

TEMPORARY ORDINANCE NO. 24-24

PERMANENT ORDINANCE NO. 28-24

AN ORDINANCE TO AMEND THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 5.664 +/- ACRES IN PLEASANT TOWNSHIP, AND TO DECLARE AN EMERGENCY

WHEREAS, the City of Lancaster was served with an Expedited Type 2 Petition to annex 5.664 +/- acres on Sheridan Drive from Pleasant Township to the City of Lancaster; and

WHEREAS, Lancaster City Council has already accepted and consented to the petition for annexation via Permanent Ordinance 23-24 on June 24, 2024; and

WHEREAS, subject to successful annexation the City must establish zoning for the newly annexed territory; and

WHEREAS, the negotiated Pre-Annexation Agreement which is pending before Council as Temporary Resolution 63-24 states that the 5.664 +/- acres to be annexed will be zoned as RM – Residential Multi-Family; and

WHEREAS, the City's Planning Commission met on July 11, 2024, and voted unanimously to establish the zoning for the territory to be annexed as RM – Residential Multi-Family; and

WHEREAS, pursuant to Ohio Revised Code § 713.12, City Council may accept, reject, or modify the recommendation of the Planning Commission as set forth in Exhibit A attached hereto; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Zoning Ordinance and Map of the City of Lancaster, Ohio are hereby revised upon successful passage of the Ordinance to Accept the Annexation to establish zoning for the 5.664 +/- acres, pursuant to Exhibit B, as follows:

a. RM (Residential Multi-Family District)

SECTION 2. The City Engineer is directed to make the changes on the Zoning Map.

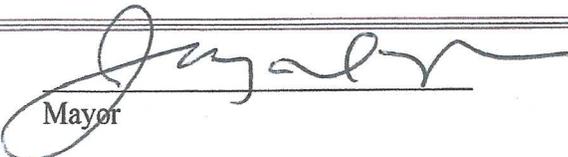
SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Municipality and its inhabitants and for the further reason that this ordinance is necessary to further economic development and remediate the City's acute housing shortage; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: August 26, 2024 after 3rd reading. Vote: Yeas 9 Nays 0

Approved: August 26, 2024

Clerk: [Signature]

[Signature]
President of Council


Mayor

Offered by: Maayna Hoop

Second by: Michael King

Requested by Economic Development Committee

I, Kristina Crites, Clerk of Council do hereby certify that on _____, 2024 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council



**Proposed 5.0± Acre Annexation
from Pleasant Township
to the City of Lancaster**

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Situated in the State of Ohio, County of Fairfield, Township of Pleasant, being part of Section 29, Township 15, Range 18, Congress Lands and containing 5.0± acres of land, more or less, being part of a 5.664 acre tract of land conveyed to Jeffrey L. Shull, Trustee of the Clara Louise Shull Revocable Trust and the Paul J. Shull Revocable Trust in Instrument No. 202300014399 as Tract 1, said 5.0± acres more particularly described as follows:

Beginning at the northeast corner of said Tract 1, an angle point of a 16.269 acre tract of land also conveyed to Jeffrey L. Shull, Trustee of the Clara Louise Shull Revocable Trust and the Paul J. Shull Revocable Trust in Instrument No. 202300014399 as Tract 2, and being on an angle point of a City of Lancaster Corporation Line (Resolution No. 2024-01.30.a, Ordinance No. 15-24, and recorded in Instrument No. 202400006164);

Thence **S 02°06'53" W**, with the common line of said Tract 1 and said Tract 2, and said westerly City of Lancaster Corporation Line, **170.9± feet** to the northeast corner of a 0.120 acre tract of land conveyed to Jared C. and Caitlin M. Lister in Instrument No. 202300008234 as Tract #2, an angle point of said Tract 1, being on the west line of said Tract 2, and said westerly City of Lancaster Corporation Line;

