

# Canal Winchester

*Town Hall  
10 North High Street  
Canal Winchester, OH 43110*



## Meeting Minutes - FINAL

December 3, 2018

5:30 PM

### Council Work Session

*Mike Walker – Chair*

*Jill Amos*

*Will Bennett*

*Bob Clark*

*Mike Coolman*

*Bruce Jarvis*

*Patrick Lynch*

- A. **Call To Order** *Mr. Walker called the meeting to order at 5:39 p.m.*
- B. **Roll Call** *Present 7- Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker*

C. **Also In Attendance**

*Matt Peoples, Lucas Haire, Amanda Jackson*

D. **Request for Council Action**

**ORD-18-045**  
*Development*

An Ordinance To Amend Part 11 Of The Codified Ordinances And Adopt The Official Woodlands Map For The City Of Canal Winchester (**Ordinance, Exhibit A, Areas Added and Removed**)

*- Request to move to full Council*

*Haire: Thank you Mr. Walker; this is related to the public hearing we have later tonight in regards to the landscape code; so as part of the landscape code in certain areas we have protected woodlands, protected trees and we have different standards for saving those areas; what we've done here with this is we're realizing there's some areas that probably need to be added; that also should be protected; there's some areas that are in the path of development or have already been amended and so we'd like to remove those areas; in the areas on the map, the areas in black are the areas that we'd like to move; remove from the woodlands map and the areas in orange are the areas we would like to add; Bennett: Mr. Haire, what's the purpose for the removal, specifically; Haire: some of them are specifically in the paths of planned roadway extensions that have been planned for years; others are adjacent to areas that are likely to be developed; for example, that little area along Gender Road there, that's an area that city council transferred to HFI a few years ago for a parking lot expansion; so the majority of that property would remain but the area adjacent to HFI would be removed; the extension on Winchester Boulevard, we've planned to extend that for at least twelve years now; so we'd like to see that removed so we don't run into any issues with extending the roadway; Bennett: I guess to follow up on the flipside then, how were the decisions made on the areas to add; Haire: some of them are already being preserved; some of them are stream corridor protection zones; so in our code we have a stream corridor protection zone that protects a minimum of 75 foot width along a stream corridor; so some of those areas are generally wooded now; we'd just like to add that extra layer of protection in case there's any utility crossings or things like that, that need to take place; Lynch: how often do we update this map; Haire: this will be the third iteration of this map; Lynch: since when was the last; Haire: it was created in 2006; Jarvis: just out of curiosity, Mr. Haire, why wouldn't we use a variance process if something is in the path of an approved development rather than remove it from the woodlands map; Haire: we've had a lot of issues over the years in terms of the landscape code in general; part of the reason it's prompting the rewrite of that; we just want to make it more clear I guess as to what is a woodland and what's not; and the emphasis now is more on canopy coverage rather than protecting specific trees; so the idea is that you protect the canopy instead of protecting a specific tree; Jarvis: does it still contain the language about the trunk size of the tree; Haire: it's changed some and we had some areas of the code where it was if you cut down a tree that was over 4 inches you had to replace it with a tree; and there were other areas where you had to replace it inch for inch; so we've tried to clear that up with a code rewrite; Jarvis: the bottom line now is that we're not reducing our canopy by making any of these*

*changes; this is just a shifting; Haire: overall there's more ground that's being added than taken away with the proposed changes; Walker: we're doing away with the four inch are we doing select cut of 18 inch or 16 inch or is there; Haire: there's just different standards; we can talk about that more when we talk about the landscape changes; there's a different standard for how those are calculated;*

***A request was made by Lynch to move Ordinance 18-045 to full council, seconded Amos by. The motion carried with the following vote:***

***Yes – 7 Lynch, Amos, Bennett, Clark, Coolman, Jarvis, Walker***

**ORD-18-049**

Law

An Ordinance To Authorize The Mayor To Enter Into A Settlement Agreement With Rockford Homes, Inc And Declaring An Emergency ([Ordinance, Settlement Agreement](#))

