

LANCASTER CITY COUNCIL
LANCASTER, OHIO

FEBRUARY 26, 2024

REGULAR MEETING CONVENES
PRAYER
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
READING AND DISPOSING OF THE JOURNAL
REPORTS OF CITY OFFICIALS
COMMUNICATIONS
SPECIAL PRESENTATION AND AWARDS
PETITIONS AND MEMORIALS
PERMISSION OF VOTERS AND TAXPAYERS TO ADDRESS COUNCIL
REPORTS OF STANDING COMMITTEES
REPORTS OF SPECIAL COMMITTEES
PUBLIC HEARINGS
READING OF RESOLUTIONS

THIRD READING

- | | |
|-----------------|--|
| Temp Res #15-24 | A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE PURCHASE OF CHEMICALS FOR USE BY THE DIVISION OF WATER
Water/WPC (Wing/Ailes) (3 Readings) |
| Temp Res #16-24 | A RESOLUTION TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE PURCHASE OF PIPE AND FITTINGS FOR USE BY THE DIVISION OF WATER
Water/WPC (Wing/Tener) (3 Readings) |
| Temp Res #17-24 | A RESOLUTION TO AMEND THE UTILITIES COLLECTION FUND (7006) EXPENSE BUDGET AND AMEND THE CERTIFICATE OF APPROPRIATION WITH THE COUNTY AUDITOR
Finance (Schoonover/Ahlers) (3 Readings) |
| Temp Res #18-24 | A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS TO CONSTRUCT THE CONCENTRATE DISCHARGE IMPROVEMENTS PROJECT
Water/WPC (Wing/Ailes) (3 Readings) |
| Temp Res #24-24 | A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE, AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE FIRE INSURANCE ESCROW FUND (8023)
Finance (Schoonover/Ailes) (3 Readings) |

SECOND READING

- Temp Res #25-24 A RESOLUTION TO AMEND THE 3 MIL STREET IMPROVEMENT FUND (2009) EXPENSE BUDGET AND AMEND THE CERTIFICATE OF APPROPRIATIONS WITH THE COUNTY AUDITOR
Finance (Schoonover/Ailes) (3 Readings)
- Temp Res #26-24 A RESOLUTION APPROVING THE RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 929.02 AND TO DECLARE AN EMERGENCY
Law (Nihiser/Bizjak) (2 Readings)
- Temp Res #28-24 A RESOLUTION AUTHORIZING THE SERVICE SAFETY DIRECTOR TO ACCEPT A H2OHIO EQUIPMENT GRANT AND TO EXECUTE CONTRACTS AS REQUIRED
Water/WPC (Wing/Tener) (2 Readings)
- Temp Res #29-24 A RESOLUTION TO AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR, APPROPRIATE FROM THE UNENCUMBERED BALANCE, INCREASE RECEIPTS, AND COMPLETE A FUND TRANSFER IN THE WASTE WATER FUND (6004) AND IN THE WASTE WATER UTILITY RESERVE FUND (6029)
Water/WPC (Wing/Ailes) (3 Readings)
- Temp Res #30-24 A RESOLUTION TO INCREASE RECEIPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE, AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE WASTE WATER REPLACE & IMP FUND (6023)
Water/WPC (Wing/Tener) (3 Readings)
- Temp Res #31-24 A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE AND AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE GENERAL FUND (1001)
Finance (Schoonover/Ahlers) (3 Readings)
- Temp Res #32-24 A RESOLUTION TO INCREASE ESTIMATED REVENUE IN FUND (6027) APPROPRIATE FROM THE UNENCUMBERED BALANCE, AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE WATER UTILITY RESERVE FUND (6027)
Water/WPC (Wing/Ailes) (2 Readings)

FIRST READING

- Temp Res #37-24 A RESOLUTION TO INCREASE RECIEPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE, AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE BOND RETIREMENT FUND (4013)
Finance (Schoonover/Ahlers) (1 Reading)

- Temp Res #38-24 A RESOLUTION OF SUPPORT AUTHORIZING THE CITY OF LANCASTER TO APPLY FOR GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND TO DECLARE AN EMERGENCY
Economic Development (Hoop/Nihiser) (1 Reading)
- Temp Res #39-24 A RESOLUTION TO AUTHORIZE THE ISSUANCE OF THEN AND NOW CERTIFICATES FOR PAYMENT OF 2023 BILLS FOR THE COMMUNITY DEVELOPMENT FUND (2026)
Economic Development (Hoop/Wing) (1 Reading)

