

**LANCASTER CITY COUNCIL
LANCASTER, OHIO**

March 26, 2018

**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 (AWARDS)
 1. Chad Reed – Fairfield Community Action
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 #33-18 | A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE, AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE SANITATION FUND (605)
Service (Bobbitt/Woodgeard) (3 Readings) |
| Temp Res #34-18 | A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO DISPENSE WITH COMPETITIVE BIDDING UNDER THE NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF TWO (2) AUTOMATED SIDE LOADER TRUCKS AND TRASH CARTS, FOR USE BY THE SANITATION DEPARTMENT
Service (Bobbitt/Woodgeard) (3 Readings) |

SECOND READING

- | | |
|-----------------|--|
| Temp Res #38-18 | A RESOLUTION TO APPROPRIATE FROM THE UNENCUMBERED BALANCE, AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR IN THE GENERAL FUND (101)
Code Enforcement & Zoning (Tener/Schoonover) (2 Readings) |
|-----------------|--|

FIRST READING

- | | |
|-----------------|--|
| Temp Res #40-18 | A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SUBMIT TO THE STATE OF OHIO, OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS THE CITY OF LANCASTER'S PROGRAM YEAR (PY) 2018 COMMUNITY HOUSING IMPACT PRESERVATION PROGRAM |
|-----------------|--|

APPLICATION FUNDED UNDER THE HOME
INVESTMENT PARTNERSHIP PROGRAM
Economic Development (Fracassa) (3 Readings)

READING OF ORDINANCES

THIRD READING

NONE.

SECOND READING

- | | |
|----------------|---|
| Temp Ord #4-18 | AN ORDINANCE TO AMEND ORDINANCE 34-17, REPEAL AND REPLACE EXISTING 34-17, AND DECLARE AN EMERGENCY FOR THE NON UNION PAY ORDINANCE
Finance (Downour/Fracassa) (2 Readings) |
| Temp Ord #5-18 | AN ORDINANCE TO AUTHORIZE THE MAYOR TO ACCEPT 2.495 ACRES, MORE OR LESS, OF PROPERTY LOCATED WITHIN PARCEL NUMBER 05350231.92 FROM FAIR-COM RENTALS LTD
Water/WPC (Woodgeard/Baus) (2 Readings) |

FIRST READING

- | | |
|----------------|--|
| Temp Ord #6-18 | AN ORDINANCE AMENDING THE CITY OF LANCASTER ZONING MAP FROM RS-3 SINGLE FAMILY RESIDENTIAL TO CG COMMERCIAL GENERAL FOR 3.488 +/- ACRES LOCATED IN SECTION 3, TOWNSHIP 14, RANGE 19 CONGRESS LANDS, PARCEL NO. 053-10032-00, CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO
Code Enforcement & Zoning (Tener/Groff) (3 Readings)
<i>Public Hearing – Will need to be scheduled</i> |
|----------------|--|

TABLED LEGISLATION

- | | |
|-----------------|---|
| Temp Ord #28-17 | AN ORDINANCE TO ACCEPT THE FINAL DEVELOPMENT PLAN FOR THE VETERAN'S WAY SUBDIVISION
Code Enforcement & Zoning (Tener/Hale) (3 Readings)
<i>Public Hearing set September 25, 2017 at 7:00 p.m.</i>
<i>Tabled after third reading on September 25, 2017</i> |
|-----------------|---|

UNFINISHED BUSINESS

NEW BUSINESS/PRESENTATIONS

ANNOUNCEMENT OF SCHEDULED MEETINGS

REGULARLY SCHEDULED CITY COUNCIL MEETINGS

1. April 9, 2018 at 7:00 p.m.
2. April 23, 2018 at 7:00 p.m.

REGULARLY SCHEDULED COMMITTEE MEETINGS

1. Safety – March 29, 2018 at 7:30 a.m. – CH (Basement CR)
2. Code Enforcement & Zoning – April 2, 2018 at 6:00 p.m. – Training Room
3. Finance – April 9, 2018 at 6:00 p.m. – Council Chambers
4. Water/WPC – April 11, 2018 at 7:00 a.m. – WPC (Conference Room)
5. Law – April 11, 2018 at 9:00 a.m. – FCMC Community Room
6. Public Works – April 13, 2018 at 7:30 a.m. – LPT (Conference Room)
7. IT/Telecom – April 19, 2018 at 7:30 a.m. – Annex Building (Conf. Room)

