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## PLANNING & ZONING COMMISSION MEETING MINUTES

Thursday, February 20, 2022 • 7:00 p.m.

### Call to Order

Chairman Chris Lewie called the Regular Meeting of Planning and Zoning Commission to order at 7:00 PM.

### Pledge of Allegiance to the Flag

Bevan Schneck led the Commission and attendees in the Pledge of Allegiance.

### Roll Call

| Attendee Name:         | Title:     | Status: |
|------------------------|------------|---------|
| Chairman Chris Lewie   | Chair      | Present |
| Vice Chair Bill Uttley | Vice Chair | Present |
| Eric Gutknecht         | Member     | Present |
| Jay Muether            | Member     | Present |
| Tracy Nixon            | Member     | Present |
| Tom Pannett            | Member     | Present |
| Bevan Schneck          | Member     | Present |

**Staff Members Present:** Assistant City Manager Dan Ralley, Planning Director John Talentino, Planning Manager Carson Combs, City Engineer Clark Rausch and Staff Attorney Kelly Clodfelder. Council Representative Cynthia Vermillion was also in attendance.

**Others Present:** Jason Coffee representing Carr Farms; Cole Antle representing Legacy Smokehouse; and Dwight McCabe representing Alton Place.

### Election of Chairman

Chairman Chris Lewie requested that the Commission members consider nominations for a new Chairman. Bill Uttley, seconded by Tracy Nixon, nominated Jay Muether as Chairman. With no additions Mr. Uttley seconded by Mr. Lewie, closed the nominations.

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| <b>STATUS:</b>   | Jay Muether was elected as the new Chairman by voice vote (7-0) |
| <b>MOVER:</b>    | Bill Uttley   |
| <b>SECONDER:</b> | Tracy Nixon   |

Chairman Muether thanked the Commission and thanked Mr. Lewie for his many years of service as Chairman of the Commission.

### Election of Vice Chair

Chairman Muether opened the floor for nominations. Tracy Nixon, seconded by Tom Pannett, nominated Bevan Schneck as the new Vice Chair of the Commission. With no additions, nominations were closed.

|                  |  |
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| <b>STATUS:</b>   | Bevan Schneck was elected as the new Vice Chair by voice vote. (7-0) |
| <b>MOVER:</b>    | Tracy Nixon  |
| <b>SECONDER:</b> | Tom Pannett  |

**Approval of Minutes**

Chairman Muether asked if there were any changes or corrections to the January 13, 2022, Planning and Zoning Commission minutes. With no comments, the minutes were approved by a voice vote.

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|----------------|-------------------------------|
| <b>Status:</b> | Accepted by Voice Vote (7-0). |
| <b>Ayes:</b>   |                               |

**Oath to Tell the Truth**

Staff Attorney Kelly Clodfelder administered the Oath to Tell the Truth.

**Changes to the Agenda (requests for postponements, withdrawals, or change in order of cases)**

Mr. Talentino indicated that Case 1 (PZ-21-54 – PetSuites – 4039 Lyman Drive) had been formally withdrawn by the applicant prior to the meeting and that no action was necessary from the Commission.

**New Cases:**

**CASE 2: PZ-22-1 – The Courtyards at Carr Farms Section 5 – Final Plat – 4852 Leppert Road**

**PARCEL NUMBER:** 050-011719

**APPLICANT:** Epcon Carr Farms LLC, c/o Joel Rhoades, 500 Stonehenge Parkway, Dublin, OH 43017; and Sydney Berry, EMH&T, 5500 New Albany Road, Columbus OH 43054.

**REQUEST:** Review & approval of a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Carr Farms PUD for a development consisting of 35 lots and 4 reserves on 13.297 acres.