READING OF ORDINANCES

THIRD READING

- Temp Ord #8-24 AN ORDINANCE TO AMEND THE CITY OF LANCASTER ZONING MAP TO CHANGE THE ZONING OF 0.99 +/- ACRES IDENTIFIED AS FAIRFIELD COUNTY AUDITOR TAX PARCEL NUMBERS 0535067300, 0535067500, AND 0535067510 FROM CENTRAL BUSINESS DISTRICT TO SERVICE INDUSTRIAL
Code/Zoning (Ahlers/Luchtenberg) (3 Readings)
Public hearing set for March 11, 2024 at 6:30 p.m.
- Temp Ord #10-24* AN ORDINANCE TO AUTHORIZE THE MAYOR TO DEED APPROXIMATELY 21.746 +/- ACRES OWNED BY THE CITY OF LANCASTER, AND FURTHER IDENTIFIED AS FAIRFIELD COUNTY, OHIO PARCEL NO. 0531800450 FOR ONE DOLLAR (\$1.00) TO THE LANCASTER PORT AUTHORITY AND TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE TRANSFER THEREOF AND TO DECLARE AN EMERGENCY
(Economic Development (Hoop/Schoonover) (3 Readings)

SECOND READING

NONE

FIRST READING

- Temp Ord #11-24 AN ORDINANCE TO AMEND THE CITY OF LANCASTER ZONING MAP TO CHANGE THE ZONING OF 15,255.18 SQUARE FEET +/- IDENTIFIED AS FAIRFIELD COUNTY AUDITOR TAX PARCEL NUMBERS 0536189300 & 0536189400 FROM SERVICE INDUSTRIAL TO COMMERCIAL NEIGHBORHOOD
Code Enforcement/Zoning (Ahlers/Hoop) (3 Readings)

TABLED LEGISLATION

Temp Ord #5-24

AN ORDINANCE TO AMEND THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 45.1 +/- ACRES IN PLEASANT TOWNSHIP, AND TO DECLARE AN EMERGENCY

Council of the Whole (Schoonover/Tener)

Tabled after 3rd Reading

Public hearing held February 12, 2024 at 6:30 p.m.

UNFINISHED BUSINESS**NEW BUSINESS****ANNOUNCEMENT OF SCHEDULED MEETINGS****REGULARLY SCHEDULED CITY COUNCIL MEETINGS**

1. March 11th at 6:30 p.m.
 - a. **Public Hearing Temporary Ordinance 8-24**
 - b. **Community Focus Presentation – Fairfield County Health Department**
2. March 25th at 6:30 p.m.

SPECIAL SCHEDULED MEETINGS

1. None.

REGULARLY SCHEDULED COMMITTEE MEETINGS

1. Service – March 1st at 8:00 a.m. – City Hall 1897 Conference Room
2. Finance – March 11th at 6:00 p.m. – Council Chambers
3. Administrative Services – March 20th at 8:00 a.m. – City Hall 1897 Conf Room
4. Water/WPC – March 22nd at 7:30 a.m. – City Hall 1897 Conference Room
5. Finance – March 25th at 6:00 p.m. – Council Chambers

READING OF BILLS**EXECUTIVE SESSION (if needed)****ADJOURNMENT**

TEMPORARY RESOLUTION NO. 37-24

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO INCREASE RECIEPTS, APPROPRIATE FROM THE UNENCUMBERED BALANCE, AND AMEND THE CERTIFICATE OF OTHER SOURCES AND APPROPRIATIONS WITH THE COUNTY AUDITOR IN THE BOND RETIREMENT FUND (4013)

WHEREAS, the June 2021 Fire Medic Unit Master Lease Purchase Agreement escrow still had an unspent balance of Eighty-Five Dollars and Thirty-Five Cents (\$85.35) as of February 2024; and

WHEREAS, the unspent balance must be transferred into the Bond Retirement Fund (4013) to be paid against the debt principal payment in 2024; and

WHEREAS, the City received an additional escrow interest payment in 2023 for the Storm Water Street Sweeper Master Lease of One Hundred Sixty-Four Dollars and Ninety-Four Cents (\$164.94) after the annual debt payment was completed; and

WHEREAS, the One Hundred Sixty-Four Dollars and Ninety-Four Cents (\$164.94) was missed during the 2024 budget process to appropriate for the 2024 annual payment and needs to be appropriated to pay against the Street Sweeper 2024 debt payment; now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That the City of Lancaster Auditor amend the Certificate of Other Sources and Appropriations with the County Auditor in the amount of Eighty-Five Dollars and Thirty-Five Cents (\$85.35) in the Bond RetirementFund (4013).

SECTION 2. That the City of Lancaster Auditor increase receipts in the revenue account 4013.0000.46014 (Escrow Principal Unspent) in the amount of Eighty-Five Dollars and Thirty-Five Cents (\$85.35).

SECTION 3. That the City of Lancaster Auditor appropriate from the unencumbered balance in expense account 4013.1950.55000 (Note/principal-Debt Serv) in the amount of Two Hundred Fifty Dollars and Twenty-Nine Cents (\$250.29).

