

TEMPORARY ORDINANCE NO. 37-24

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO ACCEPT THE FINAL PLAT FOR LDG DEVELOPMENT'S EMERALD PLACE PROJECT AND TO DECLARE AN EMERGENCY

WHEREAS, LDG Development, the developer of the Emerald Place Project on S. Ewing Street, submitted a plat to the Lancaster Planning Commission for consideration as a final plat; and

WHEREAS, upon review at its September 12, 2024, meeting, the Planning Commission unanimously approved the proposed final plat with conditions precedent recommended by the City Engineer; and

WHEREAS, the developer has complied with those conditions as determined by the City Engineer who is recommending City Council accept the final plat for the Emerald Place Project attached hereto as Exhibit A; now, therefore,

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

SECTION 1. That the Final Plat for the Emerald Place Project, attached hereto as Exhibit A, is hereby approved and accepted by the City.

SECTION 2. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and its inhabitants and for the further reason that timely approval is needed in order to meet an end of the year start date on construction for this project; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

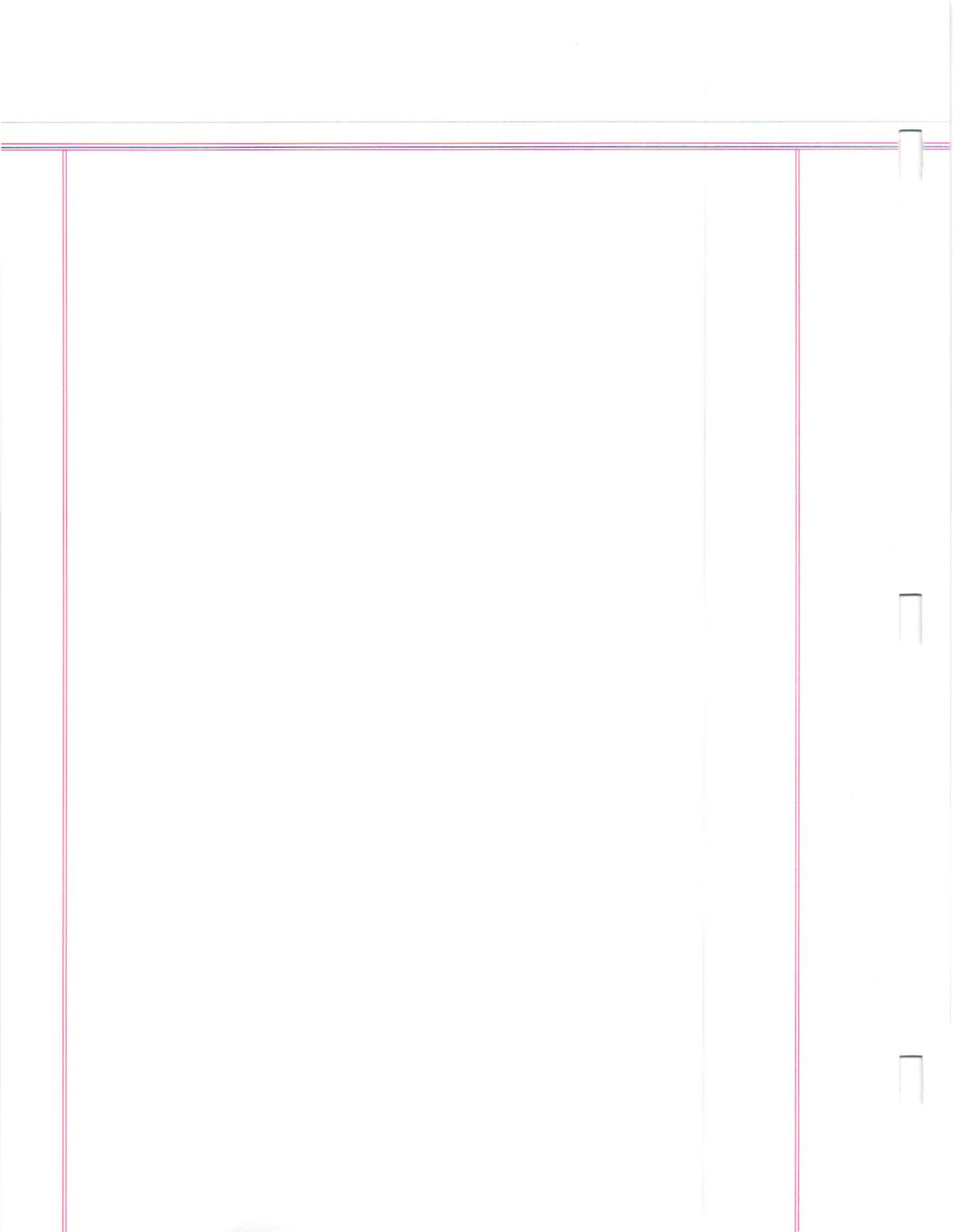
Offered by: _____

Second by: _____

Requested by Code Enforcement & Zoning Committee

I, Anitra Scott, 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



EMERALD PLACE

Situated in the State of Ohio, County of Fairfield, City of Lancaster, and in Section 8, Township 14, Range 18, Congress Lands, containing 18.685 acres of land, more or less, said 18.685 acres being comprised of all of that tract of land conveyed to **GANDEE PRECISION MACHINE** by deed of record in Deed Book 566, Page 170, and all of that tract of land conveyed to **THE CITY OF LANCASTER, OHIO** by deed of record in Deed Book 633, Page 543, Recorder's Office, Fairfield County, Ohio.

The undersigned, **GANDEE PRECISION MACHINE**, an Ohio corporation, by **LARRY GANDEE**, President, and **THE CITY OF LANCASTER**, by **DON G. MCDANIEL**, Mayor, owners of the lands planted herein, duly authorized in the premises, do hereby certify that this plat correctly represents their **"EMERALD PLACE"**, a subdivision containing Lots 1 and 2, do hereby accept this plat of record and dedicate to public use, as such, all of South Ewing Street and Lawrence Street, shown hereon and not heretofore dedicated.

In Witness Whereof, **LARRY GANDEE**, President of **GANDEE PRECISION MACHINE**, has herunto set his hand this ___ day of ___, 20__.

Signed and acknowledged
In the presence of: **GANDEE PRECISION MACHINE**

By **LARRY GANDEE**, President

STATE OF OHIO
COUNTY OF FAIRFIELD ss:

Before me, a Notary Public in and for said State, personally appeared **LARRY GANDEE**, President of **GANDEE PRECISION MACHINE**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **GANDEE PRECISION MACHINE** for the uses and purposes expressed herein.