Mr. Talentino presented the staff report:

**BACKGROUND:**

The site is 24.423 acres located on the east side of Leppert Road approximately 1,000 feet north of Davidson Road. On November 12, 2015, the Planning and Zoning Commission approved a PUD Concept Plan and consisting of 157 single-family lots on 79.5 acres. On April 12, 2018, The Commission approved a 6-month extension of the PUD Concept Plan (through March 11, 2019). On September 13, 2018, the Commission approved a modification of the PUD Concept Plan consisting of 59 traditional single-family homes and 179 empty nester homes on 79.45 acres. On April 8, 2021, the Commission approved a Final Plat for The Courtyards at Carr Farms Phase 1 consisting of 47 single-family lots on 24.423 acres. On October 11, 2021, adopted a resolution (21-R-62) modifying the Carr Farms PUD Concept Plan to permit 16 townhouse dwelling units and 50 empty nester homes on 21.44 acres consisting of Subarea “B”.

The applicant is now requesting approval of a Final Plat consisting of 35 single-family lots and 6 reserves on 13.297 acres within Subarea “B”.

**COMMISSION ROLE:**

The Commission is to review the proposed final plat for conformance to the provisions of the Courtyards at Carr Farms PUD Concept Plan and Hilliard Code Section 1188.05.

**STAFF RECOMMENDATION:**

Staff finds that the proposed final plat is consistent with the provisions of the Courtyards at Carr Farms PUD Concept Plan and Code Section 1188.05. Based on these findings, staff recommends approval of the proposed final plat with the following condition:

- 1) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

**CONSIDERATIONS:**

- The site consists of the western portion of the Courtyards at Carr Farms PUD Subarea “B”. A maximum of 66 lots are permitted in this subarea including 50 empty nester homes and 16 townhouse dwelling units.
- Development standards for single-family courtyard homes include 52-foot minimum lot width, 120-foot minimum lot depth, minimum 20-foot front yard, minimum 15-foot minimum setback to sidewalk for corner lots, minimum 5-foot side yard, minimum 12.5-foot rear yard from internal property lines, minimum 65-foot building setback from the eastern and southern overall property boundaries, and minimum 1,400-square-foot floor area.
- Development standards for townhomes include 26-foot minimum lot width, 110-foot minimum lot depth, minimum 20-foot front yard, minimum 15-foot street side yard, no minimum side yard, minimum 12.5-foot rear yard, and minimum 1,400-square-foot floor area.

- A total of 35 single-family lots are proposed including 19 single-family detached lots and 16 townhouse lots. The proposed lots meet the minimum lot width and lot depth requirements. A 1.081-acre reserve (Reserve “F”) is proposed at the northwest corner of the site and a stormwater basin. A 2.274-acre reserve (Reserve “G”) is proposed in the southwest portion of the site and will contain landscaping and mounding. A 1.562-acre reserve (Reserve “H”) is proposed in the center of the site and will contain a neighborhood trail, a storm water basin, and a pavilion. A 0.369-acre reserve (Reserve “I”) is proposed in the eastern portion of the site, and will contain a neighborhood trail. A 0.100-acre reserve (Reserve “J”) is proposed in the northeast corner of the plat at the vehicular connection to Subarea A. A 1.431-acre reserve (Reserve “K”) is proposed to run throughout the site and contain private streets. The reserves will be owned and maintained by an association comprised of the property owners.
  - A 10-foot multi-use path will be installed along Leppert Road within the right-of-way.
- [end of report]

There were no questions for staff.

Jason Coffee for Epcon Epcon Communities, 500 Stonehenge Parkway, 5 was present and confirmed that the applicant was okay with the conditions in the staff report.

There were no comments or testimony from the audience.

Ms. Nixon, seconded by Chris Lewie, moved to approve the application because the proposed final plat is consistent with the provisions of the Courtyards at Carr Farms PUD Concept Plan and Code Section 1188.05 with the following condition:

- 1) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

|                  |  |
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| <b>STATUS:</b>   | Approved with one condition (7-0).   |
| <b>MOVER:</b>    | Tracy Nixon  |
| <b>SECONDER:</b> | Chris Lewie  |
| <b>AYES:</b>     | Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracy Nixon, Tom Pannett, Bill Uttley |

**CASE 3: PZ-22-2 – Alton Place Section 1 Phase 1 – Final Plat – North side of Roberts Road approximately 2,000 feet west of Alton Darby Road**

**PARCEL NUMBERS:** 053-000615, 053-000616, 053-000004 and 053-000006

**APPLICANT:** Alton Place LLC, c/o Dwight McCabe, 7361 Currier Road, Plain City, OH 43064; and Brian Johnson, American Structurepoint, 2550 Corporate Exchange Drive, Columbus OH 43231.