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

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

Date Approved: _____

Clerk: _____

Offered by: _____

Second by: _____

President of Council

Mayor

TEMPORARY RESOLUTION NO. 38-24

PERMANENT RESOLUTION NO. _____

A RESOLUTION OF SUPPORT AUTHORIZING THE CITY OF LANCASTER TO APPLY FOR GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND TO DECLARE AN EMERGENCY

WHEREAS, the U.S. Department of Transportation has released a Notice of Funding Opportunity for the Rebuilding American Infrastructure with Sustainability and Equity ("RAISE") grant program; and

WHEREAS, One Billion Five Hundred Million Dollars (\$1,500,000,000.00) are available for the RAISE program through the Federal Infrastructure Investment and Jobs Act, of which, Seventy-Five Million (\$75,000,000.00) has been set aside for planning projects; and

WHEREAS, funds are available for planning or constructing surface transportation infrastructure projects that will improve safety, environmental sustainability, quality of life, mobility and community connectivity, economic competitiveness, and opportunity, including tourism, state of good repair, partnership and collaboration, and innovation; and

WHEREAS, there are no matching funds required for projects in rural areas; and

WHEREAS, the City of Lancaster has been deliberating the construction of an Eastside Industrial Connector to improve safety, increase mobility and connectivity, and increase opportunities and economic competitiveness for our local industrial partners; and

WHEREAS, the City Engineer has estimated a cost of Eight Hundred Thousand Dollars (\$800,000.00) for the Eastside Industrial Connector Feasibility Study which will include preliminary engineering; now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That the City Administration is hereby authorized to apply for and act on behalf of the City of Lancaster and enter into any and all agreements required for consideration and award of a RAISE grant.

SECTION 2. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of this City and is required to be immediately effective to ensure prompt pursuit of funds to pay for the Eastside Industrial Connector Feasibility Study; wherefore this Resolution shall be in full force and effect immediately upon its passage by City Council and approval by the Mayor.

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

Date Approved: _____

Clerk: _____

President of Council

Mayor

Offered by: _____

Second by: _____

Requested by Economic Development Committee

TEMPORARY RESOLUTION NO. 39-24

PERMANENT RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE ISSUANCE OF THEN AND NOW CERTIFICATES FOR PAYMENT OF 2023 BILLS FOR THE COMMUNITY DEVELOPMENT FUND (2026)

WHEREAS, The Community Development Department received 2023 invoices from the Lancaster Fairfield Community Action Agency for payments from the HUD Lead Hazard Grant and HUD Healthy Homes Grant in 2024; now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That Lancaster City Council approves a Then and Now Certificate in the amount of Twenty-Two Thousand Twenty-Nine Dollars and Thirty-Eight Cents (\$22,029.38) to pay the Community Action 2023 invoice from the HUD Lead Hazard Grant.

SECTION 2. That Lancaster City Council approves a Then and Now Certificate in the amount of Seventeen Thousand One Hundred Fifty Dollars and Thirty-One Cents (\$17,150.31) to pay the Community Action 2023 invoice from the HUD Healthy Homes Grant.

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

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

Date Approved: _____

Clerk: _____

Offered by: _____

Second by: _____

Requested by Economic Development Committee

President of Council

Mayor

TEMPORARY ORDINANCE NO. 10-24*

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE MAYOR TO DEED APPROXIMATELY 21.746 +/- ACRES OWNED BY THE CITY OF LANCASTER, AND FURTHER IDENTIFIED AS FAIRFIELD COUNTY, OHIO PARCEL NO. 0531800450 FOR ONE DOLLAR (\$1.00) TO THE LANCASTER PORT AUTHORITY AND TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE TRANSFER THEREOF AND TO DECLARE AN EMERGENCY

WHEREAS, the City of Lancaster owns approximately 21.746 acres at 0 Ety Road, more specifically identified as Fairfield County Auditor Parcel No. 0531800450, as the result of an acquisition made in 2008 for the installation of a sanitary sewer force main; and

WHEREAS, since the installation of the required sanitary sewer force main, the City has not utilized the remaining acreage and has no use or need of this property in its current condition, which is complicated by utility issues and its boundaries which include floodplain and floodway on one side and railroad tracks on the other, which diminishes its marketability for sale by the City; and

WHEREAS, the Lancaster Port Authority has more flexibility in the marketing and sale of property to provide an opportunity for economic development on this parcel which is currently zoned Commercial Neighborhood; and

WHEREAS, the City wishes to authorize the Mayor to enter into a Memorandum of Understanding with the Lancaster Port Authority regarding conditions of the land transfer as the parties deem appropriate; **and**

~~WHEREAS, the City desires for the Port Authority to retain a 5% seller's fee for Port Authority Projects with 95% of sale price being deposited to the Port Authority City Fund;~~
now, therefore,

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

SECTION 1. That the Mayor is hereby authorized to deed approximately 21.746 acres of Parcel No. 0531800450, 0 Ety Road, Lancaster, Fairfield County, Ohio to the Lancaster Port Authority and is further authorized to execute any and all documents necessary for the transfer of the property to the Lancaster Port Authority.