- Request to move to full Council

*Haire: I can address the agreement; this is similar to what we talked about in the past and a number of executive sessions we've had in regards to this litigation; we've been in litigation for quite a long time in regards to this property and the proposed development; the property is zoned PUD which allows for multifamily development; what this proposal basically would do is it would stay the current litigation that's happening; allow them to apply for a development plan approval for a 46 unit condominium project on the site; and they would go through all the normal development plan approval process; so they'd go through planning and zoning process; and what they've agreed to here is that they would meet the code requirements with a few exceptions; some of those exceptions being the stream corridor protection zone and the ditch on the property so that would be removed and they would be allowed to pipe that ditch; basically put a storm sewer over top of a ditch and fill that in; it would still convey water but it would be outside of what we normally allow in this case; and then Cormorant Drive is currently a private roadway that's never been accepted; and with this agreement we would be accepting Cormorant Drive; or with the development plan approval we would be accepting Cormorant Drive in its current state; Amos: Mr. Haire, have we determined how much the cost would be to get Cormorant Drive, I know they said there were some issues, have we determined the cost of that repair yet; Haire: the roadway was built to public standards and it was inspected when it was built; so it was built to our standards it was just never dedicated; to there was an oversight on their part on actually dedicating either by plat or by deed that right-of-way and us actually accepting it; and so we've looked at the roadway; its currently not deficient; it's in good condition; there are other areas on Cormorant Drive that are already public that are deficient; so we're going to be doing some projects next year with our street program to address a few of those issues; but there's nothing specifically in this area; Amos: Mr. Peoples, that was on your; Peoples: yeah, there was a n email floating around that there was a section; that is not in this part; Amos: thank you; Clark: Lucas, can you explain just for the record how this kind of came about; how long this has been going on; and why we have come to this situation of accepting this agreement; Haire: well we've been in litigation for a number of years; Clark: how many; Haire: earlier in 2009; we lost that case; Rockford had the right to build 112 apartments on the site at that point; they were given a two year period to do that before their development plan expired by the court; they didn't build the apartment complex within that that two year period; they applied again in September of 2012 to build that apartment complex; it was denied by our planning and zoning commission; appealed to council; then went to the court of appeals after that; that's kind of how we arrived at the point we're at now; the*

*environmental court ruled in our favor in terms of the site plan being denied based on our code; they have appealed that; so it's in a court of appeals now; Walker: any other questions or discussion;*

***A motion was made by Jarvis to move Ordinance 18-049 to full council, seconded by Bennett. The motion carried with the following vote:***

***Yes 7 –Jarvis, Bennett, Amos, Clark, Coolman, Lynch, Walker***

## **E. Reports**

*Matt Peoples - thank you Mr. Walker; I don't really have a whole lot to add to my written report; just end of the year projects; trying to get some things done; obviously you see the decorations; it's probably been one of our biggest tasks to go on; but again just trying to finish up a few projects left from the 2018 year*

*Lucas Haire - just a few updates on existing projects; NIFCO has been issued the permits for their new warehouse and production facility in Canal Pointe; that's underway now; they should be starting foundation work as soon as they get some decent weather; Columbia gas in nearing completion of their town station also in Canal Pointe that we sold them; so hopefully that will be done here soon and they can get those new gas lines up and running; Crossroads Church has been issued the building permit to their new church building on Bigerton Bend; so that will hopefully get underway as well; they've begun site work and clearing at the Turning Stone project at High Street and 33; I'm sure many of you have heard of that; we've received a number of calls and inquiries in regards to that; planning and zoning approved a new 7,200 square foot office building at the Winchester Office Park at their last meeting; so that will be the third building; the two are under construction now; you can see from Winchester Boulevard and Gender Road; so this will be the third building and it will be occupied by a medical office user; then the final round of the sod grants that was decided by the Canal Winchester Industry and Commerce Corporation last week; we had \$7,000 available that was turned back in from one of the grant applications we previously granted; so that was rewarded to two of the four projects that applied;*

*Amanda Jackson - thank you Mr. Walker; I just want to briefly touch on the three items I listed in my report this evening; the first of that being the bed tax grants; applications were due last Friday; I am in the process of putting them all in a spreadsheet; then Mr. Bennett, Mrs. Amos and I will met to go over all of them; so if we could touch base about a good date with the both of you; the 2019 council calendar wad included in your council packets this evening; please take a look at that and let me know if there's anything that you foresee to be a problem; anything you would like to change; it is set up so that we do not have a second meeting in July; typically council likes to take a recess that second meeting; so that is not on the calendar; I will say that currently the way the calendar falls there would be a committee on the whole December 30<sup>th</sup>; I don't know if it's council's desire to hold that meeting; but again, take a look at it and we can discuss at the next meeting; finally, some information about the change from the city of Columbus to the Regional Income Tax Agency has gone out to employers; there's been some radio spots that they purchased; I don't know if anybody's heard any of those on their commute; and there was also some information in the Dispatch; so that is going to continue on for the entire month of December; for those of you that have taxes withheld from your employer there's not a whole lot that you're going to have to do until you file your return; but the employers should be getting more and more information to remind them as of January 1 everything needs to go to RITA rather than the city of Columbus; but if you get any questions about that change have them call my office and we will take care of it; Bennett: Mrs.*

*Jackson, have you received a lot of calls on the switch; Jackson: no, we've got just a couple; I think most of the larger employers are probably already remitting taxes to a RITA municipality so there hasn't been a lot of questions;*

**F. Items for Discussion - None**

**G. Old/New Business**

**H. Adjournment @ 5:51 p.m.**

***A motion was made by Bennett to adjourn, seconded by Amos. The motion carried with the following vote:***

***Yes 7 – Bennett, Amos, Clark, Colman, Jarvis, Lynch, Walker***