**REQUEST:** Review & approval of a modification of the HCD Development Text concerning architecture and fencing under the provisions of Hilliard Code Section 1115.04 and a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Alton Place HCD for a development consisting of 69 lots and 5 reserves on 77.932 acres.

Mr. Combs presented the staff report:

**BACKGROUND:**

The Alton Place HCD includes approximately 343.4 acres located at the northwest corner of Roberts Road and Alton Darby Road. The site was annexed into the City of Hilliard in 2009 and was assigned the A-1, Agricultural, zoning classification. In 2014, the site was rezoned from A-1 to R-R, Rural Residential (Ordinance 14-29). The site is within the Big Darby Watershed, and the Big Darby Accord Panel recommended approval with conditions of the Alton Place HCD on December 11, 2018.

Rezoning of the site was approved by City Council on June 8, 2020 (Ordinance 19-26) and included 148 single-family lots, 297 attached residential units, 53 acres of commercial uses and 171.7 acres of open space. The proposed final plat for Alton Place Section 1, Phase 1 includes 69 single-family lots on 26.082 acres; 42.886 acres of dedicated reserves/open space; and 8.964 acres of dedicated right-of-way located at the southwest corner of the development along Roberts Road.

**COMMISSION ROLE:**

As part of final details for this section of single-family homes, the applicant has requested minor modifications to the approved development text for architectural and fencing details. The Commission is to make a recommendation on the proposed text changes, which will be forwarded to City Council for final disposition. The Commission is also to review the proposed final plat for conformance to the Alton Place HCD Concept Plan and Hilliard Code Section 1188.05.

**STAFF RECOMMENDATION:**

Staff finds that the proposed final plat is consistent with the provisions of the Alton Farms HCD Concept Plan and Code Section 1188.05. Staff also finds that the minor adjustments to the previously adopted development text is consistent with the original intent of the zoning and is also consistent with Code Section 1188.05. Based on these findings, staff recommends approval of the proposed final plat and development text modifications with the following conditions:

- 1) That the number of houses available for construction be limited, as determined by the Norwich Township Fire Department, until such time as a second access point is available;
- 2) That the plat includes a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82;
- 3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda; and
- 4) That all Homeowners Association (HOA) declarations and New Community Authority (NCA) declarations be recorded prior to recording of the plat.

**CONSIDERATIONS:**

- *Fire and Safety.* The proposed phasing of the plat includes a total of 69 lots that will access Roberts Road temporarily through one access point. Staff recommends that the construction of lots within Section 1 Phase 1 of the development be limited as determined by the Norwich Township Fire Department until such time as the second street connection is made through the reserve area to the east. Additional development within Subareas SF-1A, SF-1B and R-3 may also be restricted if determined by the Fire Chief to be a safety concern.
- *Text Updates.* Proposed modifications to the Alton Place HCD Text include changing PUD references to **HCD**. The updates will make needed corrections.
- *Lot Setbacks.* Typical Minimum Lot Setback Standards (Text Section 8.4.2) in the adopted chart have been simplified into categories that are **70-88 feet** in width and **>88 feet**. No single-family lot shall be less than 70 feet in width, which has not changed.
- *Typical Lot Width Standards.* The minimum required lot width for Subarea SF2 has been reduced from **110 feet** to **88 feet**. The proposed change remains consistent with the approved preliminary development plan and provides greater flexibility for housing choice.
- *Garages.* Subarea SF2 (Section 8.5.4) will only be permitted to use **side-loaded garages** to minimize visibility from the street. Additional requirements are proposed for Subareas SF1A and SF1B (Section 8.5.5) to **prohibit garage doors from being forward of the front building façade**. The proposed changes are intended to enhance streetscape appearance.
- *Roof Pitch.* Standards for roof pitch (Section 8.6.5.2) are changed to accommodate homes that have greater depth. A **6/12 minimum pitch** is proposed to avoid long roof lines from front to back that will exceed the maximum permitted building height. 10/12 pitch will still be maintained for gables facing the street.
- *Regional Bike Connector.* This section of Alton Place includes a regional bike path that will be located along the west side of Sycamore Place and cross behind Lots #69 through 82. The bikeway will be located within Reserve D, which is 20-feet in width. **Staff recommends that the plat include a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82.**
- *Buffer Requirement.* The development text has also been amended in Section 8.7.4.2 to **restrict homeowners from placing a fence, landscaping or any other construction within 10 feet of any multi-use path**. The proposed amendment is intended to minimize visual/physical obstructions to the path and to minimize encroachments onto public reserve areas that necessitate future code enforcement action.

