

CITY OF PATASKALA PLANNING AND ZONING COMMISSION

Public Hearing Minutes

Wednesday, April 3, 2019

The City of Pataskala Planning and Zoning Commission convened in Council Chambers, Pataskala City Hall, 621 West Broad Street, on Wednesday, April 3, 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

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.

Applications ZON-18-004, ZON-19-001, ZON-19-003, and TCOD-19-001 remained tabled.

First on the Agenda, Rezoning Application ZON-19-004, Watkins Road, Parcel No. 064-0638442-00.047.

Mr. Kuntzman gave an overview of the Staff Report, noting the Applicant is requesting a recommendation of approval to rezone the property from R-M – Multi-Family Residential to R-87 – Medium-Low Density Residential, pursuant to Section 1217.02(A)(1) of the Pataskala Code. Currently, there is a tabled Variance Application before the Board of Zoning Appeals and a tabled application before the Planning and Zoning Commission. Mr. Kuntzman noted the Future Land Use Map and Comprehensive Plan. No comments were presented from any Department Agencies.

Todd Barstow, 616 Monticello Court, was placed under oath.

Mr. Barstow noted original plans for Jefferson Meadows was to extend Richmond Drive towards Watkins Road. Mr. Barstow stated purchasing his condominium in 2009 and was assured by Mid-Ohio Development the extension was going to happen. Mr. Barstow noted the HOA also had discussions regarding the extension and adding gates to the Watkins Road and Broad Street entrances so it would not be used as a cut-through. Mr. Barstow noted disappointment in not extending the condominiums and placing an apartment complex on the vacant property.

Ms. Rodgers inquired if the property owner asked for Mr. Barstow to apply for the rezoning.

Mr. Barstow stated the property owner had not; however, the application was submitted under the provision of the Code that allows a member of Council to submit applications. Mr. Barstow stated he had consulted with the City Law Director and Administrator prior to submitting the application.

Mr. Rodgers asked if a letter has been submitted by the Law Director indicating such.

Mr. Fulton stated a formal letter has not been provided by the Law Director.

Mr. Rodgers indicated a letter from the Law Director should be submitted. Ms. Rodgers asked if a traffic study has been performed.

Mr. Barstow stated no traffic study has been done. Mr. Barstow indicated being contacted by neighbors regarding ways to prevent an apartment complex in the neighborhood. Mr. Barstow stated he would not have pursued this application if the Law Director stated it couldn't be done, but appreciates the Commission for asking for the information.

Ms. Rodgers asked if he spoke to any City Council members concerning this application.

Mr. Barstow indicated he spoke informally to Mr. Hickin and Mr. Lee.

Ms. Rodgers inquired as to the application's request for lower density.

Ms. Barstow stated the best possibility would be for Mid-Ohio to agree on continuing condominiums. It was stated if he had known about apartments, he probably wouldn't have purchased his unit.

Mr. Rodgers reiterated requesting a letter from the Law Director and tabling the application.

Mr. Boggs asked Mr. Barstow how he sees the property being developed.

Mr. Barstow noted not being an expert in site planning, but probably a couple houses.

Mr. Boggs noted the best solution would be to buildout what was originally planned; however, if it is rezoned they wouldn't be able to do that.

Mr. Epperson asked if it is rezoned could the property owner request it to be rezoned back to the RM District, then it could go back and forth.

Mr. Fulton stated they could, and the final decision would go through Council.

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

Ms. Klema noted neither the property owner nor Mr. Heitmeyer were notified by the Applicant regarding the rezoning application. Ms. Klema reviewed Pataskala Code Section 1217.02 regarding initiation of zoning amendments. Constitutional rights and property rights were noted, along with ethic laws.

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

Mr. Clark noted concerns with the development, quality of life and supporting rezoning the subject property.

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

Mr. Van Buren noted the property's annexation in 2002 for condominiums, and stated the developer should stick with what was originally planned. Traffic issues were noted. Community concerns were noted.

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

Mr. Young noted his concerns and supporting the rezoning.

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

Mr. Sunderman noted his concerns, stating residents should have a say and supports the rezoning.

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

Mr. Barrett noted his concerns and the comprehensive plan.

Bob Jennell, 83 Runkle Drive, Superintendent of Southwest Licking Schools, was placed under oath.

Mr. Jennell noted support in limiting development and concerns regarding school growth.

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

Ms. Arledge noted her concerns and the property should be approved for condominiums.

Andy Walther, 7899 Columbia Road, was placed under oath.

Mr. Walther noted not being for or against the application. Mr. Walther stated he is not questioning Mr. Barstow's ethics. Concerns were noted regarding a council person with potential personal interest submitting a rezoning application. Mr. Walther noted concerns on testimony that was given, and that a council member with no conflict or interest should bring this before the Board. Pataskala Code Section 1217 was cited. It was stated apartments are allowed on the parcel and concerns regarding this application "leap frogging" an application already before the Board that has not been decided, and feels it is improper and dangerous for the City.

A discussion was had regarding the TCOD application, along with the lot split application before the Board of Zoning Appeals.

Comprehensive Plan and Planned Development District was noted.

Ms. Rodgers asked for a clarification regarding property owner recourse.

Mr. Fulton noted the appeal process.

Ms. Rodgers suggested tabling the application and requesting the Law Director's advice.

A discussion was had regarding tabling the application.

Mr. Truex made a motion to table Rezoning Application ZON-19-004 to the May 1, 2019 hearing. Seconded by Ms. Rodgers. Mr. McGowan, Ms. Rodgers, Mr. Epperson, Mr. Ripley, Mr. Boggs, Mr. Truex and Mr. Beggerow voted yes. The motion was approved.

Recess was taken at 7:39 p.m.

Back on the record at 7:50 p.m.

Next on the Agenda, other business.

Mr. Fulton noted an informal discussion regarding Mink Street and Broad Street development.

Ms. Klema gave an overview of a Pre-Application review, proposing general business use for the northwest corner of Broad Street and Mink Street.

A discussion was had regarding general business, retail and office uses.

Mr. Fulton gave a list of approved uses for the General Business District.

Mr. Fulton noted further business regarding the Licking Heights Local School District's appeal.

Next on the Agenda, Approval of March 6, 2019 Meeting Minutes.

Mr. Boggs noted Code Amendment ZON-019-002 missing from the March 6, 2019 and will be corrected and voted on at the May 1, 2019 meeting.

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

The hearing was adjourned at 8:09 p.m.

Minutes of the April 3, 2019 Planning and Zoning Commission hearing were approved on

_____, 2019.