SECTION 2. That the City no longer needs the property and created the Lancaster Port Authority to help facilitate economic development, and the Lancaster Port Authority has the ability to market and sell the property to ensure economic development **and to promote housing.**

~~SECTION 3. — The City directs the Port Authority to charge a five percent (5%) seller fee retained by the Port Authority and ninety five percent (95%) of the sale goes to the Port Authority City Fund.~~

SECTION 34. 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: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

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

TEMPORARY ORDINANCE NO. 11-24

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF LANCASTER ZONING MAP TO CHANGE THE ZONING OF 15,255.18 SQUARE FEET +/- IDENTIFIED AS FAIRFIELD COUNTY AUDITOR TAX PARCEL NUMBERS 0536189300 & 0536189400 FROM SERVICE INDUSTRIAL TO COMMERCIAL NEIGHBORHOOD

WHEREAS, an application to Amend the Zoning Map for Fairfield County Tax Parcel Nos. 0536189300 and 0536189400 (see Exhibit A attached) from Service Industrial ("SI") to Commercial Neighborhood ("CN") for the purpose of small scale business and professional office uses was filed by the property owner's agent on January 4, 2024, with the City of Lancaster Planning Commission ("Planning Commission") pursuant to Lancaster Codified Ordinance ("LCO") 1159.04(a); and

WHEREAS, after a public hearing at the February 8, 2024, Planning Commission Meeting, the Planning Commission approved the requested Zoning Map amendment to change the zoning for Parcel Nos. 0536189300 and 0536189400 from Service Industrial to Commercial Neighborhood; and

WHEREAS, pursuant to LCO 1159.02(c)(7), Lancaster City Council must also hold a public hearing and take action on the application to approve or deny this proposed change to the Zoning Map; now, therefore,

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

SECTION 1. That the Zoning Map of the City of Lancaster, Ohio is hereby amended to change the zoning for Tax Parcel Nos. 0536189300 and 0536189400, which consist of approximately 15,255.18 square feet, pursuant to Exhibit A, to the following zoning district:

a. Commercial Neighborhood (CN)

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

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

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

Approved: _____

Clerk: _____

Offered by: _____

Second by: _____

President of Council

Mayor

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



ZONING DISTRICT CHANGE PACKET

Approved by Planning Commission 4/16/98
Amended 12/3/98
Amended 1/17/02
Amended 5/2/03
Amended 3/8/18

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Date Filed: January 4, 2024
 Planning Commission Review Date: _____
 Application Fee (\$150 + \$10/parcel): \$170.00
 Sign Posting Fee (\$50): \$50.00
 Publication Fee (\$100): \$100.00
 Total Fee: \$320.00

APPLICATION FOR DISTRICT CHANGE

Lancaster, Ohio

NOTE: Applications for any change of district boundaries or classifications of property as shown on the Zoning Map, and for regulation amendments, shall be submitted to the Planning Commission, at the City Engineer's Office upon such forms, and all shall be accompanied by such data and information, as may be prescribed for that purpose by the Planning Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Such data shall include a plan or map drawn to the required specifications. Each such application shall be verified by at least one of the owners or leasees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the application. Applications for amendments or district changes initiated by the Planning Commission itself shall be accompanied by its own motion pertaining to such proposed amendment.

NOTE: List of Property Owners: Any person or persons desiring a change in the zoning shall file with the application for such change a statement giving the names and addresses of the owners of all properties contiguous to, directly across the street and/or alley from any part of the exterior boundaries of the parcel which is proposed to be changed, and all landowners of property within the proposed parcel to be rezoned. This list is to be obtained from records in the County Auditor's Office or the County Treasurer's Office.

1. Name of Petitioner: The Windsor Company
2. Address & Phone Number: 1430 Collins Road NW, Lancaster, OH 43130, 740-653-8822
3. Petitioner's Attorney or Agent's Name, Address and Phone Number: Bryan Everitt at
Dagger Law Office, 144 E Main Street, Lancaster, OH 43130, 740-653-6464
4. General Area and Location of Request: 1856 West Cedar Hill Road
5. Present Zoning District: Service Industrial

6. Requested Zoning District: Commercial Neighborhood

7. Reason for this Application: Seeking to return the subject parcels to the zoning district that most closely resembles the types of uses that were previously utilized and permitted prior to the most recent change of zoning code.

8. Legal Description of the Property: See attached.

NOTE: LEGAL DESCRIPTION MUST BE REVIEWED AND APPROVED BY THE CITY ENGINEER'S OFFICE BEFORE SUBMITTING AN APPLICATION TO THE PLANNING COMMISSION.

9. Has there been a previous application for district change of the above parcels? _____

10. If so, give date: _____

11. Does the notice go to petitioner or agent? Petitioner, The Windsor Company

12. The above statements and the statements contained in all exhibits transmitted herewith are true.

The Windsor Company by [Signature]
Applicant (Property Owner's Signature)

Sworn to before me a Notary Public in and for said Fairfield County and State of Ohio, on the 3 day of January, 2024.