Mr. Combs explained that the developer would be limited to 45 homes until such time as a secondary access point was provided that was acceptable to the fire department.

Mr. Combs also indicated that the applicant was requesting an additional change to the development text that was not included within the Commission's agenda packet. He noted that Section 8.6.3.5 of the text will be revised to include that "...limited horizontal siding may be permitted as accents on front elevations, subject to the discretion of

the Architectural Review Committee. Horizontal siding is permitted on side and rear elevations only.” Mr. Combs explained that the additional text will give some additional material variation subject to review by the developer.

Mr. Combs stated that a memo had been provided to the Commission this evening at the direction of the Law Director requesting that the following condition be added to the staff report:

- 4) That all Homeowners Association (HOA) declarations and New Community Authority (NCA) declarations be recorded prior to recording of the plat.

Mr. Schneck asked whether the path in question dead-ended and did not loop; Mr. Talentino explained that the path will eventually be extended across the ditch toward Alton Darby Road.

There were no additional questions for staff.

Dwight McCabe, 7361 Currier Road, Plain City, gave an overview of the larger path system and clarified that the path will travel all the way along Alton Darby Road and Roberts Road. Mr. McCabe indicated that they are working with Fisher Homes and are looking at wider units. Reducing the setback for the larger homes gives more flexibility for placement and actually makes the homes look less close apart. Garage doors will all be facing north, so that when you come into the entrance you do not see them. Other changes in the text are made to provide ability for model changes. The remaining lots around the lakes are reserved for custom builders.

Mr. McCabe noted for the Commission that the NCA declarations have been approved by the NCA board and that the HOA declarations are awaiting signatures.

Mr. Uttley said that he was hesitant of the proposed changes but is cautiously optimistic. He said that he was satisfied with the quality of the builder and the changes provide a unique opportunity to create some nice products.

There were no additional questions for the applicant or comments from the audience.

Mr. Uttley, seconded by Mr. Lewie, made a motion to approve the final plat because it is consistent with the provisions of the Alton Farms HCD Concept Plan and Code Section 1188.05 and that the minor adjustments to the previously adopted development text is consistent with the original intent of the zoning and Code Section 1188.05 with the following conditions:

- 1) That the number of houses available for construction be limited, as determined by the Norwich Township Fire Department, until such time as a second access point is available;
- 2) That the plat includes a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82;
- 3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda; and
- 4) That all Homeowners Association (HOA) declarations and New Community Authority (NCA) declarations be recorded prior to recording of the plat.

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| <b>STATUS:</b>   | Approved with four conditions. (7-0)   |
| <b>MOVER:</b>    | Bill Uttley  |
| <b>SECONDER:</b> | Chris Lewie  |
| <b>AYES:</b>     | Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracy Nixon, Tom Pannett, Bill Uttley |

**CASE 4: PZ-22-3 – Legacy Smokehouse – 3987 Main Street**

**PARCEL NUMBER:** 050-000044

**APPLICANT:** Old Hilliard LTD, c/o Andy Warnock, P.O. Box 1471, Hilliard, OH 43026.

**REQUEST:** Review & approval of an Old Hilliard District Plan under the provisions of Hilliard Code Section 1115.05 and a conditional use under the provisions of Hilliard Code Sections 1123.03, 1123.04, and 1123.10(c) only if the restaurant will exceed 2,000 square feet of gross floor area] for a second-story building addition to an existing restaurant.

