

MEETING AGENDA (AMENDED)



Planning & Zoning Commission

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube

Thursday, October 13, 2022 | 7:00 pm

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Approval of the Meeting Minutes – September 8, 2022
5. Oath to Tell the Truth
6. Changes to the Agenda (requests for postponements, withdrawals, or change in order of cases)
7. New Cases:

CASE 1: PZ-22-54 – HILLIARD GRAB N’ GO – 6558 SCIOTO DARBY ROAD

PARCEL NUMBER: 050-011714

APPLICANT: KL Petroleum Partners, LLC, 4174 Glynwater Lane, Hilliard, OH 43026; c/o Tyler Sikkema, CBS Sign Service, 862 Cypress Point Court, Cincinnati, OH 45245.

REQUEST: Review and approval of a sign variance under the provisions of Hilliard Code Section 1129.08 and the Square at Latham Park PUD Development Plan and Text for a comprehensive sign package for a 4,220-square-foot gas station.

CASE 2: PZ-22-56 – WINERY/EVENT SPACE PARKING – 4071 & 4065 GRANT STREET/5460 FRANKLIN STREET

PARCEL NUMBERS: 050-000170, 050-000171, 050-000343

APPLICANT: Junction by Westwood, LTD., PO Box 1471 Hilliard, OH 43026; David K. Kim, ESE Holdings, LLC, 8125 Tartan Fields Drive, Dublin, OH 43017; c/o Grace Link, Revival Design Collective, 114 East Court Avenue, Bellefontaine, OH 43311; c/o The Westwood Collective, PO Box 79, Hilliard, OH 43026.

REQUEST: Review and approval of a variance to Hilliard Code Section 1127.03 to reduce required parking for a 4,300-square-foot winery, 700-square-foot covered patio and related outdoor dining and open space.

CASE 3: PZ-22-57 – MILL RUN EVENT CENTER – 3861 PARK MILL RUN DRIVE

PARCEL NUMBER: 050-007350

APPLICANT: Five Friends, LLC., 4174 Glynwater Lane, Hilliard, OH 43026; c/o Gursimer Singh, 3861 Park Mill Run Drive, Hilliard, OH 43026.

REQUEST: Review and approval of a PUD modification and a revised PUD Final Development Plan under the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan for a ±7,100-square-foot event facility.

CASE 4: PZ-22-58 – BURDGE PROPERTY – 3809 CEMETERY ROAD

PARCEL NUMBER: 050-004916

APPLICANT: Jeremy and Angela Burdge, 3789 Cemetery Road, Hilliard, OH 43026; c/o Blake Rafeld, Blake Rafeld & Associates, 3504 Colchester Road, Columbus, OH 43221.

REQUEST: Review and approval of a revised final development plan in accordance with Chapter 1117 and the Mill Run PUD Concept Plan for the construction of a Horticultural Display Garden consisting of 10 parking spaces, a 1,500-square-foot storage building and landscaped grounds on 1.32 acres.

CASE 5: PZ-22-59 – THE LINCOLN CENTER LEADERSHIP ACADEMY – 3311-3315 MILL MEADOW DRIVE

PARCEL NUMBER: 050-005422

APPLICANT: Morse-Maize Family LP, 2706 E. Main Street, Columbus, OH 43209; c/o Glen Dugger, Smith & Hale LLC, 37 W. Broad Street, Columbus, OH 43215.

REQUEST: Review and approval of a PUD modification under the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan to add “Public and Private Schools” and “Preschool/Daycare” as permitted uses on 6.28 acres.

8. Discussion Items
9. Chairman’s Communication
10. Committee Communications
11. Adjournment

[END OF AGENDA | OCTOBER 13, 2022]

MEETING MINUTES

Planning & Zoning Commission

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube



Thursday, September 8, 2022 | 7:00 pm

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Jay Muether led the Commission and attendees in the Pledge of Allegiance.

ROLL CALL

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

Staff Members Present: Planning Director John Talentino, Planning Manager Carson Combs, Staff Attorney Kelly Clodfelder, Economic Development Director David Meadows, Council Representative Peggy Hale and Administrative Assistant Community Development Nicole Starrett.

Others Present: Drew Johnson, Andrew Ong, and Chris Ingrum representing Oppidan (PZ-22-42); Keith Caldwell and Tim Donnell representing Parkview Reserve PUD (PZ-22-48); Keith Robinson representing First Industrial Property LP PUD (PZ-22-49 & PZ-22-50); Andy Warnock representing The One9 (PZ-22-53) and other members of the public in attendance.

APPROVAL OF MEETING MINUTES – August 11, 2022

Chairman Muether asked if there were any changes or corrections to the August 11, 2022, Planning and Zoning Commission minutes. He made one notation that Eric Gutknecht should be marked excused, as an email was provided before the meeting.

Status:	Accepted by Voice Vote (6-0)
Ayes:	

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)

No changes were requested.

CASE 1: PZ-22-42 – OPPIDAN DATA CENTER – 4861 Edwards Farm Road

PARCEL NUMBER: 050-006545

APPLICANT: Wolpert Enterprises Limited, c/o Larry Wolpert, 2592 Canterbury Road, Columbus, OH 43221; and Andrew Ong, American Structurepoint, 2550 Corporate Exchange Drive, Suite 300, Columbus, OH 43231.

REQUEST: Reconsideration of a Level “B” Site Plan under the provisions of Chapter 1131 of the Hilliard Zoning Code for the construction of an 89,954-square-foot data center on 14.30 acres.

[Mr. Combs gave the staff report]

BACKGROUND:

The site consists of 26.88± acres located just north of Davison Road between I-270 and Edwards Farm Drive. The property is undeveloped agricultural land with freeway frontage that is zoned B-3, Office/Institutional District. Approval of a Level “B” Site Plan would enable the applicant to submit for building permits for the construction of an 89,954-square foot data center that would be located on the southern 14.92± acres of the site.

COMMISSION ROLE:

The Commission is to review the proposed Level “B” Site Plan under the provisions of Hilliard Code Chapter 1131. Specifically, the Commission is to utilize the review standards provided in Section 1131.06 which outlines the following review criteria:

- *That the site must be designed in a manner that is harmonious to the character of the surrounding area to the greatest extent possible;*
- *That the site is designed to minimize hazards and reduce negative effects of traffic, noise, smoke, fumes and glare to adjacent properties to the greatest extent possible; and*
- *That the proposed site plan addresses traffic circulation, stormwater management, landscaping, screening, lighting, utility service, exterior uses, emergency access, water and sewer, and signage as defined within Section 1131.06.*

STAFF RECOMMENDATION:

Staff finds that the proposed site plan is generally consistent with the overall intent of the Code and appropriately addresses basic zoning requirements for the standard B-3 zoning district with the conditions as noted. The site plan appears to comply with necessary provisions of the Code and achieves objectives within the Comprehensive Plan to provide for orderly growth that is harmonious with surrounding natural features. The proposal also addresses the specific site plan elements that are identified within Section 1131.06 of the Zoning Code. Based on this finding, staff recommends that the proposed Level “B” Site Plan be approved with five conditions:

- 1) That plans be revised to include the installation of the public sidewalk along Edwards Farm Drive to Davidson Road as required by Code and that street trees be installed to the satisfaction of the City Forester;
- 2) That the applicant provide a pedestrian access easement, if necessary, along Davidson Road for pedestrian connectivity to the satisfaction of the City Engineer;
- 3) That no additional access points be permitted north of this site and that any potential utility provider access is shared with the existing curbcut;
- 4) That an additional matching screenwall be located at the southwest corner of the building adjacent to the generator yard to screen from I-270; and
- 5) That all replacement tree caliper inches as required by Code be provided and that additional evergreen screening be provided in front of the retention pond along Edwards Farm Road and at the southeast

corner of the perimeter fencing to visually screen the length of the generator yard from rights-of-way to the satisfaction of the Planning Director.

CONSIDERATIONS:

- *Site Overview.* The site is zoned B-3, Office/Institutional District and data centers are a permitted use for that zoning designation by right. To the east across Edwards Farm Road are “the pointe” apartments and the “All-About Kids” daycare and preschool zoned PUD, Planned Unit Development District. The site is bounded by Davidson Road and Smith Ditch to the south and I-270 to the west. To the north of the parent tract that includes this site is “the District” apartments within the City of Columbus.
- *Circulation.* The existing curbcut along Edwards Farm Road will be used for this site. Necessary parking is provided forward of the building along the front entrance and vehicular circulation is provided around the perimeter of the building for service access. No additional curbcuts will be permitted, and an 8-foot high black decorative aluminum/wrought iron style security fence and gate similar to the Amazon site at Hayden Run controls access to the site. Variances for the height and placement of the fence forward of the building were granted by the Board of Zoning Appeals at the August 18, 2022, meeting. Per the approved Board Order, fencing along Edwards Farm Road will be installed to provide a uniform setback from the street.
- *Pedestrian Circulation.* Code requires the installation of sidewalks along public streets as part of the site development process. Construction of this site will include the installation of public sidewalk from the proposed north property line to the Davidson Road intersection along the extent of the Edwards Farm Road frontage. Plans should be revised to indicate the required 5-foot sidewalk. Code also requires a sidewalk along the Davidson Road frontage between Edwards Farm Road and I-270; however, at this time there are no plans to retrofit the bridge to accommodate a sidewalk. Any necessary easement should instead be provided to allow for future City installation in the future should the bridge design allow a connection on the north side.
- *Stormwater.* Plans incorporate a storm water basin adjacent to the Stream Corridor Protection Zone along the Smith Ditch, which will not be impacted. Vegetation along the ditch and south end of the property will be preserved and existing screening along I-270 will be maintained. Final engineering details will be addressed as part of the permit process.
- *Landscaping & Tree Preservation.* Landscaping for the proposed development generally meets Code requirements. Tree surveys indicate the removal of 86 inches of protected trees along the Edwards Farm Road entrance that require the installation of 29 three-inch caliper trees. The Code allows for the Planning Director to waive the replacement inches if species are undesirable; however, in this case staff recommends that required inches be utilized as part of additional screening for the generator yard.
- *Exterior Uses & Screening.* Metal screen walls will be provided along the front sides of the building to visually block the proposed water tanks and generator yard. The design includes 24-foot high corrugated metal panels that will complement the high-tech appearance of the building and will require a variance from the fence code for height. *An additional metal screen panel should be provided at the southwest corner of the building to adequately screen the end of the generator yard from I-270. Plans should also be modified to include additional evergreen screening at the east end of the retention pond and southwest corner of the security fence to properly screen the length of the generator yard.*
- *Lighting & Utilities.* Proposed development will be required to meet all Code requirements for light intensity and placement.
- *Emergency Access.* Norwich Township Fire Department has reviewed submitted plans and has approved the circulation/layout.
- *Water and Sewer.* Sufficient water and sewer service for the site will be provided from existing lines along Edwards Farm Road.

- *Signage.* No signs have been requested, and any proposals will comply with Code or require necessary variances. Address numbering will be required per Code for emergency service identification.
- *Building Height.* Code requirements for the B-3 District limit buildings to 45 feet in height. The proposed structure will include a building height of 32 feet with a 4-foot parapet to screen rooftop mechanicals. The proposal meets the standards and final verification of rooftop mechanical heights will be made at the time of permits to ensure compliance.
- *Architecture.* Level “B” Site Plan review does not specifically include architectural design; however the applicant has made significant modifications to the proposed building to provide visual interest and break up the massing of the building. Proposed architecture for the data center includes concrete tilt-up panels with varied textures and detailing. The building will include elements of tinted glass and dark gray louvers for ventilation. Since the last review additional blue color detail has been incorporated horizontally on the building and on the proposed screen walls for the generator yard and cooling tanks.

[\[END OF REPORT | PZ-22-42\]](#)

Mr. Combs reiterated this is a reconsideration. He noted that the applicant has worked to bring down the scale of the building and has added additional detailing into the screen walls at the front of the building. Mr. Combs explained that the Board of Zoning Appeals has approved fence variances with the condition that fencing be placed uniformly across the front of the property.

Mr. Pannett inquired where the sidewalk would be located. Mr. Combs indicated it would be a standard sidewalk along the edge of right-of-way, which would extend from the proposed property line to the intersection treatment at Davidson. Mr. Combs also indicated on the landscape plan that additional replacement inches have been added and that staff will work to ensure they are placed appropriately at the permit stage.

