

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

DATE APPROVED _____

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'

130539-TTA

LEGAL DESCRIPTION

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

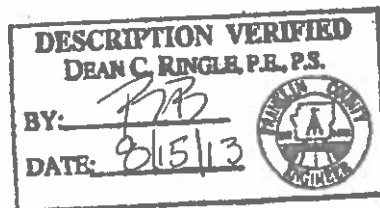
Being in the Southwest Quarter Section 19, Township 15, Range 20 Congress Lands, and being a part of a tract of land conveyed by deed of Lylle G. and Lena E. King to Douglas F. and Myrtle M. Dye, as the same is recorded in Deed Book 1231, page 517, Recorder's Office, Franklin County, Ohio, and being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

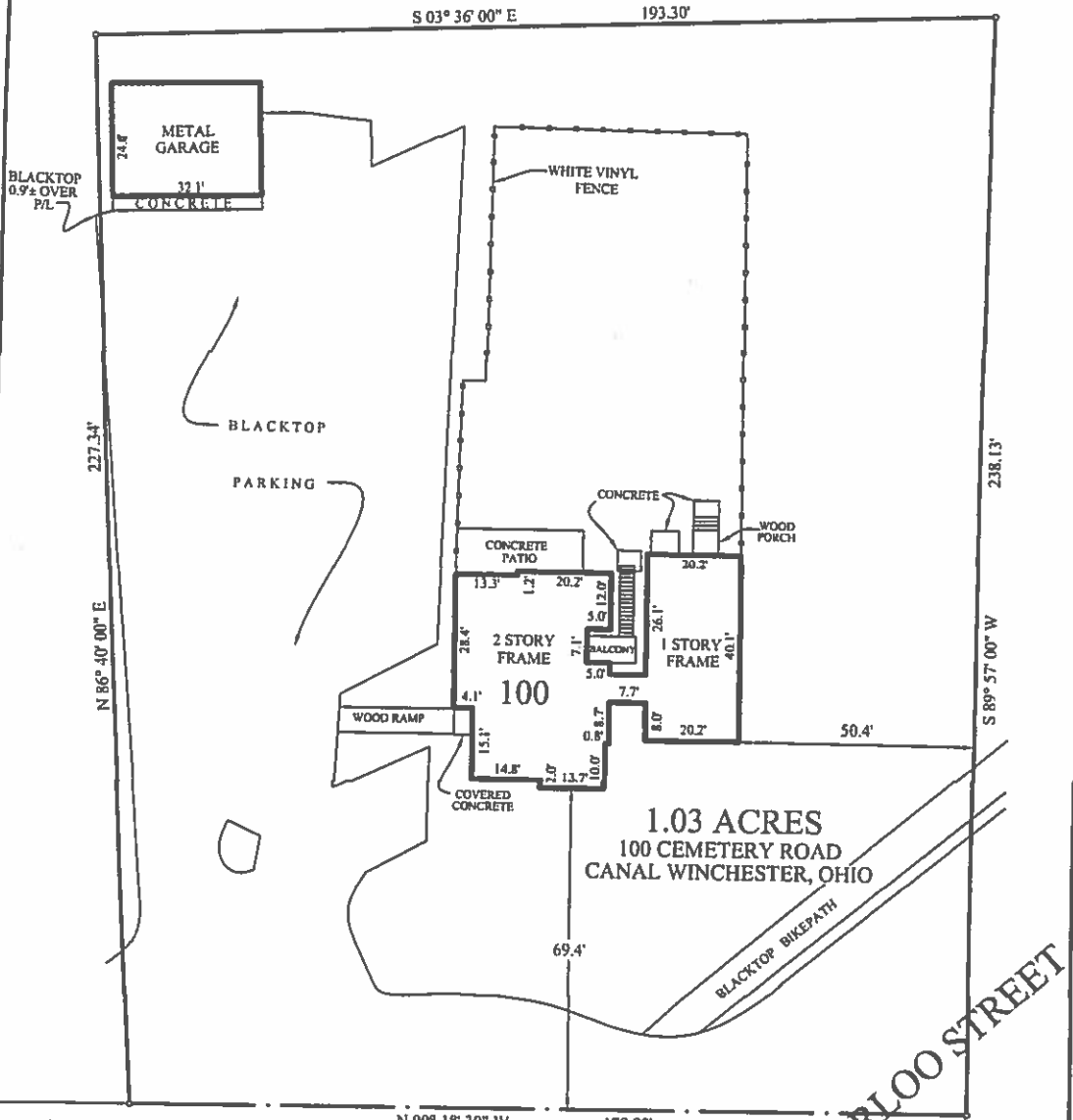
Property Address: 100 Winchester Cemetery Road Canal Winchester, Ohio 43110