8. Finance – April 23, 2018 at 6:00 p.m. – Council Chambers

9. Economic Development – April 26, 2018 at 7:30 a.m. – CH (Basement CR)

SPECIAL SCHEDULED MEETINGS

1. None

READING OF BILLS

EXECUTIVE SESSION

ADJOURNMENT

TEMPORARY RESOLUTION NO. 40-18

PERMANENT RESOLUTION NO. _____

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SUBMIT TO THE STATE OF OHIO, OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS THE CITY OF LANCASTER'S PROGRAM YEAR (PY) 2018 COMMUNITY HOUSING IMPACT PRESERVATION PROGRAM APPLICATION FUNDED UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM

WHEREAS, the City of Lancaster is applying for competitive grant funding from the Ohio Department of Development, Office of Housing and Community Partnerships to request funding in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) for eligible Community Housing Improvement Program activities for FY 2018; and

WHEREAS, the city is in the process of preparing an application consistent with the *City of Lancaster's Consolidated Housing and Community Development Plan* which identifies the city's housing and non-housing community development needs; and

WHEREAS; Fairfield County Housing Coalition meetings have been scheduled and two public hearings will be held in accordance with the State of Ohio application requirements. The Housing Coalition serves as the Fairfield County Housing Advisory Committee and Continuum of Care Committee; and

WHEREAS, a policy and procedure manual has been updated by the staff of the Lancaster Community Development Department. The manual comprehensively describes the implementation and administrative policies and procedures in reference to the City of Lancaster's Community Development Block Grant Funds (CDBG/HUD) and Community Housing Impact Preservation Program (HOME/STATE OF OHIO);

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

SECTION 1. The PY 2018 Community Housing Impact and Preservation Program Application and Proposed Use of Funds are hereby approved. Proposed activities which will be directly funded under the CHIP program will include Private Owner-Occupied Housing Rehabilitation Two Hundred Three Thousand Dollars (\$203,000.00), Habitat for Humanity Twenty-Two Thousand Dollars (\$22,000.00) and Administration/Implementation Twenty-Five Thousand Dollars (\$25,000.00). Housing rehabilitation revolving loan funds are anticipated to be expended per grant criteria.

SECTION 2. The Mayor of the City of Lancaster is hereby designated as the official representative of the grantee and authorized to submit the application to the State of Ohio and to act in connection with the submission as may be necessary.

SECTION 3. The City of Lancaster's Community Development Department will be responsible for application submission, grant administration and implementation; and

SECTION 4. That any and all ordinances, resolutions, or administrative regulations and policies inconsistent with the provisions and requirements of the grant, and conditions, thereof are hereby repealed to the extent necessary to give this Resolution full force and effect.

SECTION 5. The Mayor of the City of Lancaster is hereby authorized to execute the PY 2018 CHIP Grant Agreement with the State of Ohio and to administer the Community Housing Improvement Program on behalf of the City.

SECTION 6. The City of Lancaster's Policy and Procedures Manual, which governs the use of Community Development Block Grant Funds and Community Housing Impact Preservation Program be accepted and approved as updated.

SECTION 7. 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: _____

President of Council

Mayor

Offered by: _____

Second by: _____

Requested by Economic Development Committee

TEMPORARY ORDINANCE NO. 6-18

PERMANENT ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF LANCASTER ZONING MAP FROM RS-3 SINGLE FAMILY RESIDENTIAL TO CG COMMERCIAL GENERAL FOR 3.488 +/- ACRES LOCATED IN SECTION 3, TOWNSHIP 14, RANGE 19 CONGRESS LANDS, PARCEL NO. 053-10032-00, CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

WHEREAS, an application to rezone the above referenced property from RS-3 Single Family Residential to CG Commercial General was received by the Clerk of City Council on March 22, 2018 and is attached hereto as Exhibit A; and