Chairman Muether thanked them and apologized for the tenor of the last meeting; Drew Johnson for Oppidan introduced his development team and noted that they were okay with the conditions. He said that at the request of the Commission their team did conduct an additional land search, and no other locations were found. He pointed out that they have increased greenspace improve the look of the site.

Mr. Pannett agreed that the site is better and more pleasing to the eye. He feels pedestrians will appreciate the extra effort.

David Meadows, Hilliard Economic Development Director, spoke on behalf of the applicant. He explained that the previous administration and City Council had worked to make this particular location site-ready and that the project will not require incentives. He noted that the City’s Economic Development strategy is being completed and that technology uses such as this are employment generators that are desired.

Mr. Lewie noted the improvements to the appearance and design and apologized for the tone of last month’s meeting.

With no public comment, Vice Chair Schneck (seconded by Mr. Lewie) made a motion to approve a Level “B” Site Plan under the provisions of Chapter 1131 of the Hilliard Zoning Code for the construction of an 89,954 square-foot data center on 14.30 acres with five conditions:

Status:	Approved with five conditions (6-0).
Mover:	Vice Chair Bevan Schneck
Seconder:	Chris Lewie
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tracey Nixon, Tom Pannett, Eric Gutknecht.

CASE 2: PLAT-22-2 – HILL FARM SECTION 1 PHASE 1 – 7100 Scioto Darby Road

PARCEL NUMBER: 053-000322

APPLICANT: Matt Kirk, EMH&T, 5500 New Albany Road, Columbus, Ohio 43054; Jason Francis, MI Homes of Central Ohio, LLC., 4131 Worth Avenue, Suite 310, Columbus, OH 43219.

REQUEST: Review & approval of a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Hill Farm PUD Concept Plan for a development consisting of 31 single-family lots on 20.373 acres.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is approximately 204.6 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 November 14, 2017, the Big Darby Accord Panel recommended approval for a plan consisting of 229 single-family lots on 207.102 acres. Following approval by the Accord panel, the Planning and Zoning Commission forwarded a positive recommendation to City Council on February 8, 2018, to rezone the property to create a Hilliard Conservation District (HCD) Plan. On October 22, 2018, City Council denied the request (Ordinance 18-11) and a revised plan was proposed. The Big Darby Accord Panel recommended the revised plan on April 13, 2021 that included a newly proposed empty-nester housing type within Subarea 3. The Commission recommended approval to City Council in May 2013, and City Council approved the rezoning (Ordinance 21-20) on August 23, 2021. The adopted HCD Plan and text includes 229 single-family lots with a total density of 1.12 units per acre. The approved zoning includes the dedication of 77.4 acres of land to the City as part of the adopted development agreement approved by City Council (Ordinance 21-21). The final plat for Section 1 Phase 1 comprises 31 single-family lots that are the first of the subdivision requested through the platting process.

COMMISSION ROLE:

The Commission is to review the proposed Final Plat for conformance to the provisions of the Hill Farms PUD Preliminary Development Plan and Hilliard Code Section 1188.05.

STAFF RECOMMENDATION:

Staff finds that the proposed final plat is consistent with the provisions of the Hill Farms PUD Preliminary Development Plan and Code Section 1188.05. Based on these findings, staff recommends approval of the proposed final plat with the following two conditions:

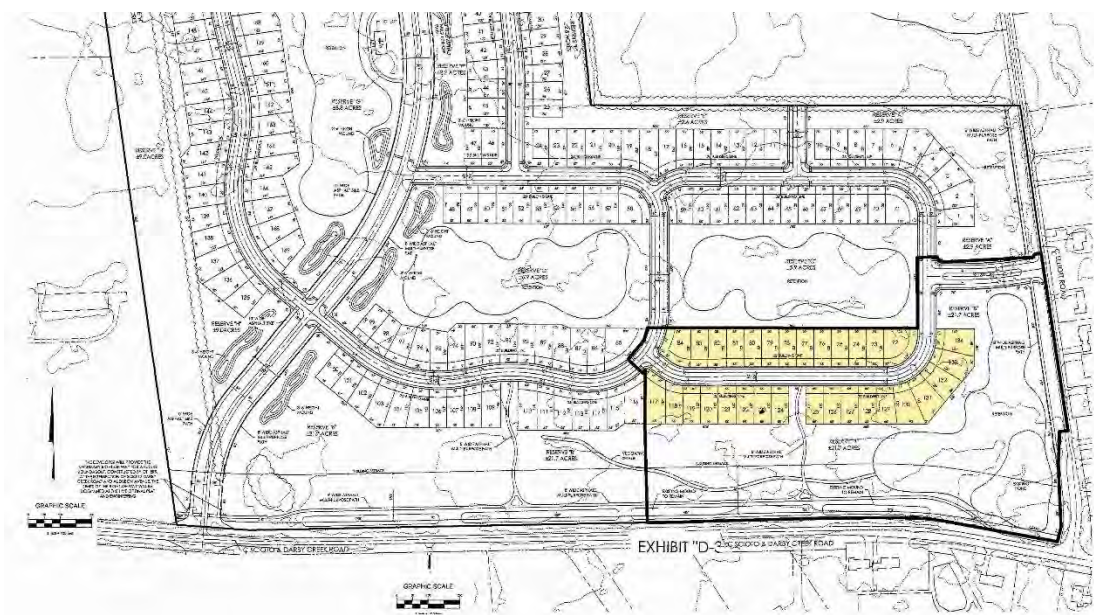
- 1) That no more than 35 lots at any point within the subdivision be approved for permits unless two access points are provided; and
- 2) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

CONSIDERATIONS:

- *Subarea 1.* The site consists of the southeastern portion of the Hill Farms PUD within Subarea 1. A total of 134 single-family homes were approved as part of the Subarea, and the proposed final plat includes 31 of those lots on 20.373 acres. The plat also incorporates 3.504 acres for public streets and an 11.592-acre reserve that includes stormwater management and path connections.
- *Reserve A.* The 11.592-acre reserve area for this section of the development is located at the northwest corner of Elliott Road and Scioto Darby Creek Road. The existing pond will be expanded and the reserve also includes an 8-foot multi-use path that parallels the frontage along both Elliott Road and Scioto Darby Creek Road and connects into the subdivision between Lots 10 and 11. Appropriate trail easements and

notes have been included for those portions paralleling public streets that will be maintained by the City.

- **Landscape Mounding/Buffers.** The existing mounding along Scioto Darby Creek Road will be maintained as part of the development and includes an approved planting plan. The 8-foot path will be located on the back side of the mounding. An additional entry feature will also be provided on Elliott Road that was approved as part of the rezoning.
- **Subdivision Streets.** Internal streets will include sidewalks on both sides with street trees approved as part of the rezoning. Trees for this phase include the Boulevard Linden along Ardenne Loop South and the Sienna Glen Maple at the Elliott Road entrance. Final selection and placement will be coordinated with and approved by the City Forester.
- **High Impact Lots.** The approved zoning text indicates homes in key locations that are visually “high impact” requiring additional architectural provisions. Lots 1, 31, 10, 11 and 19 within this plat are designated and will be reviewed as part of the zoning certificate for each lot.
- **Development Standards.** Requirements for single-family homes in Subarea 1 include a 55-foot minimum lot width and a minimum lot area of 6,600 square feet (0.15-acre). A 25-foot rear and front setback is required, and the side yard has a minimum setback of 5 feet.
- **Right-of-way.** As part of the original zoning and developer’s agreement, additional right-of-way is being provided to match the adopted Thoroughfare Plan. The Plan calls for 120 feet for Scioto Darby Creek Road and 100 feet for Elliott Road. Improvements will be made to Elliott Road as part of the development agreement.
- **Reforestation Plan.** The applicant is required as part of the rezoning and developer agreement to submit and implement a 5-year Forestation Plan for the 51.4 acres of open space on the north end of the subdivision. After the open space area has been planted and maintained appropriately for a period of 5 years, the developer is required to transfer the open space to either the City or Metro Parks. Staff is encouraging the applicant to develop a plan as soon as possible to begin the process.



[END OF REPORT | PLAT-22-2]

There were no questions for staff or the applicant; Andy Gottesman, representing M/I Homes of Central Ohio, indicated the project is under construction. No one was present to speak from the public.

Mr. Pannett (seconded by Chairman Muether) made a motion to approve the proposed Final Plat under the provisions of Hilliard Code Section 1188.05 and the Hill Farm PUD Concept Plan for a development consisting of 31 single-family lots on 20.373 acres with two conditions.

Status:	Approved with two conditions (6-0).
Mover:	Tom Pannett
Seconded:	Chairman Jay Muether
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tracey Nixon, Tom Pannett, Eric Gutknecht.

CASE 3: PLAT-22-3 – HILL FARM SECTION 1 PHASE 2 – 7100 Scioto Darby Road

PARCEL NUMBER: 053-000322

APPLICANT: Matt Kirk, EMH&T, 5500 New Albany Road, Columbus, Ohio 43054; Jason Francis, MI Homes of Central Ohio, LLC., 4131 Worth Avenue, Suite 310, Columbus, OH 43219.

REQUEST: Review & approval of a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Hill Farm PUD Concept Plan for a development consisting of 32 single-family lots on 19.909 acres.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is approximately 204.6 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 November 14, 2017, the Big Darby Accord Panel recommended approval for a plan consisting of 229 single-family lots on 207.102 acres. Following approval by the Accord panel, the Planning and Zoning Commission forwarded a positive recommendation to City Council on February 8, 2018, to rezone the property to create a Hilliard Conservation District (HCD) Plan. On October 22, 2018, City Council denied the request (Ordinance 18-11) and a revised plan was proposed. The Big Darby Accord Panel recommended the revised plan on April 13, 2021 that included a newly proposed empty-nester housing type within Subarea 3. The Commission recommended approval to City Council in May 2013, and City Council approved the rezoning (Ordinance 21-20) on August 23, 2021. The adopted HCD Plan and text includes 229 single-family lots with a total density of 1.12 units per acre. The approved zoning includes the dedication of 77.4 acres of land to the City as part of the adopted development agreement approved by City Council (Ordinance 21-21). The final plat for Section 1 Phase 2 comprises 32 single-family lots.

COMMISSION ROLE:

The Commission is to review the proposed final plat for conformance to the provisions of the Hill Farms PUD Preliminary Development Plan and Hilliard Code Section 1188.05.

STAFF RECOMMENDATION:

Staff finds that the proposed Final Plat is consistent with the provisions of the Hill Farms PUD Preliminary Development Plan and Code Section 1188.05. Based on these findings, staff recommends approval of the proposed Final Plat with the following two conditions:

- 1) That no more than 35 lots at any point within the subdivision be approved for permits unless two access points are provided; and
- 2) 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:

- **Subarea 1.** The site consists of the southwestern portion of the Hill Farms PUD within Subarea 1. A total of 134 single-family homes were approved as part of the Subarea, and the proposed final plat includes 32 of those lots on 19.909 acres. The plat also incorporates 4.082 acres for public streets and a 10.160-acre reserve that includes open space and path connections.
- **Reserve B.** The 10.160-acre reserve area for this section of the development is located at the northeast corner of Scioto Darby Creek Road and the proposed Audubon Road extension. The reserve includes an 8-foot multi-use path that parallels the frontage along Scioto Darby Creek Road and connects into the subdivision between Lots 38 and 39. Appropriate trail easements and notes have been included for those portions paralleling public streets that will be maintained by the City. As part of zoning commitments, a kiosk will be included within the reserve to provide education on vegetative swales.
- **Landscape Mounding/Buffers.** The existing mounding along Scioto Darby Creek Road will be maintained as part of the development and includes an approved planting plan. The 8-foot path will be located on the back side of the mounding. An additional entry feature will also be provided on Audubon Avenue that was approved as part of the rezoning and a mounding/landscape treatment will be provided along that street.
- **Subdivision Streets.** Gelderland Drive will have sidewalks on both sides with street trees approved as part of the rezoning. Trees for this phase include the Sienna Glen Maple along Gelderland Drive and the Boulevard Linden along Audubon Avenue. Final selection and placement will be coordinated with and approved by the City Forester.
- **Regional Trail Connection.** An 8-foot wide trail will be provided on the east side of Audubon Avenue. The developer agreement also requires construction of a 10-foot wide regional trail from Scioto Darby Creek Road along the west side of Audubon Avenue through the proposed parkland. The developer is required to extend the trail through the existing City land to Elliott Road. Portions along Audubon will be constructed with the road and remaining portions including a required crosswalk on Elliott Road must be completed within 18 months of the first certificate of occupancy and include a 30-foot trail easement.
- **High Impact Lots.** The approved zoning text indicates homes in key locations that are visually “high impact” requiring additional architectural provisions. Lots 38, 39, 48, 49 and 63 within this plat are designated and will be reviewed as part of the zoning certificate for each lot.
- **Development Standards.** Requirements for single-family homes in Subarea 1 include a 55-foot minimum lot width and a minimum lot area of 6,600 square feet (0.15-acre). A 25-foot rear and front setback is required, and the side yard has a minimum setback of 5 feet.



