



## CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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

### STAFF REPORT

November 2, 2016

#### Rezoning Application ZON-16-007

<b>Applicant:</b>	Pataskala Planning and Zoning Commission
<b>Owner:</b>	Roxford Apartments Ltd.
<b>Location:</b>	124 Coors Boulevard
<b>Acreage:</b>	4.3 acres
<b>Zoning:</b>	PRO – Professional Research Office
<b>Request:</b>	Requesting to rezone the property from the PRO – Professional Research Office district to the R-M – Multi-Family Residential district pursuant to Section 1217.10 of the Pataskala Code.

#### Description of the Request:

The applicant is seeking to rezone the property to correct an error on the current zoning map.

#### Staff Summary:

The property is the current location of the Roxford Village Apartments which were constructed in 1992. In 1991 the property was rezoned from the OI – Office Institutional district to the R-5 – Multiple Family Residential district, presumably to allow for the development of the apartments. Although the property was officially rezoned, this was never reflected on the zoning map.

Sometime in the mid-1990s, likely around the time of the merger between Lima Township and the Village of Pataskala, both the OI – Office Institutional district and the R-5 – Multiple Family Residential district were removed as zoning classifications and incorporated into the classifications currently used in the zoning code. As a result, the OI – Office Institutional district became the PRO – Professional Research Office district and the R-5 – Multiple Family Residential district became the R-M – Multi-Family Residential district. Because the OI – Office Institutional classification was not updated to the R-5 – Multiple Family Residential District following the 1991 rezoning, the property was changed to the PRO – Professional Research Office district to match the new zoning classifications.

As it stands now, the property is zoned R-5 – Multiple Family Residential district based upon ordinance 91-2069 which granted the rezoning, but is reflected as PRO – Professional Research Office on the zoning map following the zoning classification update from the mid-1990s.

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

The proposed rezoning to the R-M – Multi-Family Residential district would correct the issue created following the 1991 rezoning and place the property in a district similar to the R-5 – Multiple Family Residential district under the current code. Furthermore, it would remove the nonconforming statues of an apartment complex in a commercial district.

The future land use map designates the property for Mixed Use, so the proposed R-M – Multi-Family residential district would be harmonious. Staff has contacted the Roxford Village Apartments who have provided an email indicating they have no objections to the correction.

**Surrounding Area:**

Direction	Zoning	Land Use
North	R-M – Multi-Family Residential GB – General Business	Apartments Salon
East	R-M – Multi-Family Residential M-1 – Light Manufacturing	Apartments Construction Company
South	PRO – Professional Research Office	Office
West	GB – General Business	Salon

**Rezoning Approval:**

According to Section 1217.04 of the Pataskala Code, the Planning and Zoning Commission shall consider approval of a rezoning if the proposal:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Comprehensive Plan and/or this Code.
2. 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.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. 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.
5. 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.
6. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

8. Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

**Department and Agency Review**

- Zoning Inspector – No Comments
- City Engineer – No Comments
- Public Service – No Comments
- Utilities Department – 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:

- None

**Resolution:**

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

"I move to (approve/disapprove) rezoning application number ZON-16-007 pursuant to Section 1217.10 of the Pataskala Code. ("with the following modifications" if modifications are to be placed on the approval)."

**From:** Beth Hannigan  
**To:** [Scott Fulton](#)  
**Subject:** RE: Roxford Village Apartments  
**Date:** Thursday, October 20, 2016 4:53:26 PM

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No objections,

Thank you,

*Beth Hannigan*

Multi Site Property Manager  
Coventry, Reddington Pines, Roxford Village  
1946 Cherry Valley Road  
Newark Ohio 43055  
740-522-3171  
[bhannigan@millenniahousing.com](mailto:bhannigan@millenniahousing.com)

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**From:** Scott Fulton [mailto:[sfulton@ci.pataskala.oh.us](mailto:sfulton@ci.pataskala.oh.us)]  
**Sent:** Thursday, October 20, 2016 12:00 PM  
**To:** [bhannigan@millenniahousing.com](mailto:bhannigan@millenniahousing.com)  
**Subject:** Roxford Village Apartments

Ms. Hannigan,

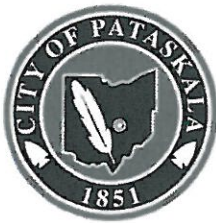
The Roxford Village Apartments property was rezoned from the OI – Office Institutional District to the R-5 – Multiple Family Residential District in 1991. Unfortunately, this change was never reflected on the zoning map. As a result, when the OI – Office Institutional District was changed to the PRO – Professional Research Office District in the zoning code, this change was also made on the zoning map. As it stands now the property is zoned PRO – Professional Research Office. The R-5 – Multiple Family Residential District also changed in the zoning code. The new classification is now R-M – Multi-Family Residential.