WHEREAS, City Planning Commission denied Applicant's February 1, 2018 application for rezoning of the above referenced property from RS-3, Single Family Residential to CG Commercial General at their meeting and public hearing held on March 8, 2018 as set forth in the Planning Commission's report and recommendations letter dated March, 21, 2018 and attached hereto as Exhibit B; and

WHEREAS, the 3.488 +/- acres located in Section 3, Township 14, Range 19, Congress Lands, Parcel No. 053-10032-00, City of Lancaster, Fairfield County, Ohio is located on the south side of Fair Avenue east of the Village at Roxton Ravine near the intersection of Ety Road as depicted on the plat map attached hereto as Exhibit C; and

WHEREAS, Lancaster Codified Ordinance Chapter 1159, and more specifically section 1159.04(d), provides that Applicant may request a hearing before City Council on a rezoning application denied by the Planning Commission; and

WHEREAS, City Council shall hold a public hearing on the rezoning request;

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 be and the same is hereby amended to reflect the rezoning of the 3.488 +/- acres located in Section 3, Township 14, Range 19, Congress Lands, Parcel No. 053-10032-00, City of Lancaster, Fairfield County, Ohio from RS-3 Single Family Residential to CG Commercial General.

SECTION 2. That the City Engineer is directed to make the changes on the zoning map upon passage of this Ordinance.

SECTION 3. 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, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2018, the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

Received 3/22/17
@ 2:05 pm
Teresa
Sandy
Clerk

NOTICE AND AFFIDAVIT TO LANCASTER CLERK OF COUNCIL

Date: March 22, 2018

RE: Rezoning Hearing for property located at: 2180 West Fair Avenue, Lancaster, Ohio 43130

Dear Lancaster Clerk of Council:

The undersigned, Fat Creek, LLC, an Ohio limited liability company (Fat Creek), says that it is the prospective purchaser of the property located at the above-captioned address from Fair Avenue Properties, LLC, an Ohio limited liability company (Fair Avenue), which is the record title holder thereof. Together, Fat Creek and Fair Avenue are requesting a hearing concerning an application prosecuted on both their behalves for the rezoning of the property located at the above-captioned address. Fat Creek has been, and still is, acting for itself and as an authorized agent for Fair Avenue, pursuant to a real estate purchase contract, in providing this Notice and in making this request. 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 application for the proposed zoning change was recommended for denial by the Lancaster City Planning Commission. The subject application sought to rezone the above referenced property from an RS-3 (Residential Single Family) zoning district to a CG (Commercial General) zoning district.

Pursuant to Lancaster City Ordinance Section 1159.04 (d), an application recommended for denial shall not be considered further unless the applicant within 15 days from the date of the Planning Commission action, files a written request with the Clerk of City Council for a hearing by the City Council. The Planning Commission action in this case took place on March 8, 2018. This request for hearing is accompanied by the payment of the \$310.00 fee required pursuant to the adopted fee schedule. **NOTICE OF THIS REQUEST IS TO BE PROVIDED TO THE PLANNING COMMISSION, WHICH SHALL FORTHWITH TRANSMIT THE ORIGINAL APPLICATION AND THE COMMISSION'S REPORT AND RECOMMENDATIONS TO THE CLERK OF CITY COUNCIL.**

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 recommended rezoning denial will likely not 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. Fair Avenue Properties, LLC, % Winfree Ruff & Associates, Ltd, 692 Hill Road North, Pickerington, Ohio 43147 (Being Tax Parcel No. 0531003200 [3.49 Acres, R19, T14, S3 NW])
2. Lancaster Camp Meeting & Church Assembly Association, Inc., 2151 W. Fair Avenue, Lancaster, Ohio 43130 (Being Tax Parcels Nos. 0531324810 [40.54 Acres, R19, T15, S35] And 0531884900 [5 Acres, R19, T15, S35])
3. Little Blue House, LLC, % William J. Snoke And Paula S. Snoke, Co-Trustees, 3450 Stepath Mound Lane, Lancaster, Ohio 43130 (Being Tax Parcel No. 0531003010 [0.94 Acre, R19, T14, S3 NE])
4. Fair Avenue Development, Llc, 603 W. Wheeling Street, Lancaster, Ohio 43130 (Being Tax Parcel No. 0531003000 [R19, T14, S3 NE])
5. Fairfield Homes, Inc., % Mary Gorsuch, P.O. Box 190, Lancaster, Ohio 43130 (Being Tax Parcel No. 0531001600 [9.66 Acres, R19, T14, S 2 SW NW])
6. Roxton Ravine Common Area, % Advanced Management Realty, 5350 E. Livingston Avenue, Columbus, Ohio 43232 (Being Tax Parcel No. 0531353809 [21.96 Acres, Villas At Roxton Ravine])