Mr. Talentino provided the staff report:

**BACKGROUND:**

The site is 0.29 acre located on the northwest side of Main Street approximately 100 feet southwest of Franklin Street. It consists of a two-story dwelling that was converted to retail use, and two accessory buildings. Franklin County Auditor records indicate the principal building was built in 1850. On March 8, 2018, the Planning and Zoning Commission approved an Old Hilliard District Plan and a conditional use to permit a restaurant, a single-family dwelling unit, and accessory storage building on the site. The restaurant building was recently damaged by a fire. The applicant is requesting approval of an Old Hilliard District Plan and a conditional use to permit a 112-square foot building addition to an existing restaurant.

**COMMISSION ROLE:**

The Commission is to review the proposal for conformance to the provisions of Hilliard Code Chapter 1115 and Sections 1123.03, 1123.04, and 1123.10(c).

**STAFF RECOMMENDATION:**

Staff finds that the proposal is consistent with the intent and purposes of the Zoning Code, will be compatible with the character of the general vicinity, and will not impede the normal and orderly development and improvement of the surrounding property. Staff finds that the location and scale of the use, the nature and intensity of the proposed operations, the site layout and its relation to surrounding streets will not cause undue traffic congestion or hazards adjacent to the site or in the immediate vicinity beyond that which would be normally expected based on the existing pattern of uses and the planned character reflected in the City's Comprehensive Plan. Staff finds that the proposed addition is harmonious with the existing building. Based on these findings, staff recommends approval of the proposed Old Hilliard District Plan and conditional use as proposed.

**CONSIDERATIONS:**

- The site is zoned OH-MD, Old Hilliard Mixed Use. The proposed plans indicate that the existing two-story restaurant building has approximately 3,980 square feet of floor area including a 700-square-foot rooftop dining area. Restaurants that are equal to or greater than 2,000 square feet of gross floor area are conditional uses in this zoning district. The proposed addition consists of 112 square feet of floor area resulting in a total of 4,092 square feet of gross floor area for the restaurant including the rooftop dining area.
- The Comprehensive Plan recommends creating a lively, robust, extroverted character and atmosphere throughout the Old Hilliard District; increasing the attractiveness of Old Hilliard as a destination for visitors; and attracting appropriate infill development along Main Street to create a continuous and inviting street. A mix of uses and amenities such as bike racks and outdoor dining should be provided throughout the area.
- Code Section 1121.06(h) lists the following standards for similar uses:
  - 1) The zoning inspector shall find that the proposed use is not listed as a named permitted or conditional use in any zoning district.
  - 2) If the use is not addressed in any district, the zoning inspector shall review the uses listed as permitted and conditional in the zoning district in which the use is proposed and determine if a use listed in the district closely resembles the proposed use. This determination shall be based upon criteria such as consistency with the district purpose statement, similar character, service or market area, customer or visitor draw, scale of building and parking, potential impact on property values, traffic generated, aesthetics, noise or potentially objectionable impacts on the health, safety, and welfare of the immediate vicinity or City-wide.
  - 3) If a use is determined to be similar to a named use within the district, the proposed use shall comply with specific standards or other code requirements that apply to the named use. If the named use is a conditional use, the similar use may only be approved as a conditional use in accordance with the provisions of Chapter 1123.
  - 4) The zoning inspector may, at his/her discretion, submit the proposed use to the Planning and Zoning Commission for determination of the appropriateness of the use.
  - 5) Where the zoning inspector or Planning and Zoning Commission determines a proposed use is not similar to any named use addressed within the district, the applicant may petition for an amendment to this code.
  - 6) The determination as to whether a proposed use is similar in nature and classification to another named permitted or conditional use within a district shall be considered as an interpretation of the use regulations, and not as a use variance; this determination may be appealed as provided in Chapter 1106.
  - 7) Upon determination by the zoning inspector or Planning and Zoning Commission that a use is similar to a named use, the zoning inspector shall initiate an amendment to this chapter to list the similar use in the schedule of uses for the zoning district as permitted or conditional as the case may be.
- Code Section 1123.03 lists the following general standards for conditional uses:

