



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

August 9, 2016

Conditional Use Application CU-16-006

Applicant:	Anna M. Smith
Owner:	Carel Ellinger
Location:	89 E. Broad Street
Acreage:	2.37 acres
Zoning:	GB – General Business District
Request:	Requesting a conditional use pursuant to Section 1249.04(19) of the Pataskala Code to allow for a martial arts recreational training facility.

Description of the Request:

The applicant is seeking a conditional use to allow the property to be used for a martial arts facility.

Staff Review:

The property currently contains a 12,720 square foot building. The applicant is proposing to use the property for a martial arts recreational training facility. A martial arts facility requires a conditional use under Chapter 1265: Uses Defined by the North American Industrial Classification System (NAICS).

The existing building contains space for three tenants. The martial arts facility would be located in the middle of the building between Buster's Corner Store and the former NAPA Auto Parts.

Surrounding Area:

Direction	Zoning	Land Use
North	PRO – Professional Research Office	Single-Family Home
East	GB – General Business	Restaurant
South	GB – General Business	Restaurant
West	GB – General Business	Restaurant

Conditional Use Requirements:

According to Section 1215.04 of the Pataskala Code, the Board of Zoning appeals shall consider whether the conditional use at the proposed location:

1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on the application.*
2. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the City comprehensive plan and/or this Code.*
3. *Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
8. *Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.*
9. *Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.*

Furthermore, Section 1215.05 allows other factors to be considered, when determining if a conditional use is appropriate. In Staff's opinion the following factors from Section 1211.05 are applicable to Conditional Use Application CU-16-006:

- None

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – No comments
- Pataskala Utilities – No comments
- Police Department – No comments
- West Licking Joint Fire District – No comments
- Southwest Licking School District – No comments

Modifications:

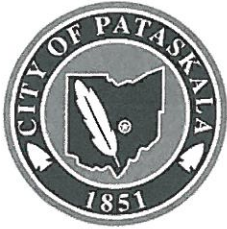
Should the Board choose to approve the applicant's request, the following modifications may be considered:

1. The applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department prior to operating the business.

Resolution:

For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

"I move to (approve/disapprove) a conditional use pursuant to Section 1249.04(19) of the Pataskala Code for application CU-16-006 ("with the following modifications" if modifications are to be placed on the approval)."



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1213)

Property Information	
Address: 89 E BROAD ST.	
Parcel Number: 064-307812-00.000	
Zoning: GB	Acres: 1.58 7.61
Water Supply:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Staff Use
Application Number: CU-16-006
Fee: \$300 ⁰⁰
Filing Date: 7-19-16
Hearing Date: 8-9-16

Applicant Information	
Name: ANNA M Smith dba ERNIE REYES MARTIAL	
Address: 345 Woodside DR. ARTS & FITNESS	
City: Johnstown	State: OH Zip: 43031
Phone: 740967-5425	Email: NAMARTIALARTS@AOL.COM
(cell)-614-562-8107	

Owner Information	
Name: CAREL Ellinger	
Address: 4775 Columbus Rd	
City: Granville	State: OH Zip: 43023
Phone: 740 321 3367	Email: EllingerCB@TWC.COM

Documents
<input checked="" type="checkbox"/> Application
<input checked="" type="checkbox"/> Fee
<input checked="" type="checkbox"/> Narrative
<input checked="" type="checkbox"/> Site Plan
<input checked="" type="checkbox"/> Deed
<input checked="" type="checkbox"/> Address List
<input checked="" type="checkbox"/> Area Map

Conditional Use Information
Request (Include Section of Code): 1249.04 (19)
Describe the Project: Martial arts & fitness
I am moving my 20 year business from Johnstown to Pataskala

Documents to Submit

Conditional Use Application: Submit 1 copy of the conditional use application.

Narrative Statement: Submit 14 copies of a narrative statement explaining the following:

- The reason the conditional use has been requested.
- The specific reasons why the conditional use is appropriate as it pertains to Section 1215.04 of the Pataskala Code:
 1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on this application.*
 2. *Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City comprehensive plan and/or this Code.*
 3. *Will be designed, constructed, operated and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
 4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
 5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
 6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
 7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but not limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
 8. *Will have vehicular approaches to the property which shall be so designed as to not create interference with traffic on surrounding public thoroughfares.*
 9. *Will not result in destruction, loss, or damage of a natural, scenic, or historical feature of major importance.*
- Specific standards for conditional uses can be found in Section 1215.05 of the Pataskala Code.

Site Plan: Submit 14 copies of a site plan to scale of the subject property indicating the following:

- All property lines and dimensions
- Location and dimensions of all existing and proposed buildings and structures.
- Setbacks from property lines for all existing and proposed buildings, structures and additions
- Easements and rights-of-way
- Driveways
- Floodplain areas
- Location of existing wells and septic/aerator systems.
- Any other information deemed necessary for the conditional use request

Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained at www.lcounty.com/rec.

