Canal Winchester

Town Hall
10 North High Street
Canal Winchester, OH 43110

Meeting Agenda

April 2, 2018
6:30 p.m.

PUBLIC HEARING

City Council

Bruce Jarvis - President
Mike Walker – Vice-President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch
A. Call To Order
B. Roll Call
C. Purpose of Public Hearing

**ORD-18-014 Development**

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 1.03 Acre Tract Of Land From Planned Commercial District (PCD) To Neighborhood Commercial (NC), Owned By OTP Holdings, LLC, Located At 100 Cemetery Road (PID 184-000752) (Ex. A)

*Ordinance Attachments: ZM-18-001 Recommendation from Planning and Zoning*

D. Staff Report
E. Public Comments – Five Minute Limit Per Person
F. Council Discussion and Recommendation
G. Adjournment
ORDINANCE NO. 18-014

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING AN APPROXIMATELY 1.03 ACRE TRACT OF LAND FROM PLANNED COMMERCIAL DISTRICT (PCD) TO NEIGHBORHOOD COMMERCIAL (NC), OWNED BY OTP HOLDINGS, LLC., LOCATED AT 100 CEMETERY ROAD (PID 184-000752)

WHEREAS, the rezoning of the area hereinafter described has been proposed to the Council of the City of Canal Winchester; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester; and

WHEREAS, a public hearing has been held by the Planning and Zoning Commission of the City of Canal Winchester with a recommendation for approval of the rezoning;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That Part 11 of the Codified Ordinances and the Zoning Map of the City of Canal Winchester, Ohio, which is part thereof, be and hereby is amended as follows:

That approximately 1.03 acres, located at 100 Cemetery Road, PID 184-000752, owned by OTP Holdings LLC., as fully set forth in the description attached hereto as Exhibit A and incorporated herein by reference, is rezoned from Planned Commercial District (PCD) to Neighborhood Commercial (NC).

SECTION 2. That all other provisions of Part 11 of the Codified Ordinances and accompanying zoning map shall remain in full force and effect.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED ________________________              ______________________________

PRESIDENT OF COUNCIL

ATTEST ____________________________   ______________________________

CLERK OF COUNCIL    MAYOR

APPROVED AS TO FORM:

____________________________________

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

____________________________________

Finance Director/Clerk of Council
EXHIBIT 'A'

LEGAL DESCRIPTION

Situated in the City of Canal Winchester, County of Franklin, State of Ohio, and is described as follows:

Being in the Southwest Quarter Section 19, Township 15, Range 20 Congress Lands, and being a part of a tract of land conveyed by deed of Lylie G. and Lena E. King to Douglas F. and Myrtle M. Dye, as the same is recorded in Deed Book 1231, page 517, Recorder’s Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at a concrete monument at the Southwest corner of Section 19; thence with the West line of Section 19 North 0° 18 1/2' West, a distance of 179.92 feet to an iron pipe; thence North 86° 40' East, a distance of 227.34 feet to an iron pipe; thence South 03° 36' East, a distance of 193.30 feet to an iron pipe in the South line of Section 19; thence along the South line of Section 19, South 89° 57' West, a distance of 238.13 feet to the Place of Beginning, containing 1.03 acres.

For informational Purposes only:
Property Address: 100 Winchester Cemetery Road Canal Winchester, Ohio 43110
Parcel No.:184-000752-00

DESCRIPTION VERIFIED
DEAN C. RINGLE, P.E., P.S.

BY:

DATE: 8/1/13

046 D
ALL OF

(184)

752
Cemetery Road

1.03 Acres
100 Cemetery Road
Canal Winchester, Ohio

We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and is not to be construed as having been prepared for the owner or for the use of the owner for any purposes.