Thence **N 87°54'53" W**, with a north line of said 0.120 acre tract, the north line of a 0.486 acre tract of land also conveyed to Jared C. and Caitlin M. Lister in Instrument No. 202300008234 as Tract #2, and a south line of said Tract 1 and leaving said City of Lancaster Corporation Line, **150.6± feet** to the northwest corner of said 0.486 acre tract and an angle point of said Tract 1;

Thence **S 02°01'55" W**, with a west line of said 0.486 acre tract and an east line of said Tract 1, **118.8± feet** to an angle point of said 0.486 acre tract and said Tract 1;

Thence **S 46°47'49 E**, with an east line of said 0.486 acre tract and a west line of said Tract 1, **124.0± feet** to a southwest corner of said 0.120 acre tract and an angle point of said Tract 1;

Thence **S 88°01'27" E**, with the south line of said 0.120 acre tract, and a north line of said Tract 1, **57.0± feet** to the southeast corner of said 0.120 acre tract, an angle point of said Tract 1 and said Tract 2, and an angle point of said City of Lancaster Corporation Line;

Thence continuing **S 88°01'27" E**, with the common line of said Tract 1 and said Tract 2 and said southerly City of Lancaster Corporation Line, **150.3± feet** to an angle point of said Tract 1 and Tract 2, and an angle point of said City of Lancaster Corporation Line;

Thence **S 01°45'40" W**, with the common line of said Tract 1 and said Tract 2 and with said westerly City of Lancaster Corporation Line, **398.1± feet** to a southeast corner of said Tract 1, a southwest corner of said Tract 2, being on the north line of a 0.18 acre tract of land conveyed to Mary L. Fox in Deed Book 397, Pg. 574 and Deed Book 552, Pg. 195 as Tract #3, and on an angle point of said City of Lancaster Corporation Line;

Thence **N 64°25'22" W**, with the north line of said 0.18 acre tract and the south line of said Tract 1, **191.1± feet** to an angle point of said Tract 1, and the northwest corner of said 0.18 acre tract;

Thence **S 03°37'14" E**, with an easterly line of said Tract 1, a westerly line of said 0.18 acre tract, and the westerly line of a 0.22 acre tract of land also conveyed to Mary L. Fox in Deed Book 397, Pg. 574 and Deed Book 552, Pg. 195, as Tract #1, **129.6± feet** to an angle point of said Tract 1, the southwest corner of said 0.22 acre tract, and being on the north line of a 0.734 acre tract of land conveyed to Cindy S. and Rodney Asbury in Instrument No. 202100022476;

Thence **N 87°59'17" W**, with a south line of said Tract 1 and the north line of said 0.734 acre tract, **20.1± feet** to an angle point of said Tract 1, the northwest corner of said 0.734 acre tract, and being on the east line of a 0.577 acre tract of land conveyed to Ariana Hayes in Instrument No. 202100025179;

Thence **N 01°32'21" W**, with a west line of said Tract 1, and the east line of said 0.577 tract, **95.2± feet** to an angle point of said Tract 1 and said 0.577 acre tract;

Thence **N 03°38'07" W**, with a west line of said Tract 1 and an east line of said 0.577 acre tract, **41.7± feet** to an angle point of said Tract 1 and the northeast corner of said 0.577 acre tract;

Thence **S 85°17'06" W**, with a south line of said Tract 1 and a north line of said 0.577 acre tract, **137.8± feet** to a point on the common line of said 0.577 acre tract and said Tract 1, and being on the proposed easterly right-of-way line of Sheridan Drive (C.R. 56)(60' R/W);

Thence with the proposed easterly right-of-way line of Sheridan Drive (C.R. 56)(60' R/W) and across said Tract 1, the following three (3) courses and distances:

1. **N 13°39'28" W, 399.4± feet** to a point;
2. With a curve to the right, a central angle of **14°00'46"**, a radius of **1027.96 feet**, an arc length of **251.4± feet**, and a chord bearing and distance of **N 06°39'05" W, 250.8± feet** to a point;

**Proposed 5.0± Acre Annexation
from Pleasant Township
to the City of Lancaster**

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3. With a curve to the right, a central angle of $2^{\circ}41'40''$, a radius of 1475.42 feet, an arc length of 69.4± feet, and a chord bearing and distance of $N 1^{\circ}49'45'' E$, 69.4± feet to a point on the proposed right-of-way, the common line of said Tract 1 and said Tract 2, and being on said southerly City of Lancaster Corporation Line;

Thence $S 87^{\circ}54'53'' E$, with the common line of said Tract 1 and said Tract 2 and with said southerly City of Lancaster Corporation Line, 323.9± feet to the Point of Beginning, containing 5.0± acres.