- *Right-of-way.* As part of the original zoning and developer’s agreement, additional right-of-way is being provided to match the adopted Thoroughfare Plan. The Plan calls for 120 feet for Scioto Darby Creek Road. As required by the rezoning, additional right-of-way is indicated for a future single-lane roundabout at Scioto Darby Creek Road and Audubon Avenue.
- *Reforestation Plan.* The applicant is required as part of the rezoning and developer agreement to submit and implement a 5-year Forestation Plan for the 51.4 acres of open space on the north end of the subdivision. After the open space area has been planted and maintained appropriately for a period of 5 years, the developer is required to transfer the open space to either the City or Metro Parks. Staff is encouraging the applicant to develop a plan as soon as possible to begin the process.

[END OF REPORT | PLAT-22-3]

Chairman Muether asked about a discrepancy in the number of single-family lots. Mr. Combs clarified that there is no discrepancy – the limit of 35 lots corresponds to the maximum number of lots that the fire department will serve with one access point. Ms. Clodfelder further explained that since we are approving multiple plats, it is possible for more than 35 homes to be constructed.

Mr. Lewie asked if the second access must be paved; Mr. Combs explained that it would be up to the Fire Chief to determine what would be acceptable for their equipment.

Vice Chair Schneck inquired if Audubon Ave is being extended so it connects with the Heritage Preserve; Mr. Combs explained the potential for extending the road to the north, and Mr. Talentino noted that it could be extended to the south as part of future development.

Ms. Nixon noted her appreciation for all the path connections.

Mr. Lewie (seconded by Mr. Gutknecht) made a motion to approve a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Hill Farm PUD Concept Plan for a development consisting of 32 Single-family lots on 19.909 acres with two conditions.

Status:	Approved with six conditions (6-0).
Mover:	Chris Lewie
Second:	Eric Gutknecht
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Tom Pannett, Chris Lewie, Tracey Nixon, Eric Gutknecht

CASE 4: PLAT-22-4 – HILL FARM SECTION 1 PHASE 3 – 7100 Scioto Darby Road

PARCEL NUMBER: 053-000322

APPLICANT: Matt Kirk, EMH&T, 5500 New Albany Road, Columbus, Ohio 43054; Jason Francis, MI Homes of Central Ohio, LLC., 4131 Worth Avenue, Suite 310, Columbus, OH 43219.

REQUEST: Review & approval of a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Hill Farm PUD Concept Plan for a development consisting of 35 single-family lots on 18.607 acres.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is approximately 204.6 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 November 14, 2017, the Big Darby Accord Panel recommended approval for a plan

consisting of 229 single-family lots on 207.102 acres. Following approval by the Accord panel, the Planning and Zoning Commission forwarded a positive recommendation to City Council on February 8, 2018, to rezone the property to create a Hilliard Conservation District (HCD) Plan. On October 22, 2018, City Council denied the request (Ordinance 18-11) and a revised plan was proposed. The Big Darby Accord Panel recommended the revised plan on April 13, 2021 that included a newly proposed empty-nester housing type within Subarea 3. The Commission recommended approval to City Council in May 2013, and City Council approved the rezoning (Ordinance 21-20) on August 23, 2021. The adopted HCD Plan and text includes 229 single-family lots with a total density of 1.12 units per acre. The approved zoning includes the dedication of 77.4 acres of land to the City as part of the adopted development agreement approved by City Council (Ordinance 21-21). The final plat for Section 1 Phase 3 includes 35 single-family lots.

COMMISSION ROLE:

The Commission is to review the proposed final plat for conformance to the provisions of the Hill Farms PUD Preliminary Development Plan and Hilliard Code Section 1188.05.

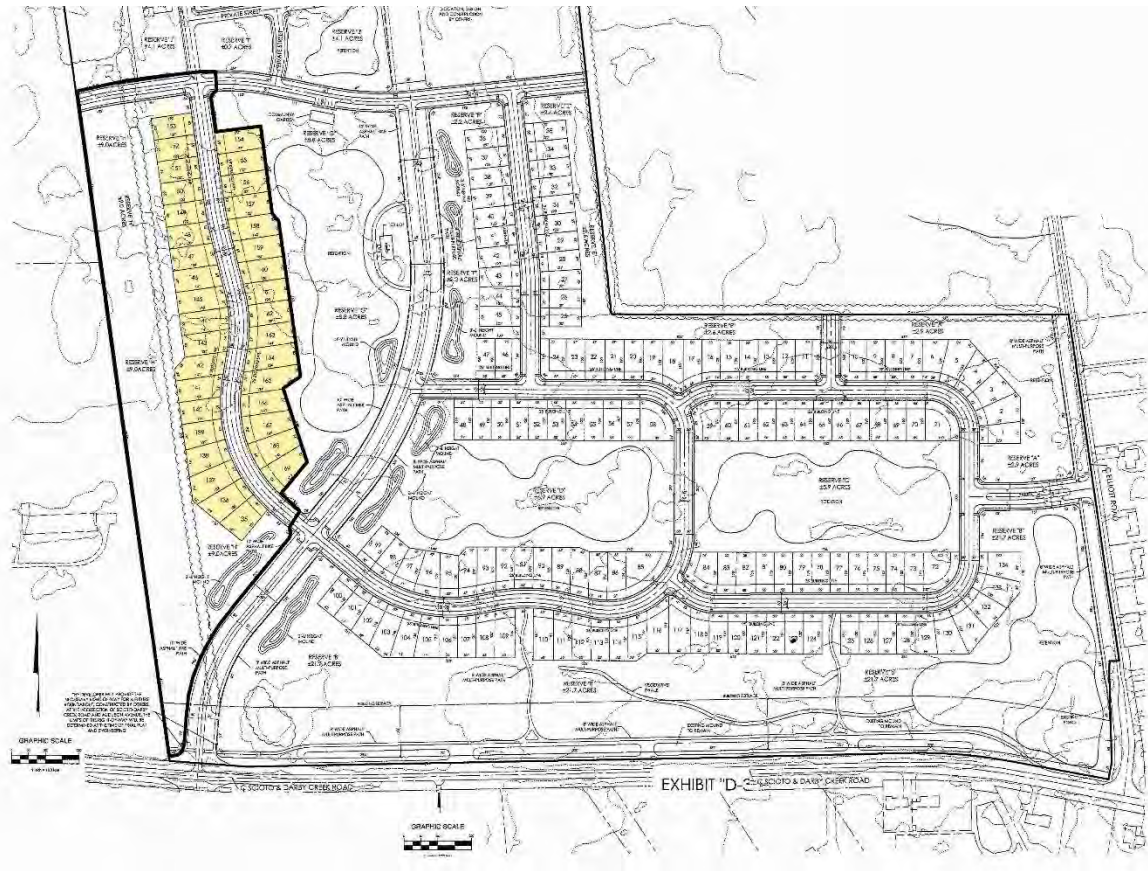
STAFF RECOMMENDATION:

Staff finds that the proposed final plat is consistent with the provisions of the Hill Farms PUD Preliminary Development Plan and Code Section 1188.05. Based on these findings, staff recommends approval of the proposed final plat with the following two conditions:

- 1) That no more than 35 lots at any point within the subdivision be approved for permits unless two access points are provided; and
- 2) 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:

- *Subarea 2.* The site consists of the southwestern portion of the Hill Farms PUD within Subarea 2. A total of 35 single-family homes were approved as part of the Subarea, and the proposed final plat includes all of those lots. The plat also includes 4.025 acres for public streets and an 9.026-acre reserve for open space.
- *Reserve C.* The 9.026-acre reserve area for this section of the development is located along the western edge of the site from Scioto Darby Creek Road northward to future Percheron Drive. The reserve will include mounding and landscaping along Audubon Avenue and will utilize the existing treerow.
- *Subdivision Streets.* Gelderland Drive will have sidewalks on both sides with Red Maples approved as part of the rezoning. Percheron Drive at the north end of this section will include the Sienna Glen Maple. Final selection and placement will be coordinated with and approved by the City Forester.
- *High Impact Lots.* The approved zoning text indicates homes in key locations that are visually “high impact” requiring additional architectural provisions. Lots 64, 82, 83 and 98 within this plat are designated and will be reviewed as part of the zoning certificate for each lot.
- *Development Standards.* Requirements for single-family homes in Subarea 2 include a 65-foot minimum lot width and a minimum lot area of 7,800 square feet (0.15-acre). A 25-foot rear and front setback is required, and the side yard has a minimum setback of 5 feet.
- *Reforestation Plan.* The applicant is required as part of the rezoning and developer agreement to submit and implement a 5-year Forestation Plan for the 51.4 acres of open space on the north end of the subdivision. After the open space area has been planted and maintained appropriately for a period of 5 years, the developer is required to transfer the open space to either the City or Metro Parks. Staff is encouraging the applicant to develop a plan as soon as possible to begin the process.



[END OF REPORT | PLAT-22-3]

There were no questions for staff or Mr. Gottesman from M/I Homes. He indicated they were fine with the conditions.

Ms. Nixon (seconded by Mr. Pannett) made a motion to approve a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Hill Farm PUD Concept Plan for a development consisting of 35 single-family lots on 18.607 acres.

Status:	Approved with two conditions (6-0).
Mover:	Ms. Tracey Nixon
Second:	Mr. Tom Pannett
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tracey Nixon, Tom Pannett, Eric Gutknecht.

CASE 5: PZ-22-47 – SMOKEY ZONE 1 – 3854 Main Street

PARCEL NUMBER: 050-000283

APPLICANT: Deborah Czech, 735 Highland Drive, Columbus, OH 43214; c/o Ammar Salameh, 7813 Scioto Crossing Boulevard, Dublin, OH 43016.

REQUEST: Review & approval of a conditional use under the provisions of Hilliard Code Chapter 1123 for a 1,320-square foot retail establishment.

[Mr. Combs gave the staff report]

BACKGROUND:

The tenant space for this request is located on a 0.196-acre parcel that is part of a larger retail center located on 0.56-acre on the west side of Main Street just north of the traffic circle at Cemetery Road. The site and other commercial properties to the south and east are zoned B-1, Neighborhood Business District. Properties to the north on the other side of Grace Street are zoned B-3, Office/Institutional District, and the school property to the west across Main Street is zoned S-1, Support Facilities District. This is a request for conditional use approval of a retail use within the ±7,000-square-foot commercial center that includes Hoagie City, Mod Salon and Jet's Pizza. The B-1 district generally permits personal services and restaurant uses; however, retail of any size is a conditional use. This is a conditional use request for approval for 1,320 square feet of retail use within the southern tenant space.

COMMISSION ROLE:

The Commission is to review the proposed conditional use for conformance to the provisions of Hilliard Code Chapter 1123. Conditional uses differ from permitted uses in that they may have a greater impact on the surrounding area and thus require special review and approval. The Commission is to ensure that the proposal will be compatible in this location. In considering the application, the Commission may impose such requirements and conditions as the Commission may deem necessary for the protection of adjacent properties and the public interest. Following a recommendation on the conditional use from the Commission, the application will be forwarded to City Council for a final decision.

STAFF RECOMMENDATION:

Staff finds that the proposed conditional use will pose an ongoing enforcement issue that will not achieve the general intent of the Zoning Code. The conditional use criteria within the Zoning Code includes the impact on the character of the surrounding area, and the proposed use will negatively impact the general health, safety and welfare of the general community and surrounding land uses. Given the current stated goals of City Council and the Tobacco Retail License (TRL) legislation that will be heard and voted on within the next few weeks, staff believes that approval of a retail establishment selling tobacco and electronic smoking devices within 260 feet (door-to-door) of a youth-oriented facility does not meet the spirit and intent of the Code. Based on these findings, consistent with the provisions of Code Chapter 1123, staff recommends disapproval of the proposed conditional use.