In Witness Whereof, I have herunto set my hand and affixed my official seal this ___ day of ___, 20__.

My commission expires ___ Notary Public, State of Ohio

In Witness Whereof, **DON G. MCDANIEL**, Mayor of **THE CITY OF LANCASTER**, has herunto set his hand this ___ day of ___, 20__.

Signed and acknowledged
In the presence of: **THE CITY OF LANCASTER**

By **DON G. MCDANIEL**, Mayor

STATE OF OHIO
COUNTY OF FAIRFIELD ss:

Before me, a Notary Public in and for said State, personally appeared **DON G. MCDANIEL**, Mayor of **THE CITY OF LANCASTER**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **THE CITY OF LANCASTER** for the uses and purposes expressed herein.

In Witness Whereof, I have herunto set my hand and affixed my official seal this ___ day of ___, 20__.

My commission expires ___ Notary Public, State of Ohio

A Public Sites and Open Space Fee per Section 1109.12 L.C.O. of \$ ___ was paid on this day ___ of ___, 20__.

Approved and accepted by Planning Commission this ___ day of ___, 20__.

Approved and accepted by City Council this ___ day of ___, 20__.

I hereby certify that this plat was filed for recording on ___ am-pm and that it was recorded on ___ in Cabinet ___ of ___ plat records of Fairfield County, Ohio.

Fee \$ ___

Curtis Shook
City Engineer, City of Lancaster

Carric Woody
Secretary of Planning Commission, City of Lancaster

Karina Crites
Clerk of Council, City of Lancaster

Carr L. Brown
Fairfield County Auditor

Lisa McKenzie
Fairfield County Recorder



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by positional solutions derived by the National Geodetic Survey's Online Positioning Users Service software using GPS observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of South Ewing Street, having a bearing of South 03° 57' 17" West and monumented as shown hereon, is designated as the "basis of bearings" for this plat.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Fairfield County, Ohio, Recorder.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon in the public street centerline, are one-inch diameter, thirty-inch long, solid iron pins, are set to monument the points indicated, are to be set after the construction installation of the street pavement and are to be set with the top end one-fourth inch below the top of the pavement. Once installed, the top of the pin shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED
BY



We do hereby certify that we have surveyed the above premises prepared the attached plat, and our said plat is correct. All dimensions are in feet and decimal parts thereof.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- = Permanent Marker (See Survey Data)

By _____ Professional Surveyor No. 7865 Date _____

APPLICATION FOR FINAL PLAT APPROVAL



PLANNING COMMISSION
CITY OF LANCASTER
c/o Engineering Department
121 East Chestnut St., Suite 100
Lancaster, Ohio 43130-3825
Telephone (740) 687-6614
Facsimile (740) 681-5030