Parcel No.:184-000752-00



046 D
All of
(184)
752

CERTIFIED TO TALON TITLE AGENCY COUNTY OF FRANKLIN
LENDER KEMBA FINANCIAL CREDIT UNION P.B. _____ PG. _____ OR./D.B. _____ PG. _____
BUYER OAK TREE PARTNERS II LLC SCALE 1" = 30' DATE 8-8-13 DRN KB CH SJH



1.03 ACRES
100 CEMETERY ROAD
CANAL WINCHESTER, OHIO



CEMETERY ROAD

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]*

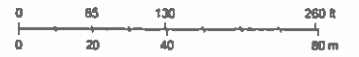


1840046D 02300



January 19, 2018

1:987



Source: Esri, HERE, DeLorme, Intermap, P Corp., GEBCO, USGS, FAD, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, © OpenStreetMap contributors, and the GIS User Community

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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

A handwritten signature in blue ink, appearing to read "Andrew Moore", is positioned above a horizontal line.

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,

A handwritten signature in black ink, appearing to read "Andrew Moore".

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 OTP Holdings LLC

Address 100 Winchester Cemetery Road, Canal Winchester, OH 43110

Daytime Phone 614-657-7808

Email grant.a.wright@gmail.com

APPLICANT

Name LN + MK Holdings, LLC

Address 4031 Groveport Road, Obetz, OH 43207

Daytime Phone 614-202-1893

Email ht32006@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.:

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130539-TTA

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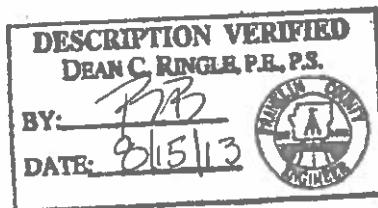
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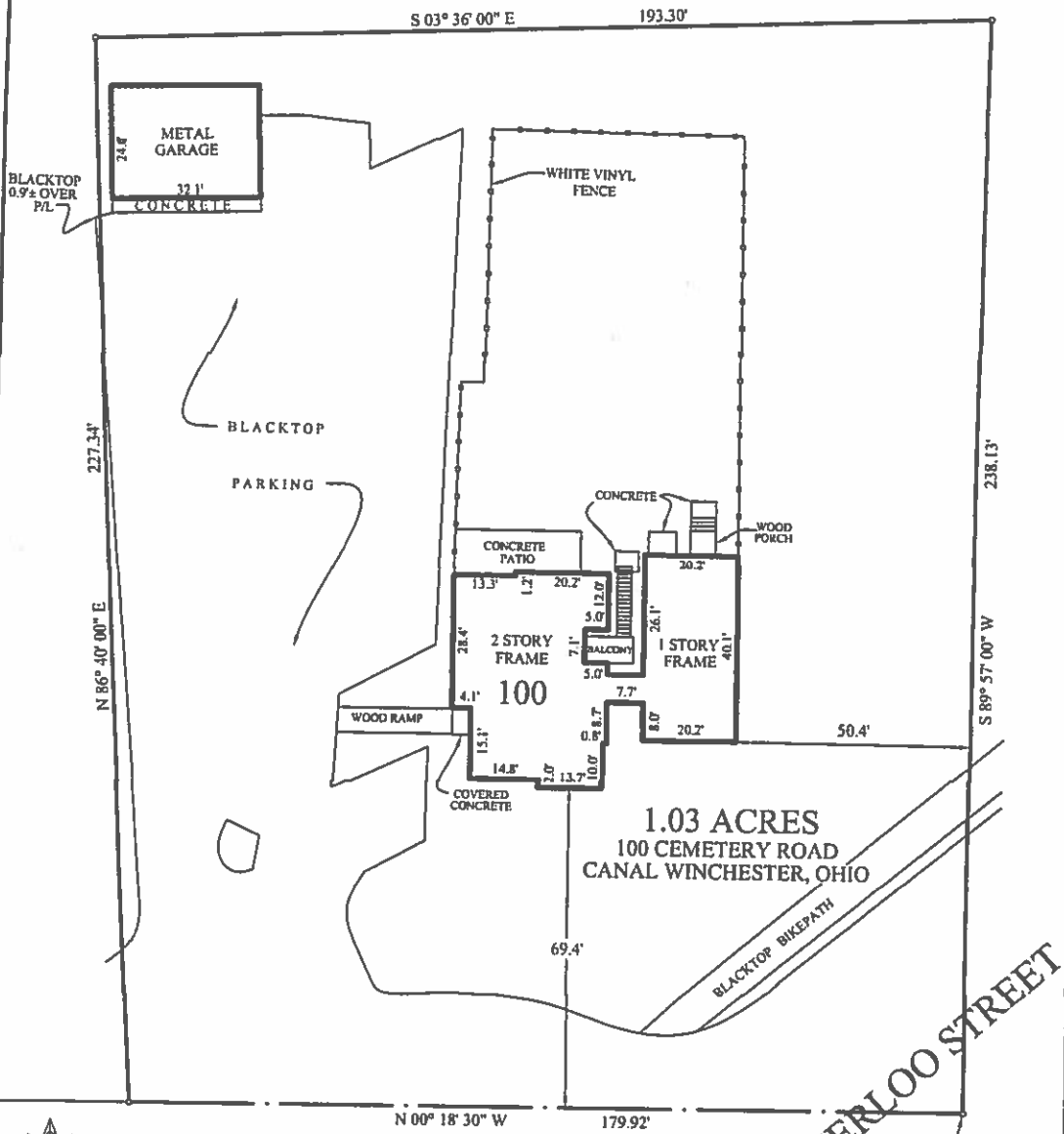
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Parcel No.:184-000752-00