CONSIDERATIONS:

- 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 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.
- The proposed retail use is located within a 1,320-square foot (22' x 60') tenant space at the south end of the building. On July 1, 2022, Code Enforcement notified the business that it was operating without a required zoning certificate and had installed a sign without proper permits. On July 22, the identification sign was removed, and the tenant has been operating through the use of window signs since that time.
- On July 25, 2022, the applicant applied for a zoning certificate, and upon review of the application it was determined that conditional use approval is necessary for retail uses at that location. The business owner then applied for the conditional use application but is currently operating without zoning approval.
- On July 18, 2019, the Ohio legislature acknowledged these health, safety, and welfare concerns of smoking and vaping and passed HB 166, which amended numerous Sections in Ohio Revised Code increasing the age from 18 to 21 at which a person may purchase, use, or possess tobacco products or other alternative nicotine products.
- Additionally, HB 166 defined vapor products and electronic smoking devices and incorporated them into the definition of alternative nicotine products that are prohibited to be sold to persons under twenty-one (21) years of age.
- The City of Hilliard has been working to address youth tobacco and vaping issues that are negatively impacting public health. There has been a dramatic increase in electronic vaping devices and usage noted in local schools. Recognizing the dangers of smoking and the use of vapor products and/or electronic smoking devices, City Council adopted legislation earlier this year to incorporate State Code into its Codified Ordinances, as well as ensure that all electronic smoking devices and their component parts cannot be purchased, used, or possessed by those under the age of twenty-one.
- Given documented health risks such as chronic nicotine addiction, lung disease/damage, cardiovascular damage, altered brain development and increased risk for additional substance abuse, the City is currently working with Franklin County Public Health to further address these health and safety

concerns by enacting a Tobacco Retail Licensing (TRL) Program that will protect kids by reducing youth initiation to nicotine and tobacco through improved compliance with Tobacco 21 and other tobacco control initiatives.

- When legislation adopting the TRL Program is enacted, it will regulate the location of tobacco and electronic smoking device retailers so they are not located within 1,000 feet of youth-oriented facilities such as school buildings to reduce student exposure to advertising materials and to limit access to purchasing. This proposed retail location is located directly across Main Street from the HUB Learning Center and near the Station Sixth Grade, Heritage Middle School and Darby High School. While not including a vape lounge component, the proposed retail space is highly visible to the adjacent school site and is significantly within the proposed 1,000-foot buffer.

[END OF REPORT | PZ-22-47]

Chairman Muether inquired if the applicant was present (no one responded).

Mr. Lewie asked how long the business has been operating; Mr. Combs indicated that Code Enforcement was made aware of the lack of zoning certificate and unapproved sign in July. He said they had no idea how long the applicant had been in operation before that time.

Mr. Pannett (seconded by Vice Chair Schneck) made a motion to approve the conditional use under the provisions of Hilliard Code Chapter 1123 for a 1,320 square foot retail establishment.

Mr. Talentino inquired if the Commission should note the basis for their vote; Ms. Clodfelder concurred. Mr. Gutknecht, Ms. Nixon, Vice Chair Schneck and Chairman Muether noted the proximity to the schools as pointed out in the staff report. Mr. Pannett and Mr. Lewie also pointed out all of the bases listed in the staff report.

Status:	Motion failed (0-6) and was disapproved.
Mover:	Mr. Tom Pannett
Second:	Vice Chair Schneck
Ayes:	
Nays:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tom Pannett, Tracey Nixon, Eric Gutknecht.

A negative recommendation will be forwarded with this application to City Council.

CASE 6: PZ-22-48 – PARKVIEW RESERVE PUD – 4702 Cosgray Road

PARCEL NUMBER: 050-011790

APPLICANT: Kristin & Timothy Donnell, Jenna & Keith Caldwell, and Sarah & Bailey Alexander; c/o Ryan Kolb, Kolb Krenzel, 6375 Riverside Drive, Suite 75, Dublin, OH 43017.

REQUEST: Review & approval of a rezoning application in accordance with Hilliard Code Chapter 1117 from R-R, Rural Residential District, to PUD, Planned Unit Development District, for the creation of 3 single family lots and one reserve on 5.99 acres.

[Mr. Talentino gave the staff report]

BACKGROUND:

The site is 5.99 acres located on the east side of Cosgray Road approximately 2,300 feet south of Hayden Run Road. On February 24, 2022, the site was annexed into the City of Hilliard and assigned a zoning classification of

R-R. (Ordinance 22-02). The applicant is now requesting approval of an application to rezone 5.99 acres from R-R, Rural Residential, to PUD, Planned Unit Development for the creation of 3 single-family lots.

COMMISSION ROLE:

The Commission is to review the proposal for conformance to the provisions of the Hilliard Comprehensive Plan, and Hilliard Code Chapter 1117. Following a recommendation by the Commission, an ordinance for the proposed PUD Concept Plan will be forwarded to City Council for review and approval.

STAFF RECOMMENDATION:

The Hilliard Comprehensive Plan recommends the site and surrounding properties for Medium Density Residential land uses. Staff finds that the proposed layout, uses, and standards referenced in the proposed text would promote a residential character which could be harmonious with surrounding properties. Staff finds that the proposed PUD zoning is consistent with the purposes for planned unit development. Based on these findings, staff recommends that the Commission forwards a positive recommendation to City Council concerning the proposed PUD Concept Plan with the following 3 conditions:

- 1) That the plans and text are revised consistent with the staff recommendations listed below in bold type in the staff report;
- 2) That cross access easements meeting the requirements of the Law Director are recorded; and
- 3) That the plans and text are revised consistent with the conditions listed above prior to this application being scheduled on a Council agenda.

CONSIDERATIONS:

- The site is zoned R-R. Permitted uses in this zoning district include single-family dwellings and public parks/playgrounds, recreation areas, and ball fields. Conditional uses include farms; farm markets; greenhouse/nursery (not including retail sales); cemeteries; government offices, buildings, and facilities; libraries; places of worship; public and private schools; art, music, and dance studios; and bed and breakfast. To the north and east are residential properties within Norwich Township. To the west, across Cosgray Road, is Homestead Park zoned S-1, Support Facilities District. To the south is the Bo Jackson Elite Sports facility zoned S-1. The site has an existing 1,920-square-foot garage building which is set back approximately 500 feet from the Cosgray Road right-of-way line. The eastern portion of the site is wooded. There are no existing sidewalks along Cosgray Road on the site or adjacent properties to the north and south.

Comprehensive Plan Issues

- The Hilliard Comprehensive Plan recommends the site for Medium Density Residential uses with 2 to 6 dwelling units per acre. These areas are appropriate for a variety of dwelling types within close proximity to existing or planned roadways and utilities. Streets should include sidewalks and street trees, and be designed to promote a walkable environment. Developments should provide distinct public places within a half-mile walk of all dwellings, and well planned parks and open spaces all within a quarter-mile walk of all dwellings. Developments should include a range of housing options and price points, including single-family, condominiums, and even townhouse rental units.
- The Thoroughfare Plan classifies Cosgray Road as a Major Arterial (four-lane roadway with two through lanes in each direction and with a barrier center median and with separate left turn lanes at driveway and intersections) with a recommended minimum right-of-way width of 120 feet. The plans show the current right-of-way line is 30 feet from centerline along the site's Cosgray Road frontage. An additional 30 feet of right-of-way is needed to conform to the recommendations of the Thoroughfare Plan (60 feet from centerline).

Planned Unit Development District

- In order to permit and encourage more creative and innovative land development for the benefit of the community as a whole and in furtherance of the vision and goals of the City of Hilliard Comprehensive Plan, planned unit development may be permitted as a zoning district to achieve the following purposes:
 - (a) Provide for flexibility in development that will result in a better project for the developer, residents, and users, as well as for the City in general;
 - (b) Preserve existing natural assets, such as stands of trees, floodplain, open fields, wetlands, lakes, streams, and the like;
 - (c) Accomplish a more desirable and sustainable residential environment than would be possible through the strict application of minimum requirements of this Code;
 - (d) Encourage the utilization of open space and the development of recreational amenities generally located within walking distance of all living units;
 - (e) Encourage the use of lands in ways which are most in accord with their character and adaptability; and
 - (f) Encourage the efficient use of land by facilitating economical and suitable arrangements for buildings, streets, utilities, and other land use features.
- The minimum site size for an all non-residential PUD is 10 acres. Sites containing less than the minimum required acreage may be approved by the City Council, if the Council determines that the site will advance the purposes of the PUD District and:
 - 1) Rezoning the property to PUD will not result in a significant adverse effect upon nearby properties;
 - 2) The proposed uses will complement the character of the surrounding area;
 - 3) The purpose and qualifying conditions of the PUD District can be achieved within a smaller area; and
 - 4) PUD zoning is not being used as a means to circumvent conventional zoning requirements.Staff finds that the proposal is consistent with the provisions of the Code concerning the minimum site size.
- The PUD shall achieve recognizable and substantial benefits that may not be possible under the existing zoning classification. At least two of the following benefits shall be accrued to the community as a result of the proposed PUD:
 - 1) Preservation of significant natural features.
 - 2) A complementary mix of land uses or housing types.
 - 3) Preservation of common open space beyond the minimum required.
 - 4) Connectivity of preserved open space with adjacent open space, greenways, or public trails.
 - 5) Coordinated development of multiple small lots or parcels.
 - 6) Removal or renovation of deteriorating buildings, sites or contamination clean-up.

Traffic Impact Issues

- The proposal is not anticipated to have a significant impact on the surrounding roadway network.

Proposed Plan:

- The proposed plans show that the existing single-family residence has been removed, and the site will be subdivided into three single-family lots and one 2.96-acre reserve. The site has an existing 100-foot-wide petroleum easement which runs diagonally across the western portion of the site. Access to the site will be from the existing full-service access point on Cosgray Road. The proposed plan shows the right-of-way line 60 feet from the centerline of Cosgray Road. **[Staff recommends that the plan be revised to clearly indicate whether the applicant is proposing to convey right-of-way along Cosgray Road to the City of Hilliard consistent with the recommendation in the Thoroughfare Plan.]**

Proposed Text:

- The proposed text includes the following standards:
 - 1) Section 4. – Specifies 3.04 acres is intended for 3 single-family lots and 2.96 acres is to be a shared open/reserve space by the property owners.
 - 2) Section 4.A. – Specifies the lot sizes and requires a minimum 2,000-square-foot floor area for dwellings. Specifies a maximum 35-foot building height. Specifies the exterior building materials. Limits the site to a maximum of 3 single-family homes. Permits fences along the north, east, and south property lines, and permits a decorative or picket fence with a maximum height of 4 feet along Cosgray Road. **[Staff recommends that permitted fence locations which conflict with the Zoning Code be specified in the text.]**
 - 3) Section 4.B. – Specifies building setbacks for principal and accessory structures. Principal structures must be set back a minimum 25 feet from all perimeter property lines and adjoining lots. Accessory structures must be set back a minimum 10 feet from all property lines and may not be located within 60 feet of Cosgray Road. **[Staff recommends that the text be revised to specify that setbacks are from the ultimate right-of-way line of Cosgray Road as specified in the Hilliard Thoroughfare Plan.]**
 - 4) Section 4.C. – States that the reserve area will be owned and maintained by an association of the property owners. Limits the reserve area to a maximum of 4 accessory structures. Requires accessory structures to be approved by the owners association prior to construction. **[Staff recommends that the text be revised to state that owners association approval is required prior to a building permit being obtained.]**

[END OF REPORT | PZ-22-48]

Mr. Pannett asked if there would be easements for each lot to get to the wooded reserve area; Mr. Talentino concurred that the proposal is for each homeowner to have access to the reserve area.

Mr. Pannett asked if they would be allowed to put up fencing around their yards or just around the entire development. Mr. Talentino noted that the code allows fencing around side and rear yards, but any other configuration would need to be specified in the text. He explained that staff would work with the applicant to determine the aesthetics and that it could be added as a condition of approval. He said staff's preference would be a 10-foot setback from the ultimate right-of-way. He said the north area along Cosgray Road could perhaps include a shed or barn that fits with the character, but it's not their intention to building there.

Ms. Nixon inquired about properties north of the site; Mr. Talentino indicated that those properties are in the township. He said the house on this site has been demolished, but the barn will stay.

Mr. Lewie inquired if there were wetlands within the wooded reserve; Mr. Talentino noted a small stream/ditch along the back corner.

Tim Donnell and Keith Caldwell representing the families for this application were present. They indicated that there is a pending lawsuit with Marathon Oil regarding the conditions of the easement through the site. Mr. Donnell verified that there is a stream in the reserve area and that there is no intention to build in the northwest corner of the site.