Because the map was never properly updated and the R-5 – Multiple Family Residential District no longer exists, the City is proposing to formally rezone the property from the PRO – Professional Research Office classification to the R-M – Multi-Family Residential classification to correct the problem. There is no cost or responsibility on your part, the City will handle everything.

I just wanted to make sure you were aware of what was happening and had no objections to the City making this correction. If you could respond stating that you have no objections, I will add our email correspondence to the file and proceed with the correction.

Thanks,

**SCOTT FULTON**  
Director of Planning



## CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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

### REZONING APPLICATION

(Pataskala Codified Ordinances Chapter 1217)

Property Information		
Address: 124 Cours Blvd.		
Parcel Number: 064-068460-00.022		
Current Zoning: PRO	Proposed Zoning: RM	Acres: 3.804
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: ZON-16-007
Fee: N/A
Filing Date: 10-7-16
Hearing Date: 11-2-16

Applicant Information		
Name: Pataskala Planning + Zoning Commission		
Address: 621 Broad St.		
City: Pataskala	State: OH	Zip: 43062
Phone: 740-964-1316	Email: zcowan@ci.pataskala.oh.us	

Owner Information		
Name: Roxford Apartments Ltd.		
Address: 8111 Rockside Suite 200		
City: Valley View	State: OH	Zip: 44125
Phone:	Email:	

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

Rezoning Information
Request (Include Section of Code): Rezoned to RM from PRO due to zoning map error pursuant to Section 1217.02
Describe the Project (Include Current Use and Proposed Use):

## Documents to Submit

**Rezoning Application:** Submit 14 copies of the rezoning application.

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

- The reason the rezoning has been requested.
- The specific reasons why the rezoning is appropriate as it pertains to Section 1217.04 of the Pataskala Code:
  1. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or this Code.*
  2. *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.*
  3. *Will not be hazardous or disturbing to existing or future uses.*
  4. *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, schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
  5. *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.*
  6. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.*
  7. *Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.*
  8. *Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.*

**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.
- Location and dimensions of all existing buildings and structures on adjacent properties within 500 feet.
- Setbacks from property lines for all existing and proposed buildings, structures and additions
- Easements and rights-of-way
- Existing and proposed driveways
- Floodplain areas
- Location of existing wells and septic/aerator systems.
- Number and dimensions of existing and proposed parking areas
- Existing and proposed refuse and service areas
- Existing and proposed landscaping features
- Any other information deemed necessary for the rezoning request

**Deed:** Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained at [www.lcounty.com/rec](http://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](http://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 rezoning request.

Applicant:

Date:

Owner:

Date:



ORDINANCE 91-2069

Passed: November 18, 1991

AN ORDINANCE AMENDING THE ZONING MAP AND AUTHORIZING AND DIRECTING THAT THE ORIGINAL ZONING MAP IN THE OFFICE OF THE CLERK OF THE VILLAGE OF PATASKALA BE CHANGED TO REFLECT SUCH CHANGE

WHEREAS, the Council of the Village of Pataskala upon application for, after public hearing on and upon the recommendation of the Planning and Zoning Board has determined that the general interest of the Village of Pataskala would benefit by a change in the zoning map.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS THERETO CONCURRING:

Section 1.

The zoning map of the Village of Pataskala attached to as part of the Zoning Ordinance No. 86-1000 passed on the 19th day of May, 1986, and as subsequently amended be and the same hereby is revised by changing the zoning of the property commonly referred to as the Earl Shurtz property, described in the attached Exhibit A. from "OI" to "R-5" zoning district.


Section 2.

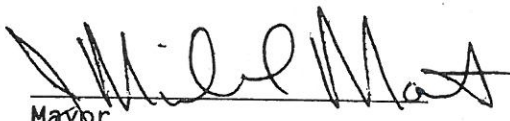
The Zoning Inspector and/or Clerk are hereby authorized and directed to make the said change on the said original zoning map in the Office of the Clerk of the Village of Pataskala.