- 1) The proposed use will be consistent with the intent and purposes of the zoning code and the City of Hilliard Comprehensive Plan.
  - 2) The proposed use will comply with all applicable requirements of the zoning code, except as specifically altered in the approved conditional use.
  - 3) The proposed use will be compatible with the character of the general vicinity.
  - 4) The proposed use and site layout will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Due consideration will be given to the location and height of proposed buildings and structures, location and type of proposed fences or walls, location and screening of parking areas, and the location and type of proposed landscaping.
  - 5) The area and proposed use will be adequately served by essential public facilities and services, as applicable, such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewer. The applicant or landowner will be required to install public utilities, streets or other public infrastructure as required by the city, state or other agencies to applicable specifications that are necessitated by the conditional use development. Dedication of said public infrastructure may be required.
  - 6) The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the zoning district.
  - 7) The location and scale of the use, the nature and intensity of the proposed operations, the site layout and the relation of the proposed use to surrounding streets will not cause undue traffic congestion or hazards adjacent to the site or in the immediate vicinity beyond that which would be normally expected based on the existing pattern of uses and the planned character reflected in the city's Comprehensive Plan. Peak hour volumes, turning movements, existing street capacity, driveway spacing, sight distances and pedestrian traffic shall all be considered.
- Code Section 1123.04 states that reasonable conditions may be imposed on the approval of a conditional land use in order to achieve the following:
    - 1) Ensure public services and facilities affected by the proposed use or activity will be capable of accommodating increased service and facility loads necessitated by the proposed use.
    - 2) Ensure that the use is compatible with adjacent conforming land uses and activities.
    - 3) Protect natural resources; the health, safety, and welfare; and the social and economic well-being of those who will use the land or activity under consideration, the residents, business owners and landowners immediately adjacent to the proposed use or activity, and the community as a whole.
    - 4) Relate to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
    - 5) Meet the purpose of the zoning code, be in compliance with the standards established in the code for the land use or activity under consideration, and be in compliance with the zoning district standards.
  - Code Section 1123.10(c) lists the following requirements for restaurants, bars and taverns:
    - 1) Amplified sound shall not be audible beyond the business premises.
    - 2) Lighting for parking areas, outdoor seating areas (if any), entryways, and loading/unloading areas shall be shielded to prevent light from spilling onto any residential use.
    - 3) The size, location, and intensity of the restaurant, bar or tavern use may be considered by the Commission to ensure the use is harmonious with the surrounding property uses and not unduly disruptive to adjacent and/or neighboring property uses.
    - 4) As a condition of approval, the Planning and Zoning Commission may impose restrictions on the following:
      - A. The hours of operation to ensure that the business use is not in conflict with adjacent and/or neighboring property uses that could cause excessive noise, traffic, and/or smell to those neighboring uses.
      - B. Parking requirements to ensure that sufficient parking exists on-site and/or within close proximity to the business for its customers and employees.
  - **Proposed Plan.** The proposed plans indicate the use of a 112-square foot second story addition that includes storage/dumbwaiter access. Proposed exterior materials include siding and shingles to match the existing building. Staff finds that this meets the intent of the Code.
  - The proposed addition is storage space and does not create additional parking requirements.
  - The proposal also includes an upgraded entrance canopy on the southwest elevation of the building. The canopy will be 5'-4" x 8'-10" and be slightly larger than the existing canopy.
  - No signage is proposed with this application. Signage must conform to the Sign Code.

[end of report]

Mr. Lewie asked if the proposed expansion was patron seating, and Mr, Talentino clarified that the expansion was for storage and prep work.

Cole Antle, representing Andy Warnock from the Westwood Collective, noted that because of the fire it was an opportune time to fix the building and add space where needed since it had to be replaced. He said that they are beginning demolition and are striving for late summer to be complete.

There were no additional questions or comments from the audience.

Tom Pannett, seconded by Vice Chair Bevan Schneck, made a motion to approve the application of an Old Hilliard District Plan under the provisions of Hilliard Code Section 1115.05 and a conditional use under the provisions of Hilliard Code Sections 1123.03, 1123.04, and 1123.10(c) only if the restaurant will exceed 2,000 square feet of gross floor area] for a second-story building addition to an existing restaurant as submitted.