The applicants indicated that it's not currently in their plan to build a fence. Chairman Muether proposed a fourth condition that all fencing be per City Code. He asked the applicants if they were ok with that, and they agreed.

Ms. Nixon (seconded by Chairman Muether) moved for approval of a rezoning application in accordance with Hilliard Code Chapter 1117 from R-R, Rural Residential District to PUD, Planned Unit Development District for the creation of 3 single family lots and one reserve on 5.99 acres with four conditions.

Status:	Approved with four conditions (6-0).
Mover:	Ms. Tracey Nixon
Second:	Chairman Jay Muether
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Tom Pannett, Chris Lewie, Tracey Nixon, Eric Gutknecht.

A positive recommendation will be forwarded to City Council for the rezoning request.

CASE 7: PZ-22-49 – FIRST INDUSTRIAL PROPERTY LP PUD – 4001 Britton Parkway

PARCEL NUMBER: 050-011171

APPLICANT: Echo Hilliard II LLC., 560 Epsilon Drive Ridge Park, Pittsburgh, PA 15238; c/o LuAnne Nelson, Giant Eagle Incorporated, 101 Kappa Drive, Pittsburgh, PA 15238-2809.

REQUEST: Review & approval of a revised Final Development Plan under the provisions of Hilliard Code Chapter 1117 and the First Industrial Property PUD for an outdoor display area for a retail shopping center on 11.03 acres.

[Mr. Talentino gave the staff report]

BACKGROUND:

The site is 11.03± acres located on the west side of Britton Parkway approximately 600 feet north of Cemetery Road. This parcel is zoned PUD, Planned Unit Development, and falls under the development regulations of the First Industrial Property LP PUD (Ord. 12-45), which was originally approved by City Council on August 9, 2012. City Council approved a Final Development Plan (Ord. 13-R-13) for a grocery store (later Giant Eagle), gas Station (later GetGo), and associated retail on 2/25/2013. The adjacent properties to the north, west, and south are also zoned PUD within the First Industrial LP PUD and include a mix of other retail, restaurant and service uses. To the east, across Britton Parkway, are commercial properties zoned B-4, I-270 District. The applicant is now requesting to add an approximately 110.66 square-foot outdoor display area of seasonal landscaping and plant products.

COMMISSION ROLE:

The Commission is to review the proposed outdoor display area for conformance to the provisions of Chapter 1117 and the First Industrial LP Property PUD development text and Final Development Plan.

STAFF RECOMMENDATION:

Staff finds that the proposal is generally consistent with the spirit and intent of City Code Chapter 1117 and the First Industrial LP Property PUD development text. Based on this finding, staff recommends approval of the proposed outdoor display area with the following conditions:

- 1) That the outdoor display areas are limited to a combined maximum area of 150 square feet at any one time;
- 2) That signage shall be limited to the product information and price signs only unless otherwise approved by the Planning and Zoning Commission;

- 3) That the sidewalk in front of the store shall have an unobstructed pedestrian space of not less than 5 feet in width at all times; and
- 4) That no items other than seasonal landscaping and plant displays consistent with the “Sidewalk Sales Itinerary” (provided by the applicant) be displayed in the exterior display areas without prior approval from the Planning and Zoning Commission.

CONSIDERATIONS:

- The applicant is proposing 5 outdoor display areas totaling approximately 110.66 square feet in close proximity to the main entrance of the Market District/Giant Eagle building.
- The proposed display area is consistent with large retail uses of this nature.
- Market District/Giant Eagle is a permitted use in Sub Area B of the First Industrial LP Property PUD.
- Section 3 (B) (6) of the development text for this PUD states that “no materials, supplies, products, stock or equipment shall be permitted to remain on any portion of the parcel outside any permitted structure.” However, staff finds that the location and scale of the proposed outdoor display area will be harmonious with the use and nature of the Sub Area.
- On May 10, 2018, the Commission approved a conditional use for Home Depot to have a 1,900-square-foot outdoor display area for plants, grills, and picnic tables for 3 months per year, and a 2,500-square-foot mulch display for 30 days per year.

[END OF REPORT | PZ-22-49]

Kevin Robinson, Executive Store Leader, was present for the applicant and indicated that Giant Eagle was seeking approval in wanting to provide a welcoming seasonal entrance to the store.

Mr. Gutknecht (seconded by Mr. Pannett) made a motion to approve a revised Final Development Plan under the provisions of Hilliard Code Chapter 1117 and the First Industrial Property PUD for an outdoor display area for a retail shopping center on 11.03 acres with four conditions.

Status:	Approved with four conditions (6-0).
Mover:	Eric Gutknecht
Second:	Tom Pannett
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Tom Pannett, Chris Lewie, Tracey Nixon, Eric Gutknecht.

CASE 8: PZ-22-50 – FIRST INDUSTRIAL PROPERTY LP PUD – 4001 Britton Parkway

PARCEL NUMBER: 050-011171

APPLICANT: Echo Hilliard II LLC., 560 Epsilon Drive Ridge Park, Pittsburgh, PA 15238; Giant Eagle Incorporated, 101 Kappa Drive, Pittsburgh, PA 15238-2809; c/o Connor Donaldson, Scout Services, 490 Quail Ridge Drive, Westmont, IL 60559.

REQUEST: Review and approval of a sign variance under the provisions of Hilliard Code Section 1129.08 and the First Industrial Property PUD to permit additional wall signage.

[Mr. Talentino gave the staff report]

BACKGROUND:

The site is 11.03± acres located approximately 600 feet north of the intersection of Britton Parkway and Cemetery Road. This parcel is zoned PUD, Planned Unit Development, and falls under the development text

requirements of the First Industrial Property LP PUD (Ord. 12-45), which was originally approved by City Council on August 9, 2012. The adjacent properties to the north, west, and south are also zoned PUD within the First Industrial LP PUD and include a mix of other retail, restaurant and service uses. Properties directly across Britton Parkway are zoned B-4, I-270 District. On February 14, 2013, the Commission approved a comprehensive signage plan for the overall development.

The applicant is now requesting a signage package that includes the following new signs:

- An alteration to the existing “Drive-Thru Pharmacy” signage that increases the size from 49.1 square feet to 54.54 square feet;
- A new 29.28 square-foot “Curbside Pickup” mounted sign;
- Three new 6-square-foot “Curbside Pickup” directional signs;
- One new 4-square-foot “Curbside Pickup” directional sign; and
- A new mounted Starbucks logo wall sign.

COMMISSION ROLE:

The Commission is to review the proposed sign package for conformance to the provisions of City Code Section 1129.08 and the comprehensive signage plan for the First Industrial Property PUD.

STAFF RECOMMENDATION:

Staff finds that the proposal is generally consistent with the spirit and intent of City Code Section 1129 and the First Industrial LP Property PUD comprehensive signage plan. Based on this finding, staff recommends approval of the proposed signage with the following conditions:

- 1) That the applicant obtains a sign permit for all proposed signage prior to installation;
- 2) That any existing signage to be replaced shall be removed prior to the installation of the new signage; and
- 3) That all “Curbside Pickup” directional signage is limited to a maximum overall height of 5 feet.

CONSIDERATIONS:

- The Comprehensive Signage Plan for this development has already approved wall signage that exceeds the City’s Sign Code (Section 1129). The overall wall signage of the Giant Eagle site is decreasing by approximately 38.66 square feet with the proposed changes (from 629 square feet to approximately 590 square feet).
- All mounted signage will utilize existing external illumination, which is consistent with the development’s comprehensive signage plan.
- City Code Section 1129.05 states that On-Site Directional Signage in all zoning districts is limited to a maximum of 2 per driveway, a maximum of 2 square feet, a maximum height of 3 feet, and may contain information such as "in", "enter", "entrance", "out", "exit", "do not enter" and similar directions or directional arrows; but shall not contain advertising or logos.
- The applicant is proposing 4 total directional signs for their curbside pickup service. Three of these signs are shown as 6 square feet with a small “Giant Eagle Curbside Pickup” Logo and an unknown overall height. The fourth sign is shown as a 4 square-foot “Giant Eagle Curbside Pickup” Logo and an unknown overall height.

[END OF REPORT | PZ-22-50]

Mr. Lewie asked if the signs could be replaced if there were a new tenant; Mr. Talentino confirmed if the size were the same or less that what is proposed now.

Chairman Muether (seconded by Mr. Lewie) made a motion to approve a sign variance under the provisions of Hilliard Code Section 1129.08 and the first Industrial Property PUD to permit additional wall signage with three conditions.

Status:	Approved with three conditions (6-0).
Mover:	Chairman Jay Muether
Second:	Chris Lewie
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Tom Pannett, Chris Lewie, Tracey Nixon, Eric Gutknecht.

CASE 9: PZ-22-51 – PROPERTY RECOVERY SOLUTIONS LLC– 3933 Columbia Street

PARCEL NUMBER: 050-000064

APPLICANT: Property Recovery Solutions LLC c/o Shaun Lane, 6289 Janes Way, Hilliard, OH 43026

REQUEST: Review & approval of an Old Hilliard District Plan for the demolition of an existing residence and the construction of a new single-family dwelling on 0.08 acre.

[Mr. Talentino gave the staff report]

BACKGROUND:

The site is 0.08 acre located at the north corner of Columbia Street and Madison Street. The site consists of a single-family residence and is zoned OH-MD, Old Hilliard Mixed Use District. The properties to the west and north are zoned OH-MD, Old Hilliard Mixed Use District. The properties to the east are zoned OH-RD, Old Hilliard Mixed Residential, and properties to the south are zoned B-3, Office/Institutional District. According to Franklin County Auditor records, the existing house was built in 1900 and has a total finished area of 1,308-square-feet. On May 13, 2021, the Commission approved an Old Hilliard District Plan under the provisions of Hilliard Code Section 1115.05 to construct an addition on the house and renovate the existing exterior. On May 20, 2021, the Board of Zoning Appeals approved a variance to permit the existing side yard and reduce the minimum rear yard from 12 feet to 3 feet for the proposed addition; however, the addition was never constructed. A demolition permit for the existing house was issued on August 9, 2022.

The applicant is requesting approval of an Old Hilliard District Plan to permit the construction of a new 1,300-square-foot single-family dwelling on 0.08 acre.

COMMISSION ROLE:

The Commission is to review the proposal for conformance with Hilliard Code Section 1115.05.

STAFF RECOMMENDATION:

Staff finds that the proposed Old Hilliard District Plan for a new single-family residence, as revised in the conditions listed below, is generally consistent with the provisions of the Zoning Code. Based on these findings, staff recommends approval of the Old Hilliard District Plan with the following 5 conditions:

- 1) That the site plan is revised to be of a measurable scale showing all property lines and demonstrating conformance to all required building setbacks;
- 2) That plans are revised to conform to the requirements of the City's standard drawing for residential driveways;
- 3) That plans are revised to show a minimum of two off-street parking spaces meeting the dimensions required per Code on site and outside the public right-of-way;

- 4) That the exterior building materials and colors are consistent with the provisions of the Zoning Code; and
- 5) That all required permits be obtained prior to construction.

CONSIDERATIONS:

- The site is located in the OH-MD, Old Hilliard Mixed Use zoning district. Development standards in this zoning district include the following: Maximum Building height of 52 feet, a build-to zone of 0-10 feet for each public right-of-way, a minimum 10-foot side yard setback (if the building is not placed on the property line), and a minimum 12-foot rear yard setback which was reduced to 3 feet by virtue of the variance approved by the Board of Zoning Appeals in 2021. The minimum floor area for a single-family house is 1,300-square-feet.
- Hilliard Code Section 1115.05 states the architectural design of buildings must create and enhance the community image. Variations in façade elements shall be incorporated into all sides of the principal building to minimize the perceived mass and scale.
- The proposal shows a one-story, 1,300-square-foot single-family dwelling. The proposed site plan is not to scale. Staff estimates the proposed setbacks to be 10 feet from the Columbia Street right-of-way line, 5 feet from the Madison Street right-of-way line, 4 feet from the northeast (side) property line, and 20 feet from the northwest (rear) property line.
- Code Section 1127.03 requires a minimum of 2 off-street parking spaces on the premises for each single-family dwelling. The proposal shows an 18-foot-wide driveway located within the Columbia Street right-of-way, but it does not extend onto the site as required per Code. There are no proposed parking spaces on the site. Hilliard Standard Drawing DD-2 requires a residential driveway to be a minimum of 10 feet wide and a maximum of 20 feet wide at the right-of-way line.
- The proposed building is of a contemporary design with simple lines. It features a 36-square-foot front porch and at least 2 windows on each elevation. Exterior building materials include white vinyl board and batten siding and black asphalt roof shingles.