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BUYER OAK TREE PARTNERS II LLC SCALE 1" = 30' DATE 8-8-13 DRN KB CH SJH



1.03 ACRES
100 CEMETERY ROAD
CANAL WINCHESTER, OHIO



CEMETERY ROAD

WATERLOO STREET
POINT OF BEGINNING

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THIS PROPERTY IS LOCATED IN
FLOOD ZONE _____ X _____
COMMUNITY PANEL _____ 39049C _____
PAGE _____ 0452-K _____ DATE _____ 6-17-08 _____

By *Steven J. Hoy*

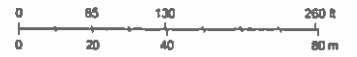


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Source: Esri, HERE, DeLorme, Mapbox, IntraMap P Corp., GEBCO, USGS, FAD, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swastika, Mapbox, © OpenStreetMap contributors, and the GIS User Community

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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.

**List of Property Owners within and directly across the property
at 100 Cemetery Road, Canal Winchester, OH 43110**

184-000764	458 W. Waterloo Street, Canal Winchester, OH 43110	Kevin & Kyle Heiberger
184-000750	468 W. Waterloo Street, Canal Winchester, OH 43110	Kevin & Kyle Heiberger
184-002075	200 Cemetery Road, Canal Winchester, OH 43110	KC Bailey LLC
184-001274	202 Cemetery Road, Canal Winchester, OH 43110	202 Cemetery Road LLC
184-000757	610 Waterloo Street, Canal Winchester, OH 43110	Susan R. Stedman
184-000799	485 W. Waterloo Street, Canal Winchester, OH 43110	Beth E. Bayless
184-001267	501 W. Waterloo Street, Canal Winchester, OH 43110	Thomas B. Rhoads
184-000753	612 W. Waterloo Street, Canal Winchester, OH 43110	Frederick J. & Margaret P. Smith
184-000740	620 W. Waterloo Street, Canal Winchester, OH 43110	Gale L Taylor TR
184-000734	209-229 Winchester Cemetery Road, Canal Winchester 43110	William & Diana Haynes
184-002763	6832 Lakeview Circle, Unit 6850, Canal Winchester, OH 43110	Berwin Miller
184-002761	6844 Lakeview Circle, Canal Winchester, OH 43110	Warren Myers
184-002762	4623 Wilson Road NW, Lancaster, OH 43130 - RE: Bldg 6, Unit 6844	Herbert Hommel
184002760	6850 Lakeview Circle, Canal Winchester, OH 43110	Alan & Beth Alten
184-000755	460 W. Waterloo Street, Canal Winchester, OH 43110	Kenneth Heiberger

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.