Date of Application: 08/15/24

Name of Subdivision: Emerald Place

Name of Applicant: LDG Multifamily, LLC Telephone # 502-388-7034

Applicant's Address: 545 South 3rd Street, Louisville, Kentucky 40202

Name of Surveyor: Matt Kirk, PS Telephone # 614-775-4131

Surveyor's Address: 5550 New Albany Road, Columbus, Ohio 43054

Name of Engineer: Patricia Brown, PE Telephone # 614-775-4396

Engineer's Address: 5550 New Albany Road, Columbus, Ohio 43054

Date of Preliminary Plat Review: N/A - Requirement Waived

Revised Preliminary Plat Required? Yes or No (Revision must be submitted before action on Final Plat)

Subdivision Plat Summary:

- | | | | |
|----------------------------|-------------------|-------------------------------------|-----------------|
| (A) Total Area | <u>18.685</u> ac. | (E) Area Dedicated for Public Sites | |
| (B) Area In Lots | <u>16.086</u> ac. | & Open Spaces | <u>0.00</u> ac. |
| (C) Area In Streets | <u>2.599</u> ac. | (F) Number Of Proposed Lots | <u>2</u> |
| (D) Lineal Feet of Streets | <u>N/A</u> ft. | | |

List Other Materials Submitted:

- | | | | |
|------------------------------|------------------------------------|-----------------------------|-------------------|
| (A) Improvement Plan Sets | <u>N/A</u> copies | (D) Engineer's Calculations | <u>N/A</u> copies |
| (B) Final Plats | <u>1 full & 1 11x17</u> copies | (E) Application fee \$ | <u>820.00</u> |
| (C) Engineer's Cost Estimate | <u>N/A</u> copies | | |
| (D) Other | _____ | | |

Meeting Date to Consider Plat 09/12/24 Action of Planning Commission: _____

Date: 08/15/24

Signature: 

efn: _____

**LDG Development, LLC
Final Plat Approval
Lancaster Planning Commission
September 12, 2024**

CASE No.: 2024.006.01

DEVELOPER: LDG Development, LLC.
545 South 3rd Street,
Louisville, Kentucky 40202

ENGINEER: EMH&T
5550 New Albany Road
Columbus, OH 43054

DATE SUBMITTED: August 15, 2024

Site Location: Northwest corner of S. Ewing Street and Lawrence Street.
North of City of Lancaster Sanitation Garage.

REQUEST:
LDG is requesting to waive their preliminary plat and approve the final plat for their public improvement project adding a turn lane and right-of-way dedication.

PROJECT DESCRIPTION: LDG is adding a turn lane and will be dedicating right-of-way to the City of Lancaster which will require a lot split. Due to not meeting the below criteria, Emerald Place will fall under the major subdivision regulations which require a plat approval through the Planning Commission.

Lancaster Codified Ordinance 1105.03 (a) 1. Adjoins an existing public street and does not involve opening, widening, extension, or improvements of any roadway or the installation of any public utilities or new easements deemed necessary by the City Engineer to provide future public utility service.

Due to the below criteria, Emerald Place will fall under the major subdivision regulations which require a plat approval through the Planning Commission.

STAFF RECOMMENDATION: Staff recommends approving the preliminary plat as the final plat.

PLANNING COMMISSION ACTION: The Planning Commission may approve the plat as submitted, move to approve the plat with modifications, or deny the plat request.

EXHIBITS:

- A. Plat Application
- B. Final Plat

RECORD OF PROCEEDINGS

Minutes of

CITY PLANNING COMMISSION

Meeting

Held

Thursday, September 12, 2024

The Lancaster City Planning Commission met on Thursday September 12, 2024. Members present were John Sigafos, Sherry Orlando, Kari James, Parks Board Delegate, Service-Safety Director Carrie Woody and Mayor Don McDaniel. Also present were Curt Shonk and Jeff Baird from Engineering, Steven Wellstead from Storm Water, Tim Deitz from LDOT, Geoffrey Davis from Certified Building, Chasilyn Carter and Pete Vail from Planning and Zoning, Stephanie Hall from the Law Director's Office, Councilman Larry Ailes and Amy Hamilton of Income Tax.

Service-Safety Director Woody opened the meeting at 9:30 AM and welcomed everyone.

The first case before the commission was 2024.006 Open Space Plan and Fee Approval for Emerald Place subdivision located at the northwest corner of South Ewing Street and Lawrence Street as submitted by LDG Development, Inc.

Ms. Carter advised that LDG is requesting approval of their Open Space Plan or Lieu Fee. Lancaster Codified Ordinance 1109.12 (b) requires that subdivisions or developments that result in additional dwelling units within the City, the Owner/Developer shall be required to dedicate land to public sites and open space without compensation or to pay an amount equal to the value defined herein, of such land to the Board of Park Commissioners to develop public sites and open space.

The Open Space in Lieu Fee was calculated by multiplying the required amount of land to be dedicated, which is 2.48 acres, by the fair market value established by the park board, which is \$39,060. The total Lieu fee that would be owed is \$96,673.50.