The above description was prepared by Advanced Civil Design Inc. on May 8, 2024 and is based on existing Fairfield County Auditor and Recorder records.

The total length of the annexation perimeter is 2,829± feet, of which 1043± feet are contiguous with existing City of Lancaster Corporation lines, being 37±% contiguous.

All references used in this description can be found at the Fairfield Recorder's Office, Fairfield County, Ohio.

This is not to be used for the transfer of land and is for annexation purposes only.



ADVANCED CIVIL DESIGN, INC.

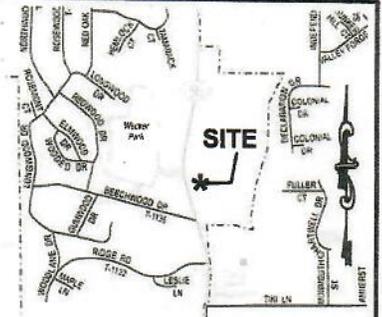
Douglas R. Hock 5/14/24

Douglas R. Hock, P.S. 7661 Date:

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S03°37'14"E	129.6'±
L2	N87°59'17"W	20.1'±
L3	N01°32'21"W	95.2'±
L4	N03°38'07"W	41.7'±

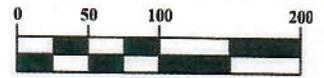
5.0± ACRE ANNEXATION FROM THE TOWNSHIP OF PLEASANT TO THE CITY OF LANCASTER

Section 29, Township 15
Range 18, Congress Lands
Township of Pleasant
County of Fairfield, State of Ohio



Location Map - NTS

GRAPHIC SCALE



1 inch = 100 feet

Paul J. Shull, Trustee of the Paul J. Shull Revocable Living Trust & Clara L. Shull, Trustee of the Clara L. Shull Revocable Living Trust
Tract One
D.V. 690, Pg. 933
21.280 Ac.
P.N. 0270035920

City of Lancaster
D.V. 438, Pg. 20
P.N. 0270805000
(0.57 Ac.)
11.45 Ac. (Total)

P.N. 0270077500

Sheridan Drive
Subdivision No. 2
P.B. 7, Pg. 6
P.N. 0270077400

Lot 19

5.0± Ac. Tract

Length of Contiguity: 1043± feet
Total Length of Perimeter: 2,829± feet
Percentage of Contiguity: 37±%

This annexation will result in Parcel 0270036000 being a township island.

Lot 18

P.N. 0270077300

Legend



Area to be Annexed

Existing City of Lancaster Corp Line

Proposed City of Lancaster Corp Line

This exhibit is created from information obtained from the Fairfield County Auditor's Office and the Fairfield County Recorder's Office. This exhibit is not to be used for the transfer of land.

Douglas R. Hock, P.S. 7661

Date:

Advanced Civil Design, Inc
781 Science Boulevard, Suite 100
Gahanna, OH 43230
Phone 614-428-7750

Job No.: 23-0038-414
Date: 05/08/2024



POB
5.0± Ac.

S87°54'53"E 323.9'±

Δ=2°41'40"
R=1475.42'
Ard=69.4'±
ChB=N1°49'45"E
ChD=69.4'±

Δ=14°00'46"
R=1027.96'
Ard=251.4'±
ChB=N6°39'05"W
ChD=250.8'±

Jared C. and Caitlin M. Lister
I.N. 20230008234
P.N. 0270036000

Tract #1
0.486 Ac.

Tract #2
0.120 Ac.