This property is located in

FLOOD ZONE X
COMMUNITY PANEL 39049C

Page 0452-K Date 6-17-08 By [Signature]

Steven J. Nov 2013
Surveyor
To: Amanda Jackson, CMC, Clerk of Council
From: Andrew Moore, Planning and Zoning Administrator
Date: February 13, 2018
RE: Application ZM-18-001

RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held February 12, 2018

Motion by Joe Donahue, seconded by Mark Caulk, to recommend to council approval of ZM-18-001; to consider the rezoning of 1.03 acres from Planned Commercial District (PCD) to Neighborhood Commercial (NC); for property located at 100 Winchester Cemetery Road (Parcel ID 184-000752). LN + MK Holdings LLC applicant, Owner OTP Holdings LLC. Voting yes: Brad Richey, Joe Donahue, Mike Vasko, Mark Caulk, Bill Christensen. Motion Carried 5-0

Andrew Moore
Planning and Zoning Administrator
To: Amanda Jackson, CMC, Clerk of Council

From: Andrew Moore, Planning and Zoning Administrator

Date: February 13, 2018

RE: Application ZM-18-001

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Andrew Moore
Planning and Zoning Administrator
February 13, 2018

To Whom it May Concern
LN + MK Holdings, LLC
4031 Groveport Road
Obetz, OH 43207

Re: Rezoning Application #ZM-18-001

To Whom it May Concern:

The Planning and Zoning Commission held a public hearing on the above referenced application at their February 12, 2018 meeting. This Zoning Map Amendment was to approve rezoning 1.03 acres located at 100 Winchester Cemetery Road (PID-184-000752) from Planned Commercial District (PCD) to Neighborhood Commercial (NC). After discussion, the commission passed a motion to recommend to City Council that the rezoning from PCD to NC be approved.

A public hearing will be scheduled before City Council, which you will need to attend to present the application and answer any questions from council. You will be notified of the date and time of that public hearing once it has been scheduled.

Sincerely,

Andrew Moore
Planning & Zoning Administrator
City of Canal Winchester
36 South High Street
Canal Winchester, Ohio 43110
Development Department
Phone (614) 837-7501 Fax (614) 837-0145

ZONING CODE AND MAP AMENDMENT APPLICATION
rev. 9/24/2013

PROPERTY OWNER
Name ____________________________________________
Address 100 Winchester Cemetery Road, Canal Winchester, OH 43110
Daytime Phone 614-657-7908 Email grant.a.wright@gmail.com

APPLICANT
Name ____________________________________________
Address 4031 Groveport Road, Obetz, OH 43207
Daytime Phone 614-202-1893 Email ht32000@yahoo.com
Address or Location of Subject Property 100 Winchester Cemetery Road, Canal Winchester, OH 43110
Requested Use for bakery and general retail. Requesting zoning change from PCD to NCD for 1.03 Acres located at Cemetery Road

Attach a current survey (within 2 years) and legal description along with supporting materials required per Section 1143.02 (c) (see attachment). Additional information may be required by the Planning & Zoning Administrator, the Planning & Zoning Commission or Village Council.

I certify that the information provided with this application is correct and accurate to the best of my ability.

Melissa Kinder
Property Owner’s or Authorize Agent’s Signature

1/22/2018
Date

DO NOT WRITE BELOW THIS LINE

Date Received: 1/22/18 Fee: $275.00
Paid Tracking Number: ZA-18-001

P&Z Public Hearing: 2/12/18
Recommendation ____ Approval ____ Denial

Council Public Hearing: ____/____/____
Action ____ Approval ____ Denial

Expiration Date: ____/____/____

Council Ordinance No.: __________
EXHIBIT 'A'

LEGAL DESCRIPTION

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For informational Purposes only:
Property Address: 100 Winchester Cemetery Road Canal Winchester, Ohio 43110
Parcel No.:184-000752-00

DESCRIPTION VERIFIED
DEAN C. RINGLE, P.E., P.S.

BY: [Signature]
DATE: 8/15/13

046 D
ALL OF
(184)
752
We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and is not to be construed as having been prepared for the owner or for the use of the owner for any purposes.

THIS PROPERTY IS LOCATED IN
FLOOD ZONE X  
COMMUNITY PANEL 39049C  

PAGE 0452-K DATE 6-17-08 By

STEVEN J. NOVEMBER 2008
STATE OF OHIO
SURVEYOR
The present use of the property located at 100 Cemetery Road, Canal Winchester, Ohio 43110 is a retail floral shop.

