways are collectively responsible for their maintenance? **See response above regarding master set of industrial park restrictions.**
    - Understood

### Landscaping

1. What is the triggering mechanism for when the landscaping/mounding is installed? **Document says it must be installed before a certificate of compliance is issued.**
  - Agreed
2. After a triggering mechanism is established, to what extent will the landscaping/mounding be installed? **All landscaping shown on Appendix 1 must be installed prior to ANY certificate of compliance being issued.**
  - Agreed
3. What landscaping/mounding option will be used, and where, pursuant to the Planned Manufacturing regulations? **Appendix 1 will show all necessary landscaping.**
  - Appendix 1 shows differing mound heights based upon different building heights along the perimeter of the property. I’m not sure how this would function for all landscaping to be installed prior to a certificate of occupancy if there are multiple options. Additionally, mounding would need to be altered as subsequent buildings are constructed.
  - My suggestion would be to install Option C for buildings 38 – 50 feet in height (see attached) around the entirety of the property. This prepares the site so that the mounding and trees are in place at the beginning and will not need to be altered based upon future building heights. It also provides the maximum screening for the site.
  - Additionally, a pond is shown on the western property line as remaining but is not reflected on the proposed site plan (attached). That should be clarified.
4. Should a maintenance agreement be established in this document whereby all parties who utilize the landscaping are collectively responsible for their maintenance? **See above response regarding master set of industrial park restrictions.**
  - Understood
5. Once the property is subdivided and landscaping/mounding is located on private property, who is responsible for maintenance? Would it be in conflict with the easement language? **See above response regarding master set of industrial park restrictions.**
  - Understood

6. The landscaping/mounding should be installed along all properties adjacent to residential uses in addition to all properties adjacent to public right-of-way pursuant to the Planned Manufacturing regulations. **Agreed. Appendix 1 will reflect all required landscaping.**
  - The language in Section 4 – Landscaping still only references landscaping installed along all property lines adjacent to residential uses. It should also reference public rights-of-way.
7. The Planning and Zoning Department issues a Certificate of Compliance once a building is completed, so that should be the terminology used. **Fixed.**
  - **Agreed**

#### Effective Date of Restrictions

1. Procedurally, would this easement be recorded following a successful rezoning or would it be prior? If following, I would assume the City would be the party that would want to record it to ensure that it happens. **We can record it now so the City knows it's done – we have a clause that says they don't become effective until the rezoning is completed.**
  - **Understood**