Kelly M. Cox
Notary

Engineer's Approval & Date



KELLY M COX
Notary Public, State of Ohio
My Commission Expires:
June 10, 2025

Exhibit "A"

INFORMATION FOR PREPARING
DESCRIPTIONS AND MAPS

ITEMS TO BE INCORPORATED IN LEGAL DESCRIPTION

1. THE TITLE
2. THE SITUATE
 - A. Acreage;
 - B. State, County, Congress Lands, township and range and township name where located.
3. BODY OF DESCRIPTION
 - A. Each course of the description should be described in a separate sentence and in a clockwise direction from the point of beginning to the point of termination;
 - B. Each course must call for the direction, northwardly, southwardly, eastwardly and westwardly, followed by a distance of the nearest foot and denote along what property line it is to follow.
4. ACREAGE
 - A. All descriptions must cite the acreage contained within its perimeter.
5. SEAL AND REGISTRATION OF REGISTERED SURVEYOR PREPARING THE DESCRIPTION OR NAME OF AGENT AND MAILING ADDRESS ON DESCRIPTION.

ITEMS TO BE SHOWN ON MAPS

1. TITLE OF ZONING CHANGE
2. LOCATION MAP
3. NORTH ARROW AND SCALE
4. THE SITUATE
 - A. The situate is to be copied from the description.
5. PROPERTY TO BE REZONED
 - A. Boundary lines of property to be rezoned must be bolder lines and distinguishable from other lines;
 - B. Name(s) of owners;
 - C. Subdivision name, plat book and page where recorded, lot number or acreage, whichever is applicable.
6. SURROUNDING PROPERTIES
 - A. Name of Owner(s);
 - B. Subdivision name, plat book and page where recorded, lot number or acreage, whichever is applicable.
7. PROPOSED AND EXISTING CORPORATION LINES
 - A. Must be distinguishable from other lines.
8. SEAL AND REGISTRATION OF REGISTERED SURVEYOR PREPARING THE MAP.
9. NAME AND ADDRESS OF AGENT PREPARING THE MAP.

Legal Description
Rezoning of 1856 Cedar Hill Road, Lancaster 43130
City of Lancaster, Fairfield County, Ohio
Section 2, Township 14N, Range 19W
15,255.18 Square Feet

Situated in the County of Fairfield, State of Ohio, and in the City of Lancaster, being more particularly bounded and described as follows:

Being all of Lots Number 28 and 29 in the Lawrence N. Ruff Addition to the City of Lancaster, Ohio as said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book 6, Page 9, in the Fairfield County Recorder's Office;

Containing **15,255.18 Square Feet**, more or less, based on plated dimensions;

Subject to all existing rights-of-way and easements of record.