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| <b>STATUS:</b>   | The application was approved as submitted (7-0).   |
| <b>MOVER:</b>    | Tom Pannett  |
| <b>SECONDER:</b> | Vice Chair Bevan Schneck   |
| <b>AYES:</b>     | Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracy Nixon, Tom Pannett, Bill Uttley |

**CASE 5: PZ-22-4 – Hill Farm Lot Split – Northwest corner of Scioto Darby Road and Elliott Road**

**PARCEL NUMBER:** 053-000322

**APPLICANT:** M/I Homes of Central Ohio, LLC, c/o Josh Barkan, 4131 Worth Avenue, Suite 310, Columbus, OH 43219; and EMH&T, c/o Matt Kirk, 5500 New Albany Road, Columbus, OH 43054.

**REQUEST:** Review & approval of a lot split under the provisions of Hilliard Code Section 1188.05 to create a 93.010-acre parcel.

Mr. Talentino gave the staff report.

**BACKGROUND:**

The site consists of 93.010 acres located at the northwest corner of Scioto Darby Road and Elliott Road. The site is within the Big Darby Watershed and is subject to the provisions of the Big Darby Accord Watershed Master Plan (BDAWMP). On August 23, 2021, Council adopted an ordinance (21-20) creating a Hilliard Conservation District (HCD) Plan consisting of 229 single-family lots on 204.6 acres. The applicant is now requesting approval of a lot split to create a 93.010-acre parcel.

**COMMISSION ROLE:**

The Commission is to review the proposal for conformance to the provisions of Hilliard Code Section 1188.05.

**STAFF RECOMMENDATION:**

Staff finds that the proposed lot split is consistent with the provisions of Code Section 1188.05. Based on this finding, staff recommends approval of the proposed lot split with the following two conditions:

- 1) That the legal description and exhibit for the lot split/deed transfer meet the requirements of the City Engineer for format and content; and
- 2) That the lot split/deed transfer is recorded, and that evidence thereof is provided to staff.

**CONSIDERATIONS:**

- The site is within the Hill Farm HCD and consists of a portion of Subarea 1 and Subarea 2. The site has 2,771.61 feet of frontage along Scioto Darby Road and 910.67 feet of frontage along Elliott Road.
- The proposal is to create a 93.010-acre parcel which will be part of a future subdivision plat.

[end of report]

There were no questions for staff, and the applicant was not present. No one from the audience asked to address the Commission.



Vice Chair Schneck, seconded by Chairman Muether, made a motion to approve the proposed lot split because it is consistent with the provisions of Code Section 1188.05 with the following two conditions:

- 1) That the legal description and exhibit for the lot split/deed transfer meet the requirements of the City Engineer for format and content; and
- 2) That the lot split/deed transfer is recorded, and that evidence thereof is provided to staff.

|                  |  |
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| <b>STATUS:</b>   | Approved with two conditions. (7-0)  |
| <b>MOVER:</b>    | Vice Chair Bevan Schneck   |
| <b>SECONDER:</b> | Chairman Jay Muether   |
| <b>AYES:</b>     | Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracy Nixon, Tom Pannett, Bill Uttley |

### Chairman’s Communication

There were no additional items for communication.

### Additional Discussion Item

Staff Attorney Kelly Clodfelder informed the Commission that City Council had recently approved changes to the Conditional Use regulations. She noted that starting in March, the Commission will be making recommendations to City Council on all Conditional Use requests.

### Committee Communication

Ms. Nixon noted that she attended a recent meeting with Toole Design Group regarding future park planning, which is ongoing.

Mr. Uttley attended a recent Arts Commission meeting. He noted that another mural will be going into Old Hilliard And that the artwork for traffic control boxes is moving forward. Mr. Uttley noted that they are still determining how many artists will be involved.

Ms. Nixon conveyed positive feedback regarding the Arts Commission during the parks meeting.

Chairman Muether thanked everyone for the updates.

### Adjournment

Chairman Muether, seconded by Mr. Uttley, motioned to adjourn at 7:38 p.m.

### Approved:



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**Acting Clerk**  
**Carson Combs, Planning Manager**