Section 3.

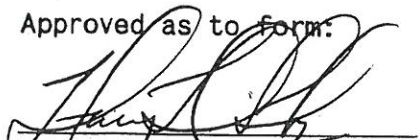
This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

ATTEST:

  
Keela Rutter  
Clerk/Treasurer

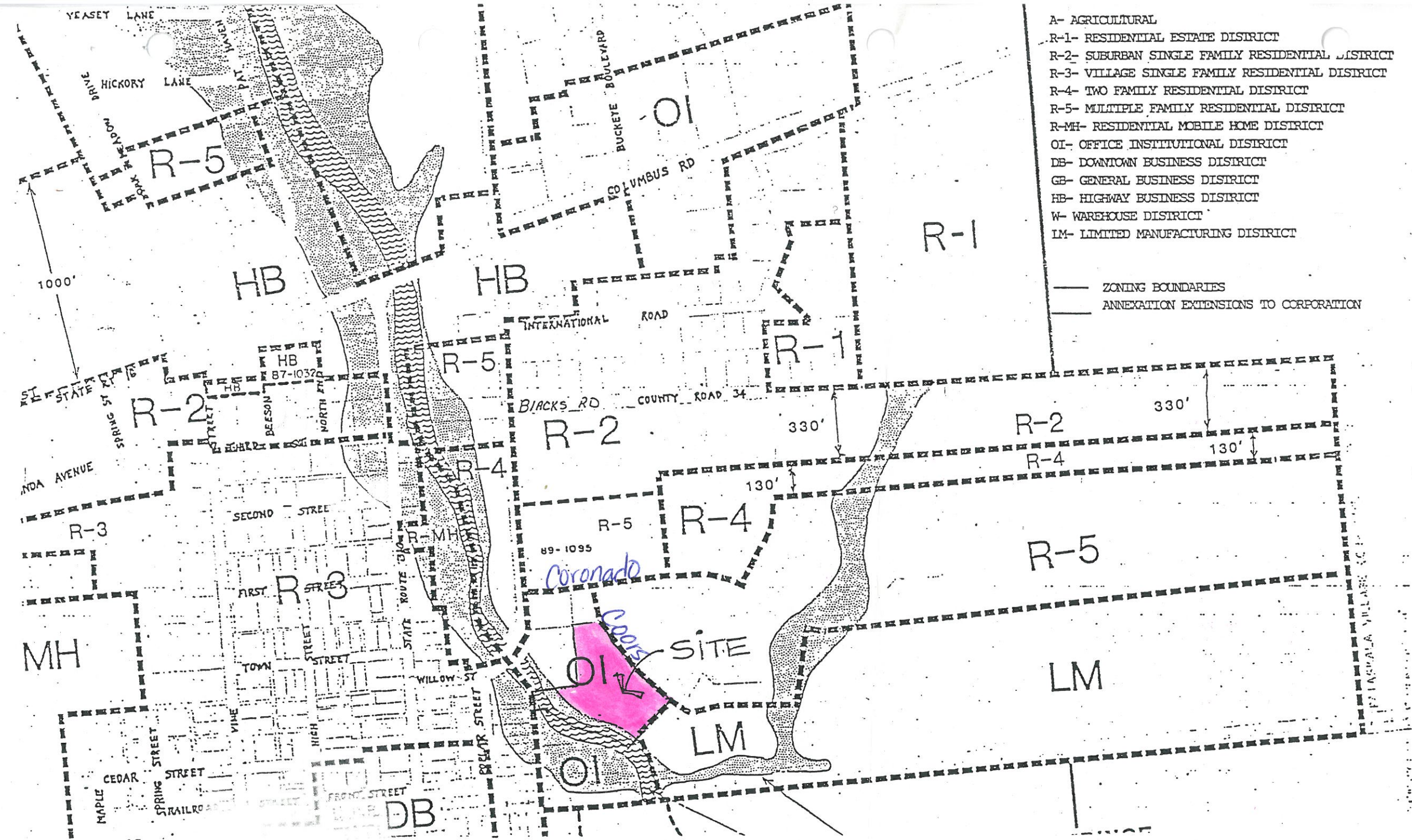
  
Mayor

Approved as to form:

  
Harvey H. Shapiro  
Solicitor - Village of Pataskala



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# 1992 ZONING MAP



# 2015 ZONING MAP