The present zoning district of 100 Cemetery Road, Canal Winchester, Ohio 43110 is Planned Commercial Development.
<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Address</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>184-000764</td>
<td>458 W. Waterloo Street, Canal Winchester, OH 43110</td>
<td>Kevin &amp; Kyle Heberger</td>
</tr>
<tr>
<td>184-000750</td>
<td>468 W. Waterloo Street, Canal Winchester, OH 43110</td>
<td>Kevin &amp; Kyle Heberger</td>
</tr>
<tr>
<td>184-002075</td>
<td>200 Cemetery Road, Canal Winchester, OH 43110</td>
<td>KC Bailey LLC</td>
</tr>
<tr>
<td>184-001274</td>
<td>202 Cemetery Road, Canal Winchester, OH 43110</td>
<td>202 Cemetery Road LLC</td>
</tr>
<tr>
<td>184-000757</td>
<td>610 Waterloo Street, Canal Winchester, OH 43110</td>
<td>Susan R. Stedman</td>
</tr>
<tr>
<td>184-000799</td>
<td>485 W. Waterloo Street, Canal Winchester, OH 43110</td>
<td>Beth E. Bayless</td>
</tr>
<tr>
<td>184-001267</td>
<td>501 W. Waterloo Street, Canal Winchester, OH 43110</td>
<td>Thomas B. Rhoads</td>
</tr>
<tr>
<td>184-000753</td>
<td>612 W. Waterloo Street, Canal Winchester, OH 43110</td>
<td>Frederick J. &amp; Margaret P. Smith</td>
</tr>
<tr>
<td>184-000740</td>
<td>620 W. Waterloo Street, Canal Winchester, OH 43110</td>
<td>Gale L Taylor TR</td>
</tr>
<tr>
<td>184-000734</td>
<td>209-229 Winchester Cemetery Road, Canal Winchester 43110</td>
<td>William &amp; Diana Haynes</td>
</tr>
<tr>
<td>184-002763</td>
<td>6832 Lakeview Circle, Unit 6850, Canal Winchester, OH 43110</td>
<td>Berwin Miller</td>
</tr>
<tr>
<td>184-002761</td>
<td>6844 Lakeview Circle, Canal Winchester, OH 43110</td>
<td>Warren Myers</td>
</tr>
<tr>
<td>184-002762</td>
<td>4623 Wilson Road NW, Lancaster, OH 43130 - RE: Bldg 6, Unit 6844</td>
<td>Herbert Hommel</td>
</tr>
<tr>
<td>184002760</td>
<td>6850 Lakeview Circle, Canal Winchester, OH 43110</td>
<td>Alan &amp; Beth Alten</td>
</tr>
<tr>
<td>184-000755</td>
<td>460 W. Waterloo Street, Canal Winchester, OH 43110</td>
<td>Kenneth Heberger</td>
</tr>
</tbody>
</table>
We are hereby requesting zoning change for 100 Cemetery Road, Canal Winchester, Ohio 43110 from the current zoning of Planned Commercial District (PCD) to the Neighborhood Commercial District (NCD). Under the current zoning of PCD a retail bakery is a permitted use, although no exterior changes can be made under this zoning. By changing the zoning to NCD we will be able to add a walk-in freezer to the bakery area allowing for a more efficient use of the space. We also understand, and will submit to the building department, the required screening of said freezer with our renovation plans.

We believe that the rezoning would allow our bakery to be efficient and effective in running our business. We are family focused and we believe that the bakery would be great for the community and blend well with the overall character of the neighborhood. We believe that this would help increase foot traffic and encourage people to linger in the Canal Winchester District.
1.03 ACRES
100 CEMETARY ROAD
CANAL WINCHESTER, OHIO

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COMMUNITY PANEL 39049C

PAGE 0452-K DATE 6-17-08 By

J:\MORTGAGE\FRANKLIN\2013\100 CEMETARY ROADplans. 5/8/2013 2:01:18 PM, C:\PDF Writer