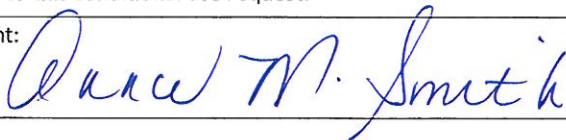
Address List: Submit one copy of a list of all property owners and addresses of those owning property within 200 feet or two parcels from any point on the subject property line, whichever creates more property owners. This list must be in accordance with the Licking County Auditor's current tax list and must be submitted on mailing labels.

Area Map: Submit 14 copies of an area map from the Licking County Engineer's office showing the area encompassed by the address list. Area maps can be obtained at www.lcounty.com/taxparcelviewer/default.

Signatures

I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this conditional use request.

Applicant:



Date:

7/19/2016

Owner:

Date:



Ernie Reyes' World Martial Arts Association –Johnstown Location



Grand Masters & Co-Founders
Ernie Reyes Sr. & Tony Thompson

FUN! • EXCITING! • EMPOWERING! • EDUCATIONAL!

MARTIAL ARTS EXCELLENCE SINCE 1978! Classes offered for (ages 4-74+). Our system of teaching martial arts is the state of the art teaching method for modern times. Each class is build around dynamic energy and an accelerated training style that is Fun, Exciting, Empowering, and Educational. 35 + Years of Martial Arts Excellence! Since 1978 Ernie Reyes' West Coast World Martial Arts Association has produced some of the finest world class Black Belts and Champions in the world. KJN Anna Smith started her training with the Association in 1991 and opened the Johnstown, Ohio Location in 1996. KJN Anna is a 5th degree Master Instructor and was inducted in the United States Martial Arts Hall of Fame in 2003 as Female Instructor of the Year. KJN Anna is a certified group fitness instructor with a specialty certification in Yoga, Water Fitness, Personal Fitness, Body pump and Kickboxing. In 2011 she completed her Group Fitness Management certification and in 2013 she completed her Mastery Instructor Re-Certification for multi martial arts curriculum earning a TOP GUN award for Instructor padwork training. In June 2014 her Kettlebell training added a new dimension to the fitness program. In June 2014- 16 of her students tested for 1st degree Black Belt, 1 tested for 2nd degree Black Belt and 1 for 4th Degree Black Belt. This is a History making year for the Johnstown school. KJN Anna also did her re-certification in July 2015 for Mastery Instruction of multi-mixed martial arts curriculum. The Johnstown location has **numerous qualified and energetic staff members** to keep the school a quality, dynamic and fun atmosphere.

Johnstown Team- We develop the leaders of tomorrow while strengthening the mind, body and character



Focus FIT –where our focus is on YOU and your FITNESS!

Kettle: Classes offered (ages 16 & up) is FAST, FUN & EFFECTIVE. Our innovative 3-dimensional training program gets your body moving in 3 directions & on 3 planes for more effective whole body workouts. We focus on the key areas of cardio, core & resistance. The science supports the effectiveness of kettlebell training and its use for all ages. According to a American Council on Exercise (A.C.E.) study, one can burn up to **20 calories a minute** while training with a kettlebell, in addition to increasing core strength up to 70%. Kettle is structured in intervals taking advantage of that massive calorie burn as well as the cardio fitness and core strength building. Kettle **CARDIO** workouts are high energy fat burning total body routines, Kettle **CORE** workouts are designed to tighten your core & abs muscles and Kettle **RESISTANCE** workouts sculpt & tone your entire body.

Cardio: Classes offered (ages 13 and up) Is a tremendous workout that focuses on the areas that we are concerned with the most, such as our legs, hips, glutes and abs. It is for everyone, for those who want to get in shape or those looking for the ultimate workout. We do circuit, combat, step, bag work...a little of everything!. Come to any class as often as you like; something different EVERYTIME! **GUARANTEED!** **Punch Cardio:** -30 minutes (ages 13 and up) Combining cardio activity with proper boxing and punching techniques, you can burn an average of 267 calories in a 30-minute punch cardio workout. Boxing is a great workout since it is a total body workout working your arms, abs, legs, and thighs. You will see strength and endurance increase and it is a great way to release stress.

Zumba: Classes Offered (ages 13 and up) Ditch the workout...join the party! Zumba is a fun, effective and high-energy fitness party. This exercise targets arms, legs, glutes and abs through interval training using fast and slow rhythms. The music variety includes Cha Cha, Salsa, Reggaeton, Rumba and more! The relaxed atmosphere allows for your most effective workout. No previous experience is required for this calorie-burning dance fitness party. Join us for a fun and easy way to work out to lose weight or just become a healthier new you - you'll love the results.