[END OF REPORT | PZ-22-51]

Chairman Muether inquired if the conditions in the report take care of staff's concerns about the project. He said yes and explained that the proposed building meets the setbacks, but that the parking requirements must be met on-site. He said that if the Commission approved the plan as proposed, they would indicate that onsite parking is not required. Mr. Talentino explained that allowing additional parking within the right-of-way is not good if the roads are to be improved in the future similar to Franklin and Norwich Streets.

Vice Chair Schneck inquired about sidewalk standards; Mr. Talentino noted that the applicant would need to meet the standards required by the Engineering Department.

Mr. Pannett inquired whether the application should be revised and brought back to the Commission at the next meeting. Mr. Talentino stated that the proposed location of the house would probably meet all setbacks and that based on the size of the house, staff could make it work to meet Code requirements.

Ms. Nixon (seconded by Mr. Pannett) made a motion to approve an Old Hilliard District Plan for the demolition of an existing residence and the construction of a new single-family dwelling on 0.08 acre with five conditions.

Status:	Approved with five conditions (6-0).
Mover:	Tracey Nixon
Second:	Tom Pannett
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Tom Pannett, Chris Lewie, Tracey Nixon, Eric Gutknecht.

CASE 10: PZ-22-53 – THE ONE9 – 5460 Franklin Street

PARCEL NUMBER: 050-000170

APPLICANT: Junction by Westwood, LTD., PO Box 1471, Hilliard, OH 43026; c/o Andy Warnock, 6565 Heritage Boulevard, Hilliard, OH 43026.

REQUEST: Review and approval of a conditional use under the provisions of Hilliard Code Section 1123.03 to permit an indoor recreational use (golf simulator lounge).

[Mr. Combs gave the staff report]

BACKGROUND:

The site is 1.2 acres located on the southwest side of Center Street approximately 650 feet northwest of Wayne Street with the building located at the terminus of Franklin Street. The site and properties to the south are zoned OH-MD, Old Hilliard Mixed Use District and include a variety of commercial uses. Properties to the west are zoned S-1, Support Facilities District as part of the Hilliard Darby High School and Heritage Middle School complex. Properties to the east across Center Street include a variety of residences that are zoned R-2, Low/Moderate Density Residential District within the Avery Road Subdivision and the Grant of Wayne County Subdivision. The building includes approximately 8,200 square feet of mixed commercial space that includes offices, restaurants and retail uses. The site includes patio space along the rear of the building that overlooks a retention pond and land owned by the City of Hilliard. The building is adjacent to the current trail head for the Heritage Rail Trail. This is a conditional use request for approval of an indoor recreational use within the northern-most tenant space of the building that will include two golf simulators and a small lounge area.

COMMISSION ROLE:

The Commission is to review the proposed conditional use for conformance to the provisions of Hilliard Code Chapter 1123. Conditional uses differ from permitted uses in that they may have a greater impact on the surrounding area and thus require special review and approval. The Commission is to ensure that the proposal will be compatible in this location. In considering the application, the Commission may impose such requirements and conditions as the Commission may deem necessary for the protection of adjacent properties and the public interest. Following a recommendation on the conditional use from the Commission, the application will be forwarded to City Council for a final decision.

STAFF RECOMMENDATION:

Staff finds that the proposed conditional use will be 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 within the building and the nature and intensity of the proposed operations will not impact adjacent properties or the surrounding area. Based on these findings, consistent with the provisions of Code Chapter 1123, staff recommends approval of the proposed conditional use.

CONSIDERATIONS:

- 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.
 - The proposed indoor recreational use is 1,637 square feet in floor area and includes two golf simulator bays, a lounge or seating area and restrooms and will be located at the northern end of the building. The proposed use will have no impact on other tenants within the building or the surrounding area outdoors. Any building modifications should obtain the proper construction permits and occupancy permits. The applicant has submitted for a zoning certificate (pending approval of the conditional use), and a sign permit will also be necessary.

[END OF REPORT | PZ-22-53]

Mr. Gutknecht inquired if this is a place where you could play golf and consume alcohol, since the pizza shop serves alcohol and is within the DORA; Mr. Talentino said it depended upon the type of license, and Ms. Clodfelder indicated that the building is in the DORA, but that regulation only allows drinks to go outside and does not address drinking alcohol within the premises.

Applicant Andy Warnock elaborated that the liquor license for Sexton's Pizza includes the entire building. They will be using a common door to bring food and beverage into the new space as a means to help support the pizza establishment.

Mr. Pannett (seconded by Chairman Muether) made a motion to approve a conditional use under the provisions of Hilliard Code Section 1123.03 to permit an indoor recreational use (golf simulator lounge).

Status:	Approved as requested (6-0).
Mover:	Tom Pannett
Second:	Chairman Jay Muether
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Tom Pannett, Chris Lewie, Tracey Nixon, Eric Gutknecht.

CASE 11: PZ-22-55 – CODE AMENDMENT – Swimming Pool Barrier Requirements

APPLICANT: City of Hilliard, c/o Michelle Crandall, City Manager, 3800 Municipal Way, Hilliard, OH 43026.

REQUEST: Review and approval of an amendment to Hilliard Code Sections 1121.02 and 1121.06 to amend the definition of swimming pools, to modify the barrier requirements for fencing around pools and hot tubs and to amend related development standards.

[Mr. Combs gave the staff report]

BACKGROUND:

The latest version of the Zoning Code was adopted as Ordinance 14-29 by City Council and became effective on November 27, 2014. Adoption of the zoning code provided for the general development standards currently in place that address private swimming pools and required safety barriers. A total of 10 cases have been heard by the Board of Zoning Appeals since 2018 (9 of the 10 cases since June 2020), and the prevalence of such cases continues to rise as technology has improved. The proposed code amendments are intended to address the barrier requirements for pools by providing the option to utilize safety-certified covers for pools and hot tubs in lieu of traditional fencing options with self-latching and locking gates.

COMMISSION ROLE:

The Commission is to review the proposed code amendment and provide recommended changes to the proposed ordinance. Upon its review, the Commission is to make a recommendation to City Council who will make a final determination on the proposed Code language.

STAFF RECOMMENDATION:

Staff finds that the proposal is consistent with the purpose of the Zoning Code to promote the public health, safety, morals, comfort, and general welfare of the City and its residents. Based on this finding, staff recommends that the Commission forward a positive recommendation to Council concerning the proposed Zoning Code amendments.

CONSIDERATIONS:

- **Variance Trends.** In the last five years, at least ten variance requests have been made to the Board of Zoning Appeals to permit a lockable cover in lieu of required fencing as a safety barrier. The BZA has approved 9 of 10 requests. The only denied request included significant property maintenance code issues. [BZA-22-27 Thom Residence; BZA-22-26 Opalek Residence; BZA-22-18 Kasper Residence; BZA-22-

16 Calabrese Residence; BZA-22-7 Vawter Residence; BZA-21-35 Badow Residence; BZA-21-6 Capron Residence; 20-0157AR Miglietti Residence; 20-0145AR Ruma Residence; 18-0093AR Tucker Residence]

- **Current Pool Definition.** Section 1121.06(f) of the Zoning Code currently defines a private swimming pool as “any pool, lake, pond or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half feet. No swimming pool, exclusive of portable swimming pools with a diameter less than 12 feet or an area less than 100 square feet, shall be permitted in any zoning district, except as an accessory use...” *By definition the Code currently includes hot tubs, jacuzzi tubs, and any other container that has the potential to hold water to a depth of 18 inches.*
- **Pool Barrier Required.** Hilliard Code Section 1121.02(d)(5)(a) states that the immediate surroundings or yard around the pool shall be fenced and equipped with a self-latching gate with a self-closing lock to prevent uncontrolled access into any swimming pool. *As written the Code requires a fence for all pools, hot tubs, spas and ponds with no provisions for alternatives, resulting in many variance requests.*
- **Temporary Pools.** “Temporary Pools” are considered as those that are small, movable and are filled daily up to a water height of 18 inches and no more than 50 square feet in area. Temporary pools do not require a zoning certificate for use and are exempt from requirements.
- **Private Swimming Pool.** “Private Swimming Pools include all pools, hot tubs, ponds etc. that have a water depth greater than 18 inches or are greater than 50 square feet in area. Swimming Pools require a zoning certificate and any other applicable permits that may be required (fence and/or electrical).
- **Other Bodies of Water.** Natural features, farm ponds and public stormwater management elements do not require a zoning certificate and are exempt from requirements.
- **General Standards.** Requirements regarding placement and setbacks have been updated to include elements that generally become issues during the zoning certificate application process.
- **Required Fencing.** Section 1121.02(d)(5) has been updated to match definitions. The proposed code language provides the option of a locking safety cover for any swimming pool (pool, hot tub, spa, etc.) if basic safety levels can be demonstrated. The proposed code requires covers to comply with ASTM F1346, which is an industry accepted safety standard.

[END OF REPORT | PZ-22-54]

Ms. Clodfelder noted for the record that the report will be corrected to indicate American Society of Testing Materials.

Mr. Pannett noted his trepidation for leaving a pool in a yard that is wide open. Mr. Talentino acknowledge his concern and pointed out that a locking fence could also be left open in a similar manner that would provide access.

Mr. Combs said that every request for a retractable swimming pool cover in lieu of a fence has been granted since 2018.

Mr. Pannett inquired if it was possible to separate out pools from hot tubs.

Mr. Lewie asked if reflecting pools or coy ponds are being included and Vice Chair Schneck also asked about backyard garden ponds; Mr. Talentino explained that if it can hold over 18 inches, it is defined as a pool. [also anything exceeding the definition of temporary pools].

Ms. Nixon asked whether it was prudent to include the word outdoor; Mr. Talentino indicated that an indoor pool would not have requirements since the house is considered to be secured.

With no more discussion, Chairman Muether (seconded by Vice Chair Schneck) made a motion to approve the proposed amendment to Hilliard Code Sections 1121.02 and 1121.06 to amend the definition of swimming pools, to modify the barrier requirements for fencing around pools and hot tubs and to amend related development standards.

Status:	Approved as submitted (5-1).
Mover:	Chairman Jay Muether
Second:	Vice Chair Bevan Schneck
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracey Nixon
Nays:	Tom Pannett

DISCUSSION ITEMS / COMMITTEE COMMUNICATIONS

There were no discussion items or communications.

ADJOURNMENT – 8:37 PM

With no additional business, Chairman Muether (seconded by Mr. Lewie) motioned to adjourn at 8:37 p.m.

CERTIFICATION:

Nicole Starrett, Clerk/Administrative Assistant
October 14, 2022

[END OF MINUTES | SEPTEMBER 8, 2022]

STAFF REPORT

Planning & Zoning Commission

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube



Thursday, October 13, 2022 | 7:00 pm

CASE 1: PZ-22-54 – HILLIARD GRAB N’ GO – 6558 Scioto Darby Road

PARCEL NUMBERS: 050-011714

APPLICANT: KL Petroleum Partners, LLC, 4174 Glynwater Lane, Hilliard, OH 43026; c/o Tyler Sikkema, CBS Sign Service, 862 Cypress Point Court, Cincinnati, OH 45245.

REQUEST: Review and approval of a sign variance under the provisions of Hilliard Code Section 1129.08 and The Square at Latham Park PUD Development Plan and Text for a comprehensive sign package for a 4,220-square-foot gas station.

BACKGROUND:

The site is 1.21 acres within the Square at Latham Park PUD located on the north side of Scioto Darby Creek Road and immediately East of Latham Park Blvd. On August 23, 2010, City Council approved Ordinance 10-12, which established a PUD Concept Plan and development text. On March 12, 2020, the Planning Commission (Case #20-0491LC) approved a conditional use and revised final development plan to permit a vehicle service station with drive up facilities. On April 13, 2020, City Council approved a PUD text modification (Resolution 20-R-33) to change an access point, allow drive-up windows, enlarge the gas station canopy and to change landscape screening requirements. On December 10, 2020, the Commission approved the Final Development Plan for the convenience store/gas station, and City Council approved the related PUD text modifications to permit a carwash and allow a second drive-up window with Resolution 21-R-22.

The applicant is now requesting variances for a comprehensive sign package consisting of (A) a 43-square-foot monument sign, (B) gas canopy striping illuminated with Shell Pectens (logos) on the east and west elevations, (C) eight fuel pump sign/graphic packages that have been installed, (D) three non-illuminated wall signs on both the North and South building elevations, and (E) two drive-up window blade signs to differentiate the food service business.