Service-Safety Director Woody called for question or comments and upon hearing none, called for a motion. Mr. Sigafos made a motion to approve; seconded by Ms. James. There was a unanimous vote to approve and the motion carried.

Next case was 2024.006.01, a Final Plat Approval for Emerald Place which is the same development as listed in Case 2024.006 above. The property is located on the northwest corner of South Ewing Street and Lawrence Street, just north of the City of Lancaster Sanitation Garage. Mr. Zac Linsky of LDG Development and Mr. Curtis Prill of EMH & T were both present to answer questions if need be.

Ms. Carter began by stating that LDG is adding a turn lane and will be dedicating right-of-way to the City of Lancaster which will require a lot split. Due to not meeting the below criteria, Emerald Place will fall under the major subdivision regulations which require a plat approval through the Planning Commission.

Lancaster Codified Ordinance 1105.03 (a) 1. Adjoins an existing public street and does not involve opening, widening, extension, or improvements of any roadway or the installation of any public utilities or new easements deemed necessary by the City Engineer to provide future public utility service.

RECORD OF PROCEEDINGS

Minutes of

CITY PLANNING COMMISSION

Meeting

Held Thursday, September 12, 2024

Mr. Shonk advised the members that this is a subdivision and that their preliminary plat has become the final plat. He advised that no major changes to the submittal are anticipated. However, he did point out that it could be approved subject to any revisions if anything major arises.

With there being no further questions, Service-Safety Director Woody called for a motion. The motion for approval was made by Ms. James; seconded by Mr. Sigafoos. Law Director Hall advised that the motion should be made to approve with the approval of the construction drawings by the City. There was a unanimous vote to approve and the motion carried.

Next case was Case 2024.007 a request for variances by Ohio Power Company. Mr. Robert Howard of AEP was present for this discussion. The site being discussed is located at the terminus of East Fair Avenue.

Ms. Carter began by explaining that AEP is looking to expand the current Lancaster Junction Station for electrical reliability and growth in this area. Permanent and safe access for construction, hardware placement, outages, future repairs, and hardware removal is necessary for expansion. AEP currently owns the adjacent parcel fully developed as a station site. The current utility placement and station build have created access pinch points for large equipment. The dead-end road has created a unique situation for access to the site along with the drop-off at the end of the road to the low ground. The proposed access will be needed to bring the drive into grade specs for the delivery of equipment and maintenance within the expanded station area in the future. Placing the access with the proposed area will also help prevent large equipment from a sharp turning radius thus preventing damage to the current city street.

AEP proposes expansion for their Lancaster Junction Station site to improve the reliability of their customers in this area. The current Lancaster Junction Station needs breakers that currently don't exist nor will fit in the current station footprint. The Lancaster Junction Expansion will provide greater protection and reliability for customers. (This description is cited from the applicant's application.)

With that being said, Ms. Carter explained the variances that were needed for this request. They are as follows:

1. A variance for the lack of required frontage. *Lancaster Codified Ordinance 1105.03 (a)(4)* requires the minimum frontage to comply with current zoning, which in this case is 70 feet.
2. A variance for no access at the terminus of E. Fair Ave. *a. Lancaster Codified Ordinance 1105.03 (b) No minor subdivision shall be approved that utilizes the width of a street at the terminus of such street as the required frontage for the minor subdivision.*

Mr. Shonk stated that a substation already exists in this location and it came to him as a lot split by Minor Subdivision from Ohio Power Company. He explained that the property is at the terminus of East Fair Avenue and with the existing stream in close proximity, the property is not very suitable for future development. He cannot foresee East Fair Avenue

RECORD OF PROCEEDINGS

Minutes of

CITY PLANNING COMMISSION

Meeting

Held

Thursday, September 12, 2024

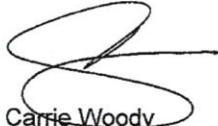
ever wanting to be extended past its present point. He further advised that the City is requiring them to install a 60-foot bulb cul-de-sac for this property.

Mr. Sigafoos inquired as to whether or not a 60-foot bulb would be what the Lancaster City Fire Department would want. Mr. Shonk advised that he would check with the Fire Department to see what they would prefer.

With no further questions or comments, Mr. Sigafoos made a motion to approve conditional upon the Fire Department's approval of the cul-de-sac design after approval; seconded by Mayor McDaniel. There was a unanimous vote to approve with the abstention of Ms. Orlando. The motion carried.

Without further discussion, Service-Safety Director Woody called for a motion to adjourn. The motion was made by Mr. Sigafoos; seconded by Service-Safety Director Woody. There was a unanimous vote to approve and the meeting adjourned at 9:45 AM.

Respectfully submitted,



Carrie Woody
Service-Safety Director