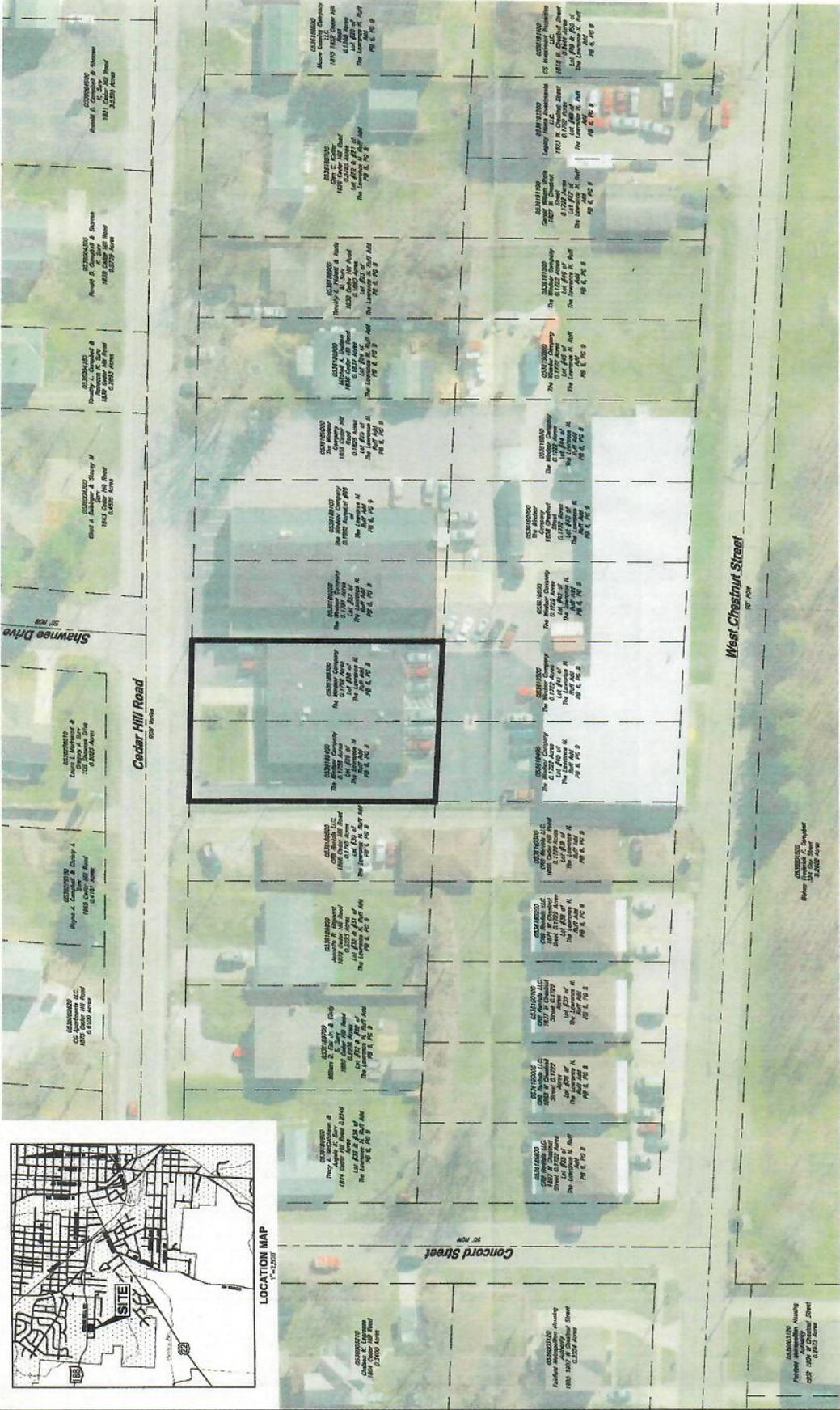
This legal description has been prepared for the purpose of rezoning. It is based on GIS data and is not based on an actual field survey. This description does not represent a field boundary survey as prescribed by Ohio Administrative Code 4733-37. This legal description has been prepared and sealed by Craig E. Stevenson, Registered Surveyor 8592.



Craig E. Stevenson P.S. 8592
Harral and Stevenson



1/03/24
Date



AGENT:
 West Coast
 1430 Collins Road NW
 Lancaster, Ohio 43130
 740-653-8822

SURVEYOR:
 Horal and Stevenson
 2009 North Court Street
 Dayton, Ohio 45424
 Doug Stevenson
 937-233-1111
 dsteven@horalandstevenson.com



THIS EXHIBIT WAS PREPARED FOR THE EXAMINATION OF RECORDING AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF HARRAL AND STEVENSON, INC. PROJECT F: 50079 DATE: 12-20-2023

DOUG STEVENSON, P.S. 8822



SITUATE:
 Situated in the County of Fairfield, in the State of Ohio
 Section 2, Township 14, Range 19

Reference Documents:
 O.S. Book 1575, Page 684-687
 Plat Book 6, Page 9

PROPOSED REZONING:
 Current: Zoning: Service Industrial District (S1)
 Proposed Zoning: Commercial Neighborhood District (CN)

EXHIBIT
ZONING MAP
 CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO



Exhibit "B"

PUBLIC HEARING NOTICE FOR PLANNING COMMISSION

Date: _____

TO: The Windsor Company (property owner)

1856 Cedar Hill Road (street)

Lancaster, OH 43130 (city, state, zip)

RE: Rezoning Hearing for property located at: 1856 Cedar Hill Road, Lancaster, OH 43130

Dear Property Owner:

A public hearing concerning the property located at _____, has been set for _____ at _____ am/pm. The location of the hearing is Olivedale Senior Center, 253 Boving Avenue, Lancaster, Ohio, basement meeting room.

The proposed zoning change filed with Lancaster City Planning Commission seeks to rezone the above property from a Service Industrial zoning district to a Commercial Neighborhood zoning district.

The public hearing is open to the public for comment.

Sincerely,

City Official

Date: January 29, 2024

RE: Rezoning Hearing for property located at: 1856 Cedar Hill Road, Lancaster, OH 43130

Dear Lancaster Clerk of Council:

We are requesting a hearing concerning the property located at the above-captioned address. Please set the hearing at the soonest available date to be held before City Council at the Educational Services Building, 111 S. Broad Street, Lancaster, Ohio.

The proposed zoning change recommended by the Lancaster City Planning Commission for City Council approval seeks to rezone the above property from a Service Industrial zoning district to a Commercial Neighborhood zoning district.

I understand that a public hearing cannot occur until the notice for public hearing can be placed in the Lancaster Eagle Gazette at least thirty (30) days in advance of such hearing. I further understand that the public hearing will likely be held on a regularly scheduled City Council meeting date.