Yoga-Vinyasa Style: Classes Offered (ages 13 and up) Yoga programs have been shown to reduce the risk of heart disease by lowering blood pressure and anxiety levels. The Vinyasa (which means "to place in a special way") technique that we use is a 3 mountain format that effectively works all parts of the body equally. Vinyasa Yoga is breath-synchronized movements, creating strength, flexibility endurance and balance. Enjoy Mountain, Sun Salutations and Valley

Les Mills Body Pump: Classes offered (ages 16 and up) Is the original barbell class that strengthens your entire body. This 60- minute workout challenges all your major muscle groups by using the best weight-room exercises like squats, presses, lifts & curls. Great music, awesome Instructors and your choice of weight inspire you to get the results you came for -and fast.



Bring proof that you
are a resident of
Leafy Dell and get
1 month FREE &
15% off

Owner & Master Instructor
KJN Anna M. Smith

Johnstown Location
70 S. Main Street
Johnstown, Ohio 43031
740-967-5425
focusfitkick@aol.com





89 East Broad Street

BROADST INVESTMENT CO. LTD.

OR 764-0268
TD=7.61

FISHER, WILMA J
OR 384-0834
TD=1.407

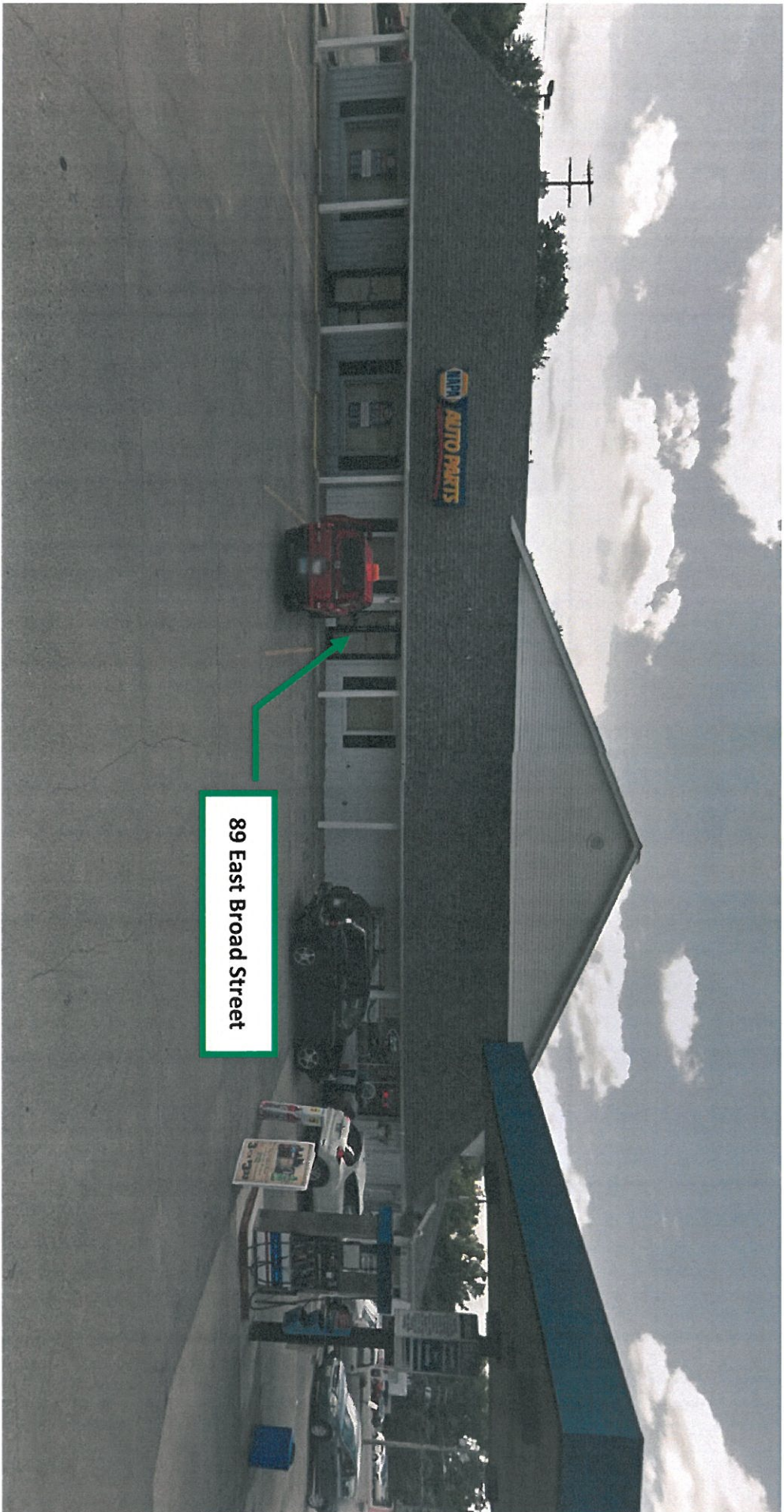
HAZELTON-ETNA RD SW
310

TOWNSHIP RD

JOSEPH GRACE LLC
99.45

740.19

E BROAD STREET



89 East Broad Street

ER TR, HOWARD P
WILER REVOCABLE TRUST,
3508260026667
TD = 1.038

BEESON, DAVID J 4293
OR 577-0739
TD = .475

DIXON, MATTHEW J
DIXON, TRACEY L
200212030045894
TD = 44.5

COACHWOOD EAST TOWNHOUSES LTD,
DRIVEWAY

PATASKALA ASSN LTD PARTNERSHIP,
OR 587-0400
TD = 2.88

BROAD STREET INVESTMENTS CO LTD,
200706080014703
TD = 0

NEW WEN INC,
201003150004785
TD = 1.2

BROAD STREET INVESTMENT CO LTD,
200706080014699
TD = 1.204

PATASKALA EXPRESS CARE L.L.C.
201601140009741
TD = .9954

GREEN, SHELBEA
JONES, AIMEE
201601130000649
TD = 0

BLAIR, SHIRLEY J
DAVIS, MADONNA L
200709120024132
TD = 0

HANSELL, PHILLIP H