S88°01'27"E
57.0'±

S88°01'27"E
150.3'±

Jeffrey L. Shull, Trustee of the Clara Louise Shull Revocable Trust and the Paul J. Shull Revocable Trust
I.N. 202300014399
Tract 1
5.664 Ac.

5.0± Ac.

P.N. 0270035940

Jeffrey L. Shull, Trustee of the Clara Louise Shull Revocable Trust and the Paul J. Shull Revocable Trust
I.N. 202300014399
Tract 2
16.269 Ac.
P.N. 0534248400

Ariana Hayes
I.N. 202100025179
0.577 Ac.
P.N. 0270035400

Tract #1
0.22 Ac.

Tract #3
0.18 Ac.

Mary L. Fox
D.B. 397, Pg. 574
D.B. 552, Pg. 195
P.N. 0270035300

Tract #2
0.020

Cindy S. and Rodney Asbury
I.N. 202100022476
0.734 Ac.
P.N. 0270035100

RECORD OF PROCEEDINGS

Minutes of

CITY PLANNING COMMISSION

Meeting

Held Thursday, July 11, 2024

The Lancaster City Planning Commission met on Thursday July 11, 2024. Members present were Jan Coccia, Sherry Orlando, Bob Lovell, Rick Wilkins, Service-Safety Director Carrie Woody and Mayor Don McDaniel. Also present were Curt Shonk from Engineering, Steven Wellstead and Ryan Shonk from Storm Water, Tim Deitz from LDOT, Geoffrey Davis from Certified Building, Chasilyn Carter, Andrew Lendell and Pete Vail from Planning and Zoning, Stephanie Hall from the Law Director's Office and Stephanie Bosco from Economic Development.

Service-Safety Director Woody opened the meeting at 9:30 AM and welcomed everyone. She noted that our first case would be a Public Hearing.

Ms. Carter began with Case 2024.004.02 a Rezoning Request for a 5.664 +/- acre parcel of property on the east side of Sheridan Drive south of the Thomas Ewing Junior High School. The property was annexed from Pleasant Township zoned as residential multi-family. With the annexation, the zoning must be changed to meet our zoning code. Therefore, the developer is asking that the parcel be rezoned as RM, Residential Multi-Unit.

She explained that the issues before Planning Commission were as follows:

- Pursuant to LCO 1159.02, the Planning Commission must decide whether or not to recommend that the Zoning Map be amended to rezone parcel number 0270035940 to RM at the request of the petitioner. The Planning Commission may recommend that the application be approved as submitted, approve as amended, approved subject to modification, or denied.
- Legislation for annexation of this 5.664 +/- acre parcel has already been submitted and approved by the Council of the City of Lancaster.

Mr. David Hodge of Underhill and Hodge, LLC was present and stated that they were assisting the Shull Family with the rezoning request. He mentioned that this piece of property was just an extension of the property previously annexed and rezoned and brought before City Planning Commission and City Council.

Service-Safety Director Woody opened the Public Hearing at 9:35 AM and called for proponents of the rezoning, upon hearing none, she called for opponents to the rezoning. Kellie Kieffer of 2161 Midway Boulevard in Lancaster, Ohio was present and stated that she was concerned about how Sheridan Drive and Rainbow Drive were going to handle the extra traffic and she also inquired about green space being left for the residents and City.

Mr. Hodge advised that a Traffic Impact Study was being conducted and was close to completion. He advised that the developers would do whatever was recommended as far as turn lanes, etc. for the development.

He also advised that the developers would meet the Public Sites and Open Space requirements either with land dedication or payment in lieu of

RECORD OF PROCEEDINGS

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CITY PLANNING COMMISSION

Meeting

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land dedication at the discretion of the Parks Board. However, he did mention that they were thinking of adding a walking trail meandering through the development to get pedestrian traffic off of Sheridan Drive to the Junior High School.

Upon hearing no other opponents, Service-Safety Director Woody called for rebuttal from proponents. Mr. Hodge advised that with this annexation there would be a remnant island parcel still in the County left with no road frontage. He also advised that they are actively seeking a developer interested in taking on the development and hoped that would happen soon. He stated that there is a need within the city for housing at this time.