I, the petitioner or agent of the petitioner, hereby swear and affirm that I am providing to you a complete list of landowners that are: (1.) The owners of property within the proposed parcel to be rezoned; (2.) The owners of property contiguous to the parcel to be rezoned; and (3.) The owners of property directly across the street and/or alley from the parcels to be rezoned. I fully understand that if I should fail to notify the Clerk of Council of each and every such landowner that the rezoning approval will likely be reversed.

As the petitioner or agent of the petitioner, I also swear and affirm that the addresses of the below-listed names of landowners I am providing you have been confirmed by me as being correct by the county auditor's current tax list or the county treasurer's mailing list. The names and addresses of all landowners (including spouses) described in the preceding paragraph are as follows:

1. CRB Rental LLC, 1746 Meredith Lane, Bellair, FL 33756 _____
2. The Windsor Company, 1430 Collins Road NW, Lancaster, OH 43130 _____
3. Laura and Gregory Markwood, 105 Shawnee Drive, Lancaster, OH 43130 _____
4. _____
5. _____
6. _____
7. _____

8. _____

9. _____

I also fully understand that once I have provided this notice to the Lancaster Clerk of Council that the Clerk will send such notice, as provided in Exhibit D, by first class mail, at least twenty days before the date of the public hearing to the above-listed landowners.

FURTHER AFFIANT SAYETH NAUGHT.



Signature of petitioner or agent

Sworn to before me a Notary Public in and for said County and State on the 29 day of January, 20 24.



Reilly M. Tate
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

Reilly Tate

Notary

Exhibit "D"

PUBLIC HEARING NOTICE FOR CITY COUNCIL

Date: _____

TO: The Windsor Company (property owner)

1856 Cedar Hill Road (street)

Lancaster, OH 43130 (city, state, zip)

RE: Rezoning Hearing for property located at: 1856 Cedar Hill Road, Lancaster, OH 43130

_____ has been set for _____ at _____ a.m./p.m. The location of the hearing is the Educational Services Building, 111 S. Broad Street, Lancaster, Ohio.

The proposed zoning change recommended by the Lancaster City Planning Commission for City Council approval seeks to rezone the above property from a Service Industrial zoning district to a Commercial Neighborhood zoning district.

The public hearing is open to the public for comment.

Sincerely,

Lancaster Clerk of Council

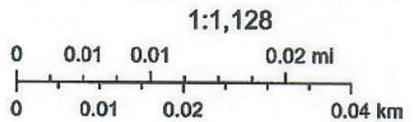
The building in question, 1856 Cedar Hill Road, Lancaster, Ohio 43130, was zoned under the previous Zoning Map and Zoning Code as Industrial Light (IL) District. Despite having the word "Industrial" in its name, the IL District actually provided for numerous non-industrial and non-manufacturing type uses including, but not limited to, administrative, business or professional offices, including brokers and dealers in securities, commercial banks, insurance agents, real estate services, medical and medical related activities, legal, engineering and architectural services, accounting, auditing and bookkeeping services, etc. (Prior Code, Chapter 1135.02) 1856 Cedar Hill Road is a one-story building that is, according to the Fairfield County Auditor's site 8,151 square feet of Multi-Use Office space. The enclosed pictures and floor plan will show that the building's layout consists of approximately 21 offices, a conference room, several storage/file rooms, several restrooms, etc. all of which are consistent with professional office uses. Suffice it to say that true industrial buildings have requirements such as very high ceilings, clear-span floor areas, overhead doors/loading docks, and large electricity capacity that this building does not possess, nor has it ever had. In fact, for the last 20 plus years, it has been occupied and used as professional offices, which is the use for which it was designed and built. We recently learned of this zoning change when we signed a lease with a tenant whose use was permitted under the previous zoning. It was only after applying for Zoning Clearance that we learned that a new Zoning Map and Code was passed in the City and all of the previously permitted professional and office uses were no longer permitted. We were not notified of this change, so we had no chance to appeal it. More importantly, this zoning change has resulted in a significant reduction in the types of permitted uses. The zoning that has been applied to this building is now Service Industrial (SI). This is a brand-new district and, unlike the previous industrial zoning districts, this new SI district does not permit business and professional office uses. The new SI district permits uses that are more tailored to an industrial facility such as Commercial Recreation, Auto Repair, Kennel, Landscape business, Machine Shop, Manufacturing, etc. None of which could be feasible uses in this building. Given the fact that the previous zoning was an industrial district, we can see how it might have seemed logical to map the property to Service Industrial under the new zoning; however, the uses permitted under SI are not what the building was built, designed or ever been used for. As such, we are requesting this property be re-zoned Commercial Neighborhood (CN). Commercial Neighborhood (CN) most accurately reflects the type of uses for which this building has been occupied and the types of uses that are most suitable for its design and location. There are currently ten (10) parcels just to the east of the subject property zoned Commercial Neighborhood (CN), so this zoning is consistent with other nearby properties. We request that the zoning for the building located at 1856 Cedar Hill Road be changed from Service Industrial (SI) to Commercial Neighborhood (CN) so that we can utilize the building for its intended use and what it has historically been used for under its previous zoning and permitted uses.