HANSELL, SYLVIA A
201507160014831
TD = 0

BLAIR, SHIRLEY J
DAVIS, MADONNA L
200709120024132
TD = 0

NEAL, NICHOLAS A
201106240011807
TD = 0

IGERS, DANNY K
0510170032758
TD = 0

HEFFER, GAIL B
OR 180-0400
TD = 0

BIN, KATHRYN D
OR 546-0498
TD = 0

DAVIS, LARRY LEE
DAVIS, NANCY L
201207250016426
TD = 0

RY, DAVID A
RY, DEBRA J
829-0723
TD = 0

SAMMONS, GLEN E
SAMMONS, PATRICIA L
201204270009289
TD = 0

IGEN, H BRADLEY
RINGEN, TONI M
06150025107
TD = 0

ASHCRAFT, RONALD
ASHCRAFT, CRISSINDAS
201805100009199
TD = 0

H, JIMMY L
SHARON A
377-0399
TD = 0

PROST, MARK H
PROST, KAREN H
201403260005303
TD = 0

DAVID A
BRA JANE
130023320
TD = 0

BEYER, JOSHUA J
BEYER, VALERIE N
201607120014505
TD = 0

E, THOMAS
90003521
TD = 0

WELTON, KATHLEEN MORRISON
MORRISON, WAYNE D
200512250003146
TD = 0

ONALD L
HIRLEY A
0872
TD = 0

HUBER, DONALD L
HUBER, SHIRLEY A
OR 567-0440
TD = 0

BROAD ST INVESTMENT CO LTD,
OR 764-0268
TD = 7.81

KING, LARRY R
KING, DORIS J
200611080032703
TD = 0

HUGHES, DAVID G
HUGHES, CAROLA
OR 529-0592
TD = 0

MCKAY, MARY S
199910060041452
TD = 0

MUSICK, THERESA N
200604110010080
TD = 0

MURPHY, JOHN E
MURPHY, ZOLA M
OR 179-0430
TD = 0

CAIRNEY, RICHARD W
CAIRNEY, NAN P
200812040025794
TD = 0

ONDRICK, P
200304021
TD = 0

BROAD ST INVESTMENT CO LTD,
OR 764-0268
TD = 0

UNITED STATES POSTAL SERVICE,
OR 847-0333
TD = 3.461

UNITED STATES POSTAL SERVICE,
OR 847-0333
TD = 3.461

FISHER, ELVIN D
FISHER, WILMA J
OR 384-0834
TD = 1.407

NCM REALTY CO.,
199810060038023
TD = 5

NCM REALTY CO.,
OR 275-0623
TD = 4.161

NCM REALTY CO.,
OR 275-0623
TD = 0

CHapel Hill Trust,
201405140008716
TD = .693

FRED TOWNSEND ENTERPRISES INC.,
OR 813-0029
TD = .652

SHEPPARD, EDWARD A
2008011700001254
TD = .4783

HER INVESTMENTS LTD,
201411130022531
TD = .5708

BAMER L.L.C.,
201304170009797
TD = 1.021

HAYES, CAROLYN G
HAYES, WILLIAM C
200704250010501
TD = 1.004

HAYES, CAROLYN G
HAYES, WILLIAM C
200704250010501
TD = 1.004