

CITY OF PATASKALA PLANNING AND ZONING COMMISSION

Meeting Minutes

**Wednesday, March 7, 2018**

The City of Pataskala Planning and Zoning Commission convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, on Wednesday, March 7, 2018.

Present were:

Rick Boggs  
Dustin Epperson  
Gary Kendall  
Darin McGowan  
Randall Ripley  
Anne Rodgers  
Jerry Truex

City of Pataskala Planning and Zoning Department Staff:

Scott Fulton, Director of Planning  
Zack Cowan, City Planner  
Lisa Paxton, Zoning Clerk

Chairman Boggs opened the meeting at 6:32 p.m., followed by the Pledge of Allegiance.

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

***First on the agenda, Rezoning Application ZON-18-002, 14379 E. Broad Street, 14359 E. Broad Street, 14305 Columbus Road, 14271 Columbus Road***

Mr. Cowan reviewed the Staff Reporting, noting properties located at 14305 & 14271 Columbus Road and 14379 and 14359 East Broad Street, consist of a total of 16.08 acres, and are split-zoned lots. Due to the properties being split-zoned between residential and commercial, the regulations that apply for each zoning district can become complicated and difficult to determine which regulations apply to the property. In addition, the Law Director has previously stated split-zoning is “technically illegal”. 14379 East Broad Street, is currently owned by Rose Oberst, and is proposing to use the property for her real-estate business. 14359 E. Broad Street, 14305 Columbus Road and 14271 Columbus Road are currently owned by Charles McClellan and he operates a trucking company. The owners are proposing to rezone the properties from GB – General Business & R-87 – Medium-Low Density Residential to only GB – General Business.

Mr. Cowan further noted the properties are designated in the Comprehensive Plan’s Future Land Use as retail and offices.

Rose Oberst, 14379 East Broad was placed under oath.

Ms. Oberst noted wanting to use the property for her business.

Elaine Anderson, 7174 Summit Road, was placed under oath.

Ms. Anderson stated she is also speaking on behalf of her neighbor, Donald Huddelston, 7098 Summit Road. Ms. Anderson noted concerns of the property located behind her and Mr. Huddleston's home. Ms. Anderson listed concerns regarding a hill that had been built, past EPA violations, water, drainage issues and a fencing agreement. Ms. Anderson also noted late-night work being done on the property.

Stacie Nighland, 14441 Broad Street, was placed under oath.

Ms. Nighland stated her concerns regarding screening, buffering and having a business next to her property.

Ms. Oberts indicated not having any issues with the adjoining property.

Mr. Truex inquired as to fencing.

Ms. Oberts stated she has a fence permit.

Mr. Truex inquired as to the hill.

Ms. Anderson noted the hill was not there prior to 2000. Ms. Anderson also noted boom trucks, a tractor and front loader, and working late hours. Ms. Anderson also noted boats and cars along the fence line.

Matthew McClellan, 14305 East Broad Street, representing Charles McClellan, was placed under oath.

Mr. McClellan stated the hill has been there since 1990 and is more of a grade than a hill.

Mr. Boggs inquired as to a berm.

Mr. McClellan noted a natural hill on the property that hides the trucks and keeps the noise down.

A discussion was had regarding the hill and the trucking business.

Ms. Rodgers inquired as to the trucking business in the R-87 District.

Mr. Fulton noted the property is non-conforming, however, the business has been there since 1990 and the use would be grandfathered in.

Ms. Rogers inquired as to the parking of the trucks.

Mr. McClellan noted trucks are mostly parked in the front of the property and to the rear, to some extent, to turn around, and has been so since the '70s.

Mr. Kendall inquired if screening or buffering, fencing would be installed.

Mr. McClellan stated not knowing where the fencing agreement came from, as he would have been a child at the time the agreement would have been made.

Ms. Rodgers inquired as to the late night work being done.

Mr. McClellan noted a cell tower located on the property, and could have been trucks repairing the tower. Mr. McClellan further stated trucks do come in and out at different hours, which is part of the industry, and how it has always been.

Mr. Boggs inquired as to any violations on the property.

Mr. Fulton noted not receiving any complaint calls regarding the property.

Ms. Oberst stated she has had no issues with the trucking company, but has had problems with neighbors regarding junk and four-wheelers going through her property.