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 E to the City's Zoning District Change Packet, by first class mail, at least twenty days before the date of the public hearing to the above-listed landowners.

FURTHER AFFIANT SAYETH NAUGHT.

Fat Creek, LLC, an Ohio limited liability company

By: 

Douglas Balthaser, Authorized Member

Sworn to before me a Notary Public in and for said County and State on the 22nd
day of March, 2018.



Notary Public—State of Ohio



RAYMOND R. MICHALSKI
ATTORNEY AT LAW
Notary Public, State of Ohio
Lifetime Commission

**CITY OF LANCASTER
PLANNING COMMISSION
DEPARTMENT OF ENGINEERING
121 EAST CHESTNUT STREET, Suite 100
LANCASTER, OHIO 43130-3825
OFFICE (740) 687-6614 - FAX (740) 277-4390**



March 21, 2018

RE: Property Rezoning Request for Parcel #053-10032-00

City Council Members,

In accordance with the requirements of Lancaster Codified Ordinance 1159.04(d), I am providing you notification that the City Planning Commission considered the above rezoning request at a March 8, 2018 public hearing as part of Case #2018.002 and recommended a denial of the rezoning request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Paul Martin".

Paul Martin
Service Safety Director
Planning Commission Secretary

EXHIBIT

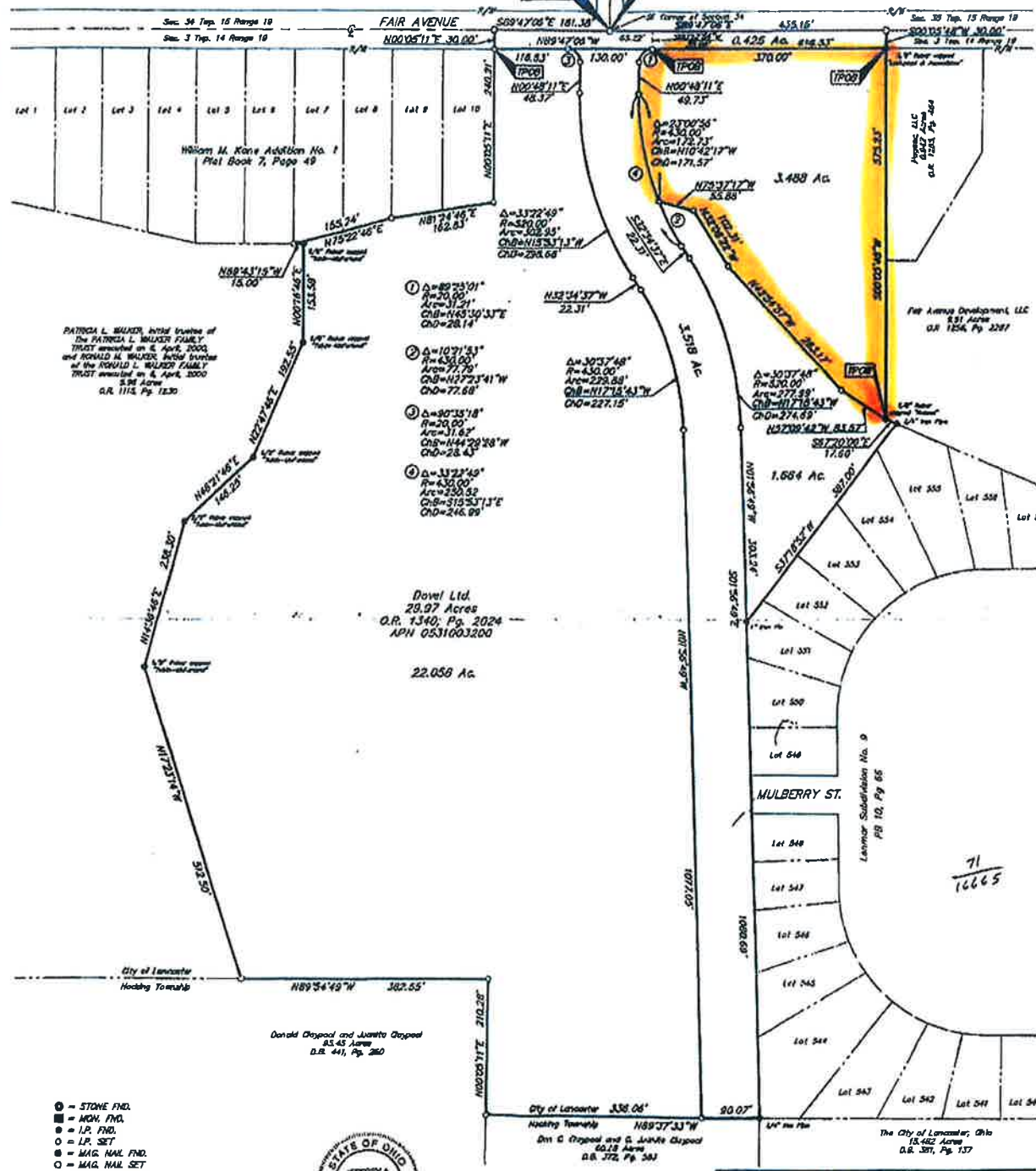
B

tabbies

SURVEY OF ACREAGE PARCELS
SECTION 3, TOWNSHIP 14, RANGE 19
CONGRESS LANDS
CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

BOUNDARY BEARINGS: Bearings are based on the subdivision entitled "Misty Meadows Section 1" of record in Plat Cabinet 2, Slot 92.