Hearing nothing further from proponents or opponents, Service-Safety Director Woody closed the Public Hearing at 9:40 AM.

Ms. Orlando inquired about there only being one entrance to the property. She was advised by Attorney Hall that in the annexation agreement it is required that they have 2 entrances. Mr. Hodge advised that there would be a second entrance and it would be for fire access only. Mr. Curt Shonk added that Sheridan Drive is a County Road and that they want to limit the property to 1 access point for the public.

Mayor McDaniel pointed out that the zoning was staying the same as it was before the annexation, this just changes that classification to the City's designation of RM – Residential Multi-Unit.

Ms. Orlando made a motion to approve the Change of Zoning request; seconded by Mr. Wilkins. There was a unanimous vote to approve and the motion carried.

The next case is 2019.002.7 from Lancaster Development Company, LLC represented by GBC Design, Inc. for the Timbertop Subdivision located on the north side of North Columbus Street between Whittier Drive and Woodland Heights Lane. The property has been through many stages since 2019 and this is the final Plat for the proposed Phase Four, consisting of two lots within 34.135 acres.

Ms. Carter began by stating that there are some construction plan issues that need to be addressed:

General: The applicant must address all technical errors or omissions in the construction drawings as noted during review.

Streets: The alignment of Timbertop Street must comply with the alignment presented in the Preliminary Plat and include a temporary turnaround at the terminus along with access to the adjacent lots.

Storm Sewer: While most storm sewer plans are compliant with City standards, design changes are necessary to direct flood routing into the detention pond and address flood routing concerns of the downstream lot.

Water: The plans include a 12" water main along the proposed Timbertop Street but exclude a water main extension to Bush Hill Drive as

RECORD OF PROCEEDINGS

Minutes of

CITY PLANNING COMMISSION

Meeting

Held Thursday, July 11, 2024

presented in the Preliminary Plat. The applicant is required to provide this waterline extension.

Sanitary Sewer: The plans do not include sanitary sewer as presented in the Preliminary Plan. Applicant is required to provide a sanitary sewer extension or demonstrate that each of the proposed lots will have adequate access to the existing sanitary sewer system.

Ms. Carter advised that the staff recommendations include:

Lancaster Development Company, LLC must provide the city with construction plans that satisfy all relevant departments and comply with all Lancaster Codified Ordinances. The construction plans shall be revised as directed by the City, with comments resolved and signatures obtained.

They must also provide the city with a revised Final Plat that includes the City's required plat language and conforms with all necessary revisions to accommodate changes in the construction plans, including but not limited to utility easements. A fully compliant Final Plat must be submitted to the City Engineer one week prior to City Council vote on the Final Plat.

If Lancaster Development Company, LLC desires to record the Final Plat before the public improvements are constructed, they must provide the city with a performance/construction bond equal to 100% of the estimated construction cost as approved by the City Engineer.

Also, by approving this Final Plat, any alterations to the Final Plat required by the foregoing conditions may be approved administratively by the City Engineer.

Mr. Curt Shonk added that the reason for the conditions as stated is because the developers are trying to push through the Final Plat approval. Mr. Shonk assured the members that the Engineering Office will make certain that each lot has adequate, water, sewer and roadways and that they will be completed before the final plans are signed.

Mr. John Walsh was present from GBC Design and advised that they will make certain that all city requirements are met and requested changes are made. He stated that a Zoning Clearance application has been submitted for one of the lots.

Mr. Wilkins made a motion to approve the Final Plat under the conditions recommended by the City Staff; seconded by Mr. Lovell. There was a unanimous vote to approve and the motion carried.

With no further discussion, Service-Safety Director Woody called for a motion to adjourn. The motion was made by Ms. Orlando; seconded by Mr. Lovell. There was a unanimous vote to approve and the meeting adjourned at 9:55 AM.

Respectfully submitted,


Carrie Woody
Service-Safety Director