COMMISSION ROLE:

The Commission is to review the proposal for conformance to the provisions of Code Section 1129.08. Specifically, the Code provides for the granting of variances to the Sign Code under the review criteria as outlined by Section 1129.08(d):

- Whether the property will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- Whether the variance is substantial;
- Whether the essential character of the neighborhood would be substantially altered or whether adjoining property owners would suffer substantial detriment as a result of granting the variance;
- Whether the variance would adversely affect the delivery of governmental services;
- Whether the property owner purchased the property with knowledge of the zoning restrictions;

- Whether the property owner's predicament feasibly can be obviated through some method other than variance; and
- Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Following approval by the Commission, the applicant is responsible for obtaining a sign permit prior to installation for each sign that conforms to the requirements and conditions set forth by the Commission.

STAFF RECOMMENDATION:

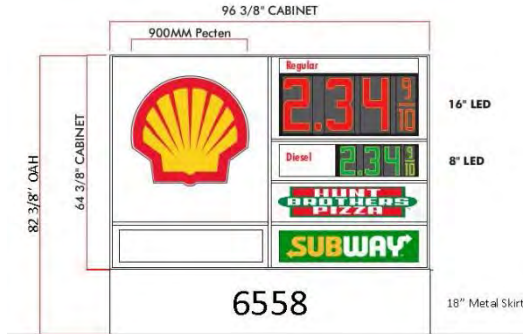
Staff finds that the proposed sign package is generally consistent with City Code Section 1129 as well as the Square at Latham Park PUD Development Text, as modified based on comments contained within the report. Staff finds that as modified, the proposed sign plan will blend with the general character of the area and will not substantially impact surrounding property owners. Staff finds that the proposed signage as recommended will meet the spirit and intent of the Code and based on these findings, recommends approval with the following seven conditions:

- 1) That the monument sign include a base color and be landscaped to comply with Code;
- 2) That proposed address numbering be relocated to a visible location that meets fire code requirements;
- 3) That proposed monument sign lighting be either ¼-inch push thru or be externally lit;
- 4) That panels and pricers on the proposed monument sign be revised as noted in the report, subject to staff approval;
- 5) That the proposed gas canopy signage and graphics be non-illuminated; and
- 6) That drive-up window blade signs be resized appropriately and installed vertically, subject to staff approval.

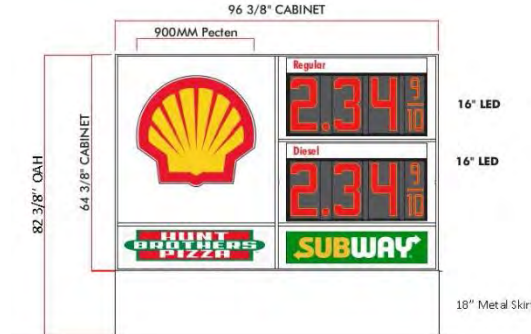
CONSIDERATIONS:

- *PUD Development Text.* The text for The Square at Latham Park PUD requires that "All signage shall be externally illuminated or non-illuminated. Halo-lit signage is permitted. Exposed or visible light sources shall not be permitted." At the time the PUD was established, Code did not permit internal illumination of signage. However, since that time Section 1129 has been modified to allow for quarter-inch push-thru internal illumination.
- *Monument Sign.* The applicant has proposed a 43.08-square-foot monument sign that will be placed at the east entrance to the site along Scioto Darby Road. The monument sign will be placed 19.5 feet behind the right-of-way and will comply with Code. The Height for the sign is just under 7 feet which also meets Code. The following are design issues to be addressed:

Base	No finish color has been identified for the 18-inch metal skirt. Finish must be a muted color that complies with Code.
Landscaping	Revised landscape plans will be required as part of the sign permit process.
Address	Proposed address numbering will be covered by landscaping. Staff recommends that the numbers be placed on the end of the sign or an alternate location that complies with the fire code.
Lighting	A ±35.4" x ±35.4" Pecten is proposed that will be internally lit by LED while surrounding portions of the panel would be unlit. Code allows ¼-inch push-thru lettering for internal illumination. If not possible, the monument sign should be externally lit to comply with the Sign Code and the PUD text.
Digital Pricers	Illuminated LED pricers are proposed consistent with other gas stations. Staff recommends that the Diesel pricer be increased to 16 inches and the "Hunt Brothers Pizza" panel be relocated to the left of "Subway."
Tenant Panels	The additional tenant panel should be eliminated from the sign.



PROPOSED MONUMENT SIGN



STAFF RECOMMENDATION

- **Gas Canopy.** Traditional shell color striping is proposed around all four sides of the canopy. The plan includes two illuminated Shell Pectens (logos) on the east and west ends of the canopy. The Pectens would be just under 9 square feet in area and be internally illuminated with LED lighting. Plans also show an illuminated red bar around three sides of the canopy with no detail information. Staff is not aware of other gas stations with illuminated canopy logos and recommends no illumination for the canopy graphics consistent with the PUD text.
- **Gas Pump Signage.** The proposed sign package includes Shell standard graphics and color treatment for the 8 pumps. The pumps have already been installed with the requested graphics package. According to the applicant, Shell has strict pump imaging standards. The Code also does not permit additional signage or advertising, which will be enforced.
- **Wall Signs (South Elevation).** A total of three wall signs are proposed for the south elevation of the building facing Scioto Darby Road. The proposed signs are appropriately sized to the gable and available space on the building elevation.

Sign	Dimensions	Size
Hilliard Grab N' Go	102" x 20"	±14.2 SF
Hunt Brothers Pizza	50" x 18"	±6.25 SF
Subway	90.25" x 18"	±11.3 SF

- **Wall Signs (North Elevation).** A total of three wall signs are proposed for the north elevation of the building facing the gas pump canopy. The proposed signs are appropriately sized to the gable and available space on the building elevation.

Sign	Dimensions	Size
Hilliard Grab N' Go	102" x 20"	±14.2 SF
Hunt Brothers Pizza	56" x 28.5"	±11.09 SF
"S" (logo)	36.6" x 47.25"	±11.9 SF

- **Drive-up Window Signs.** The approved PUD text allows two drive-up windows with no menu signs, outdoor speakers or parking between the building and road. A 5.15-square-foot horizontal blade sign (39"x19") is proposed for each drive-up window that would extend 39 inches from the building. Staff recommends that a blade sign no greater than 8 inches wide be oriented vertically to avoid damage from passing vehicles since the purpose of the sign is only to signify what business is associated with the window.
- **Outdoor Display.** While not part of the application, the applicant should note that the text prohibits any outdoor products or display and storage of materials unless specifically approved by the Commission.

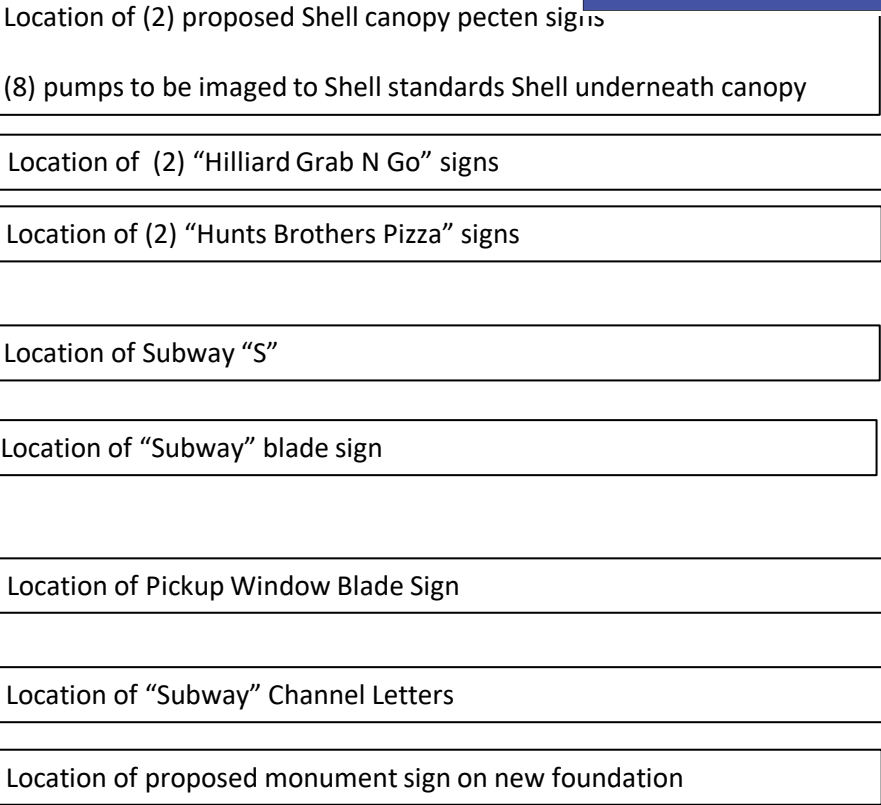
[END OF REPORT | PZ-22-54]