Ms. Anderson further noted possible security issues and believes the property is being used as a junk yard.

Mr. McGowan noted his concern regarding requiring buffering for rezoning of lot splits.

A discussion was had regarding buffering.

Mr. Kendall made a motion to recommend to Council to approve Rezoning Application number ZON-18-002, pursuant to Section 1217.10 of the Pataskala Code, with the following modification:

1. L4 landscaping buffer, pursuant to Section 1283.06(5) of the Pataskala Code, shall be installed along the east property line of 14305 Columbus Road, Parcel Number 063-141930-00.000.

Seconded by Mr. Ripley. Ms. Rodgers, Mr. Kendall, Mr. Ripley and Mr. Boggs, voted yes. Mr. McGowan, Mr. Epperson and Mr. Truex voted no. The motion was approved and will be forwarded to Council.

***Next on the agenda, Rezoning Application ZON-18-003, 65 South Main Street and North End Drive.***

Mr. Fulton gave an overview of the Staff Report, noting the applicant is seeking to rezone property located at 65 South Main Street, an existing veterinarian's office, and to rezone property located on North End Drive to GB – General Business, to install an employee parking lot. The Future Land Use Map designates these properties as Mixed Use, which includes commercial uses. The City Engineer would require drainage calculations prior to construction, along with Utility Department noting a sewer main running along the shared property.

Tammy Hickin, 65 South Main Street, was placed under oath.

Ms. Hickin noted the practice has grown and the need for more parking.

Ms. Rodgers asked if the tree line would remain.

Ms. Hickin noted keeping as much green as possible.

Buffering was discussed.

Mr. Truex made a motion to recommend to Council to approve Rezoning Application number ZON-18-003, pursuant to Section 1217.10 of the Pataskala Code. Seconded by Mr. Epperson. Mr. Epperson, Mr. Kendall, Mr. Boggs, Mr. Ripley, Mr. Truex, Mr. McGowan and Ms. Rodgers voted yes. The motion was approved and will be forwarded to Council.

***Next on the Agenda, Final Plan Application FP-18-002.***

Mr. Fulton noted water and booster issues with the area and the need to resolve the issue; therefore, Mr. Fulton requested the application to be tabled.

Mr. Boggs made a motion to table Final Plan Application FP18-002. Seconded by Mr. Truex. Mr. Boggs, Mr. Ripley, Mr. Trues, Mr. Kendall, Mr. Epperson, Mr. McGowan and Ms. Rodgers voted yes. The application was tabled indefinitely.

***Next on the Agenda, Rezoning Application ZON-18-004.***

Mr. Fulton noted issues with items missing from the submitted plans; therefore, Mr. Fulton requested the application to be tabled.

Mr. Boggs made a motion to table Application ZON-18-004. Seconded by Mr. McGowan. Ms. Rodgers, Mr. Epperson, Mr. Ripley, Mr. Boggs, Mr. Truex and Mr. Kendall voted yes. The application was tabled indefinitely.

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

Mr. Fulton noted upcoming applications.

***Next on the agenda, Approval of the January 3, 2018 Organizational meeting minutes.***

Mr. Truex made a motion to approve the organizational minutes from the January 3, 2018 hearing. Seconded by Mr. Boggs. Mr. Ripley, Ms. Rodgers, Mr. Kendall, Mr. McGowan, Mr. Truex, Mr. Boggs, Mr. Epperson voted yes. The motion was approved.

***Next on the agenda, Approval of the January 3, 2018 Regular meeting minutes.***

Mr. Ripley made a motion to approve the regular minutes from the January 3, 2018 hearing. Seconded by Mr. Epperson. Mr. Truex, Mr. Ripley, Mr. Boggs, Mr. Epperson, Ms. Rodgers, Mr. Kendall and Mr. McGowan voted yes. The motion was approved.

Mr. Ripley made a motion to adjourn the meeting. Seconded by Mr. McGowan. Mr. Ripley, Ms. Rodgers, Mr. Kendall, Mr. McGowan, Mr. Truex, Mr. Boggs and Mr. Epperson voted yes. The meeting was adjourned at 7:53 p.m.

Minutes of the March 7, 2018 Planning and Zoning Commission meeting were approved on

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Chairperson Rick Boggs