Note: This survey was prepared using documents of record, prior plats of survey, and observable field evidence.



PATRICIA L. WALKER, Jctd trustee of the PATRICIA L. WALKER FAMILY TRUST created on 4 April, 2000, and RONALD H. WALKER, Jctd trustee of the RONALD H. WALKER FAMILY TRUST created on 4 April, 2000
 5.92 Acres
 O.R. 1115, Pg. 1830

- ① Δ=89°23'01" R=20.00' Arc=31.21' ChB=145°10'33"E ChD=28.14'
- ② Δ=107°1'51" R=63.00' Arc=71.70' ChB=127°23'41"W ChD=77.68'
- ③ Δ=80°33'18" R=20.00' Arc=31.62' ChB=144°28'28"W ChD=28.43'
- ④ Δ=33°23'49" R=430.00' Arc=230.52' ChB=315°53'13"E ChD=246.09'

Dovel Ltd.
 29.97 Acres
 O.R. 1340, Pg. 2024
 APN 0531003200

- = STONE FND.
 - = MON. FND.
 - = I.P. FND.
 - = I.P. SET
 - = MAG. NAIL FND.
 - = MAG. NAIL SET
 - ▲ = R.R. SPK. FND.
 - △ = R.R. SPK. SET
 - ⊙ = P.K. NAIL FND.
- I.P. Set are 15/16" I.D. iron pipe with cap inscribed SURVY INC



Jeffrey Miller
 Registered Surveyor No. 7211



According to the Federal Emergency Management Agency's Flood Insurance Rate map (dated April 17, 1999), the subject parcels shown hereon lie within Zone AC (areas inundated by 100-year flood), Zone X (areas of 500-year flood; areas of 100-year flood with average depth of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood) and Zone X' (areas outside 500-year flood plain). Community Panel No. JS01810002 D.

Surveyed by: **EVANGELINE WASHINGTON & FILIPPO D.C.**
 171 LUELL STREET
 COLUMBUS, OHIO 43206
 TELEPHONE (614) 471-1200
 FACSIMILE (614) 471-1200

Date: June 2, 2004
 Scale: 1" = 100'
 Job No: 2003-1834
 Sheet: 1 of 1

DATE	BY	DESCRIPTION

Berry & Miller / Raylen Munnis Houndry / 2003-1834 / 3