Lancaster Webmap



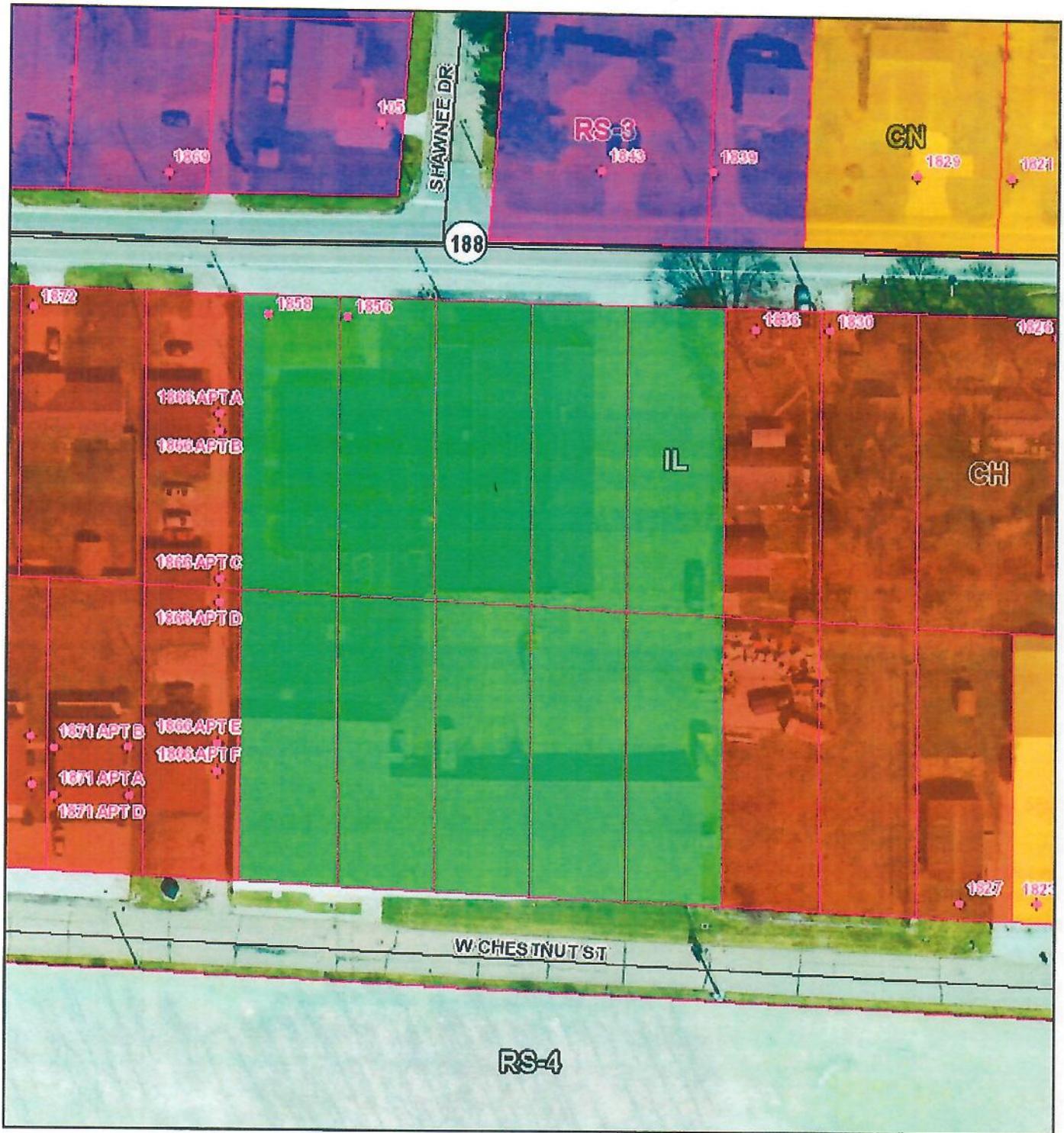
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| Parcels | State Routes | Zoning (Est. 2023) |
| Corp Lines | US Routes | CN |
| Roads | Interstate Roads | R-MD |
| Private | Ramps | RM |
| Municipal Roads | Address Points | RT |
| Township Roads | City Properties | SI |
| County Roads | | |



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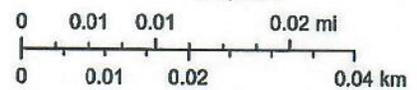
Lancaster Webmap



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| Parcels | State Routes | Zoning (Pre-2023) |
| Corp Lines | US Routes | CH |
| Roads | Interstate Roads | CN |
| Private | Ramps | IL |
| Municipal Roads | Address Points | RS-3 |
| Township Roads | City Properties | RS-4 |
| County Roads | | |



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