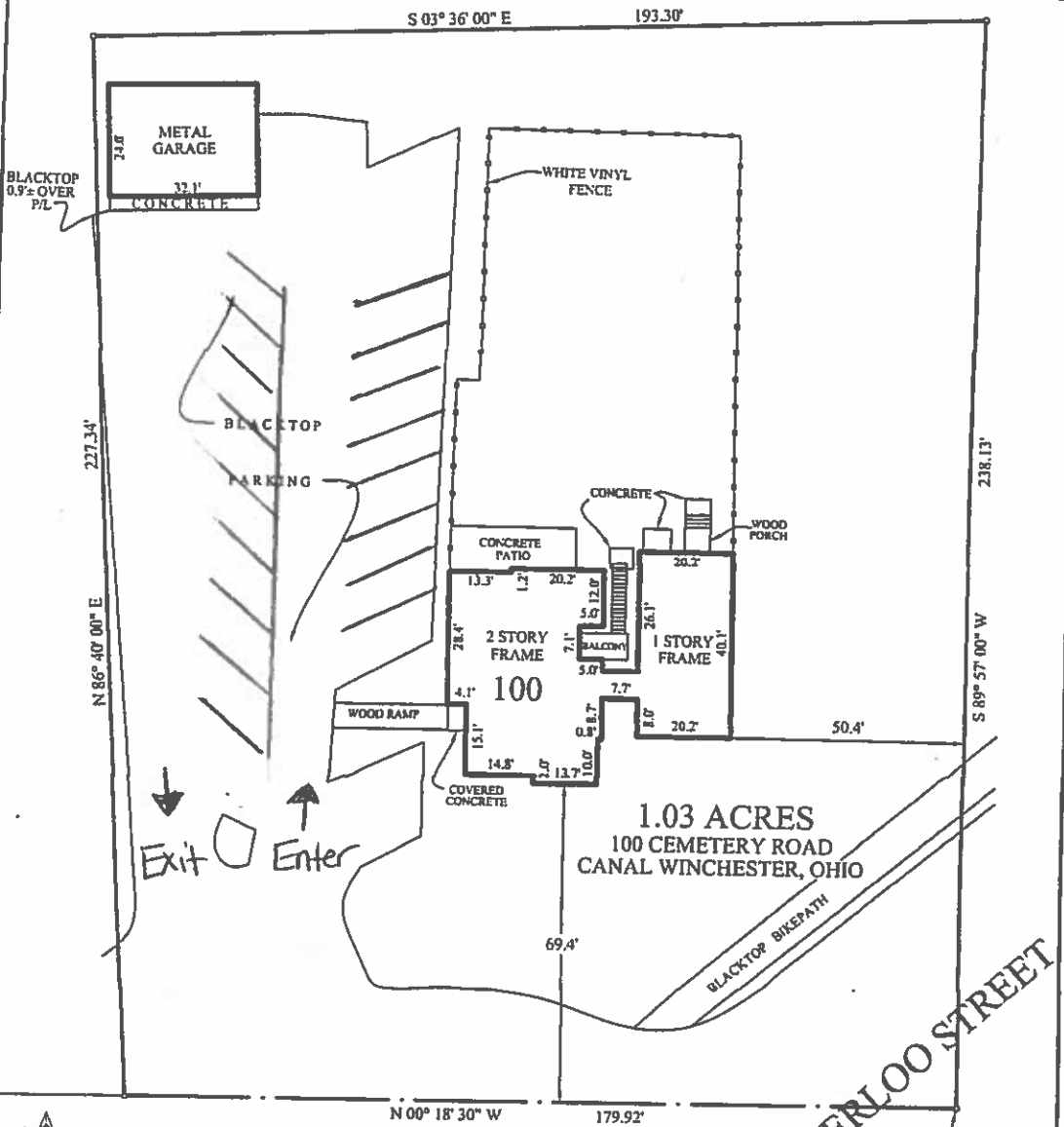
100 Cemetery Road



12/02/2017

© 2017 Pictometry

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