**ALTON
DARBY
ROAD**

SCIOTO DARBY ROAD

ATTACHMENT



4 building signs on south elevation

1 on east elevation

-Subway Blade Sign

3 on north elevation

-Subway S/Hunts Brothers/Hilliard Grab n Go

2 Shell signs on canopy

1 Shell monument sign

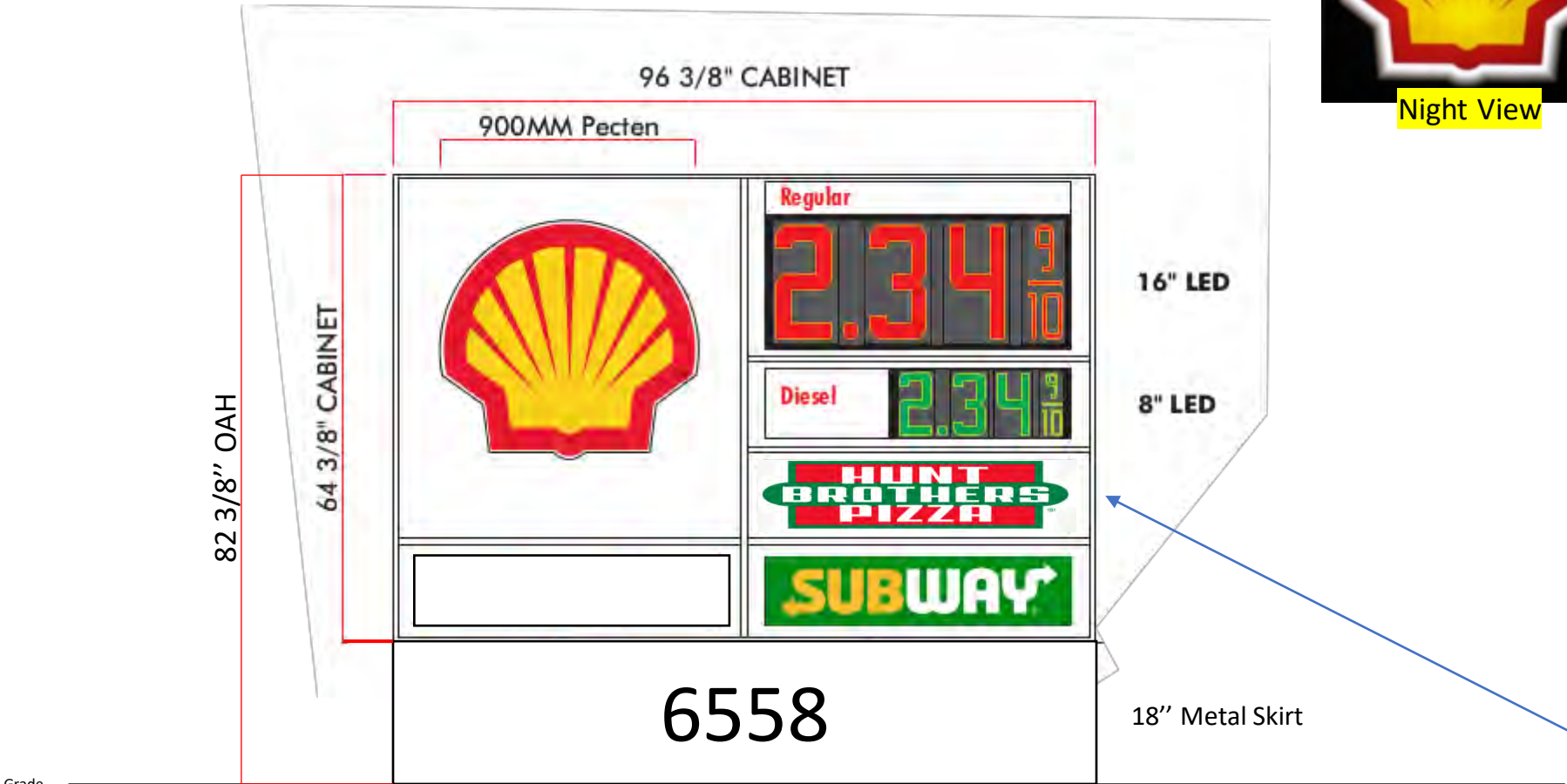
8 pumps imaged Shell

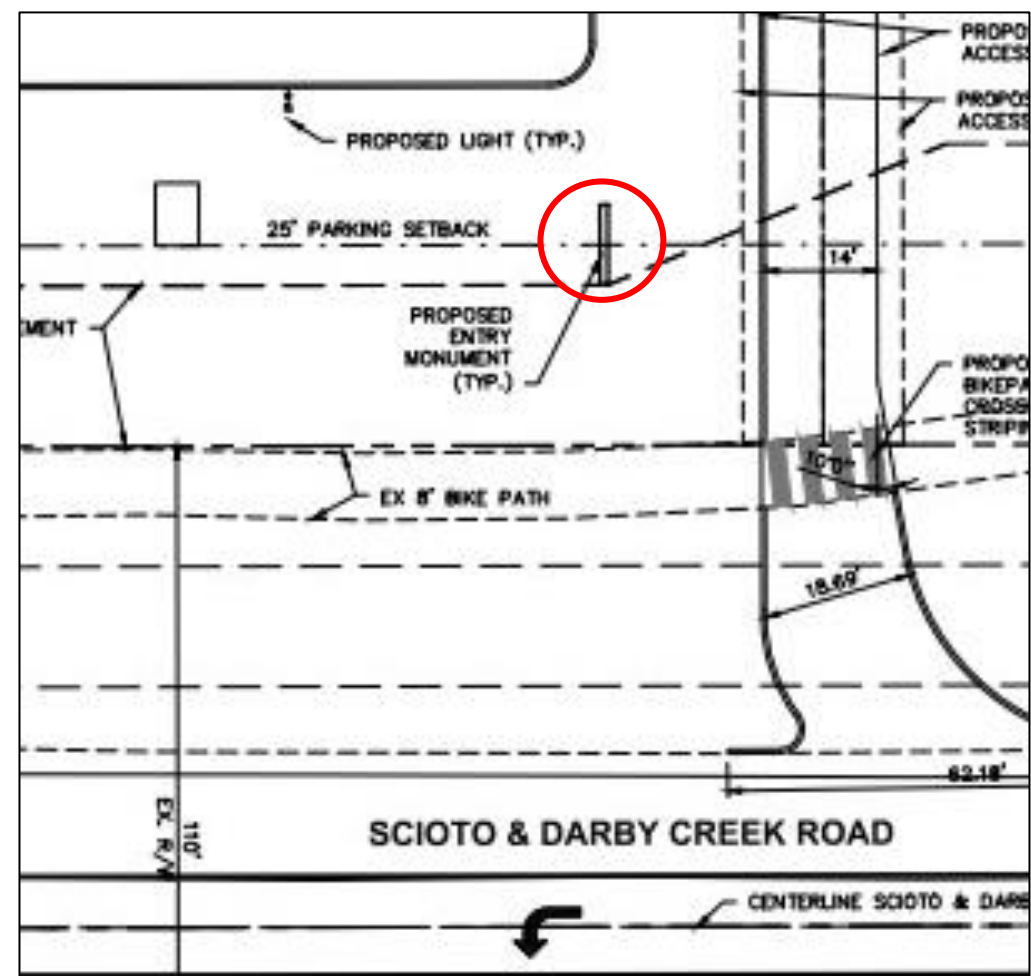
Monument Sign Plans: New Sign on New Foundation

ATTACHMENT

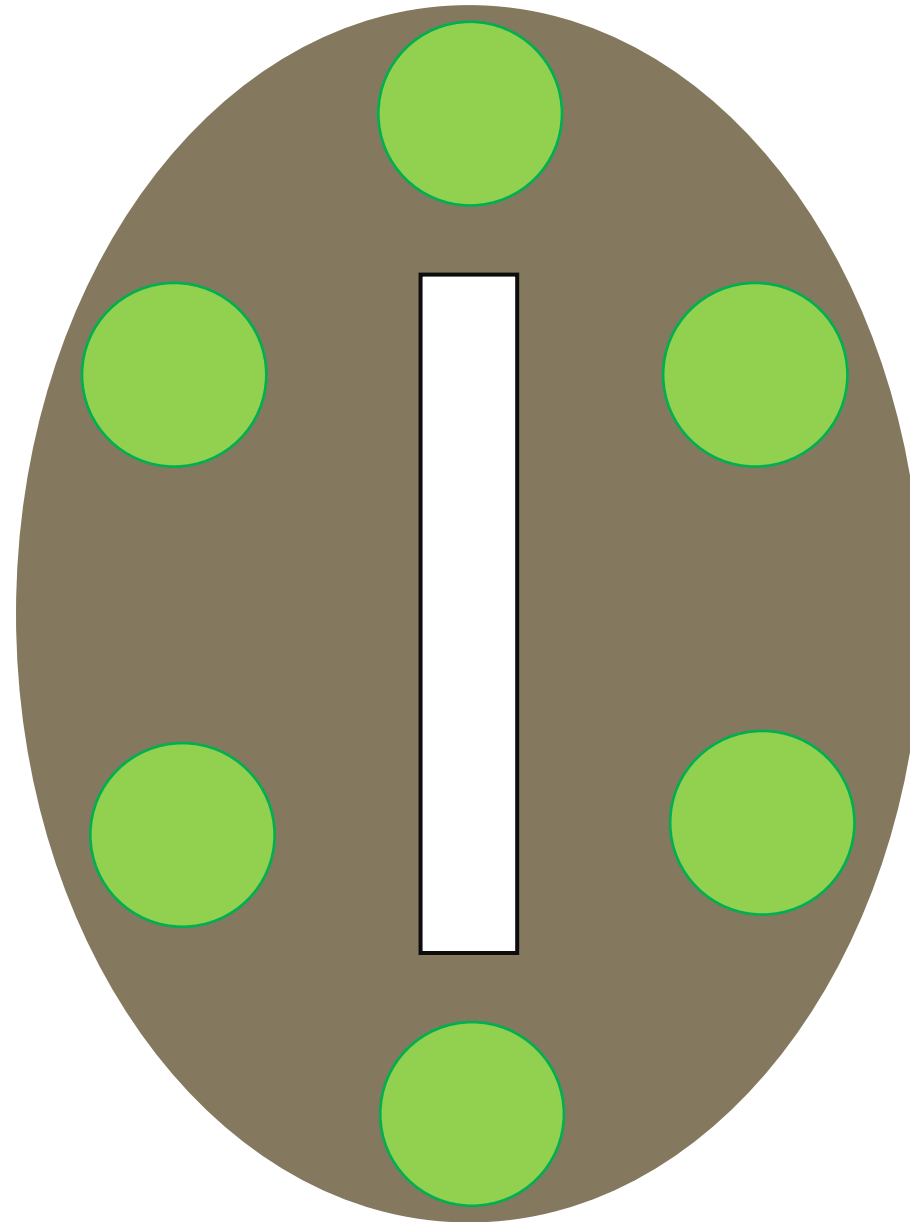


- New mon foundation..
- We are proposing to have a logo with LED internal illumination. The face around the sign will be opaque.
- Regular and Diesel LED gas pricers proposed
- 64 3/8'' H x 96 3/8'' W x 8'' D
- 43.08 sqft
- Manufacturer: Federal Heath
- 18'' metal skirt to cover 18'' distance from bottom of sign to grade.
- Hunts Brother's Logo will not be stretch like in rendering... Actual Logo TBD (waiting on manufacturer)



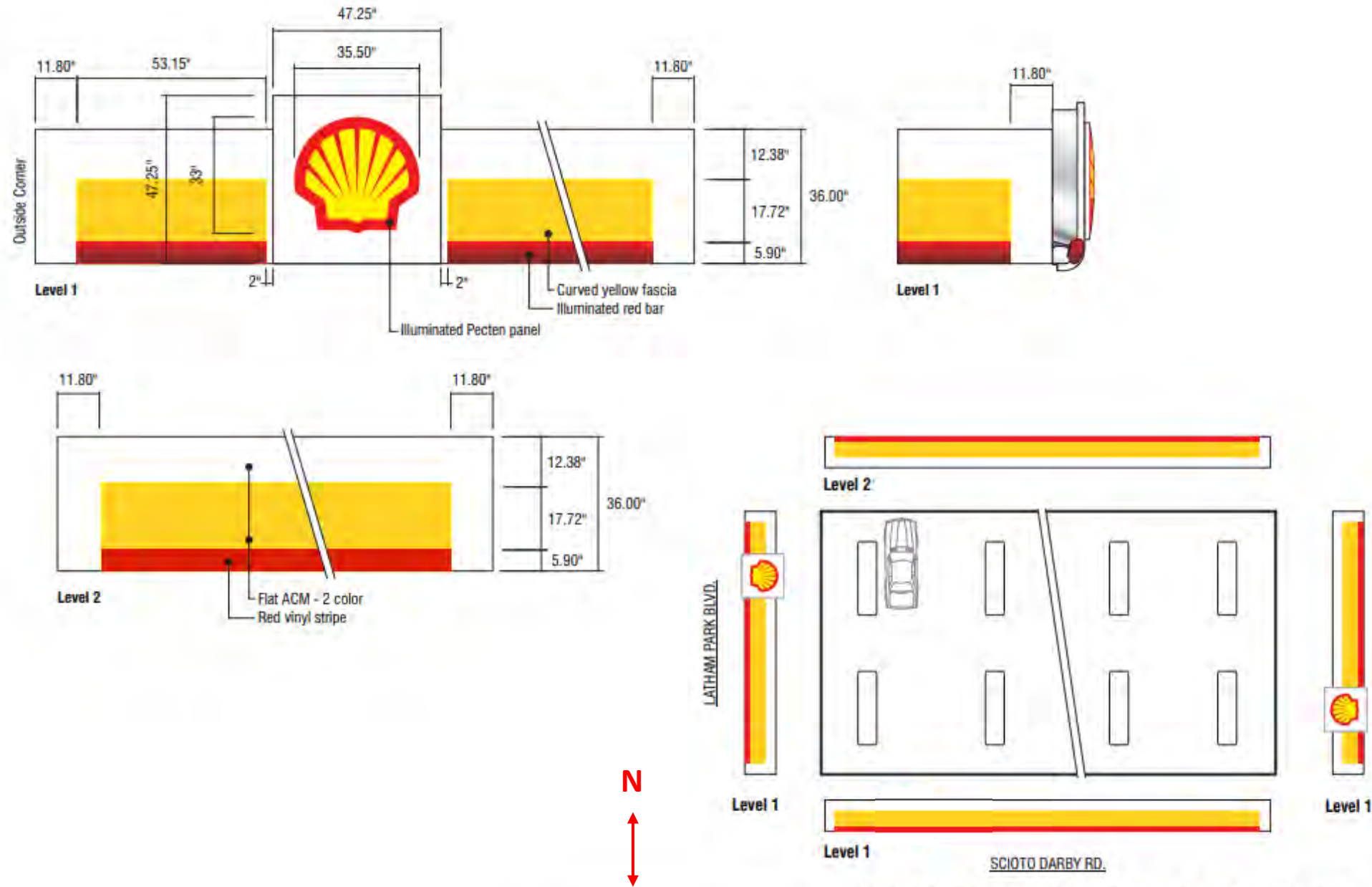
Landscaping Plan for Monument Sign:

- 3 ft Mulch Ring from sign base
- 6 Evergreen Plants surrounding the sign (360 degrees)



Ariel view of sign

Canopy Signe Plans: (3) Shell Pectens



PROPOSED

Shell RVle Canopy Fascia - 32' X 98' X 36"HT Fascia

- Pectens are Internally Illuminated (internal LED Illumination)
- Pectens attached to canopy via (4) 5/16" x 1-1/2" bolts
- Illuminated Red bar on sides labeled L1
- Manufacturer: Federal Heath
- There are 8 Pumps already installed with signage (They will not include Kroger Plus Rewards decals on the pumps)

Shell Pump Signage:

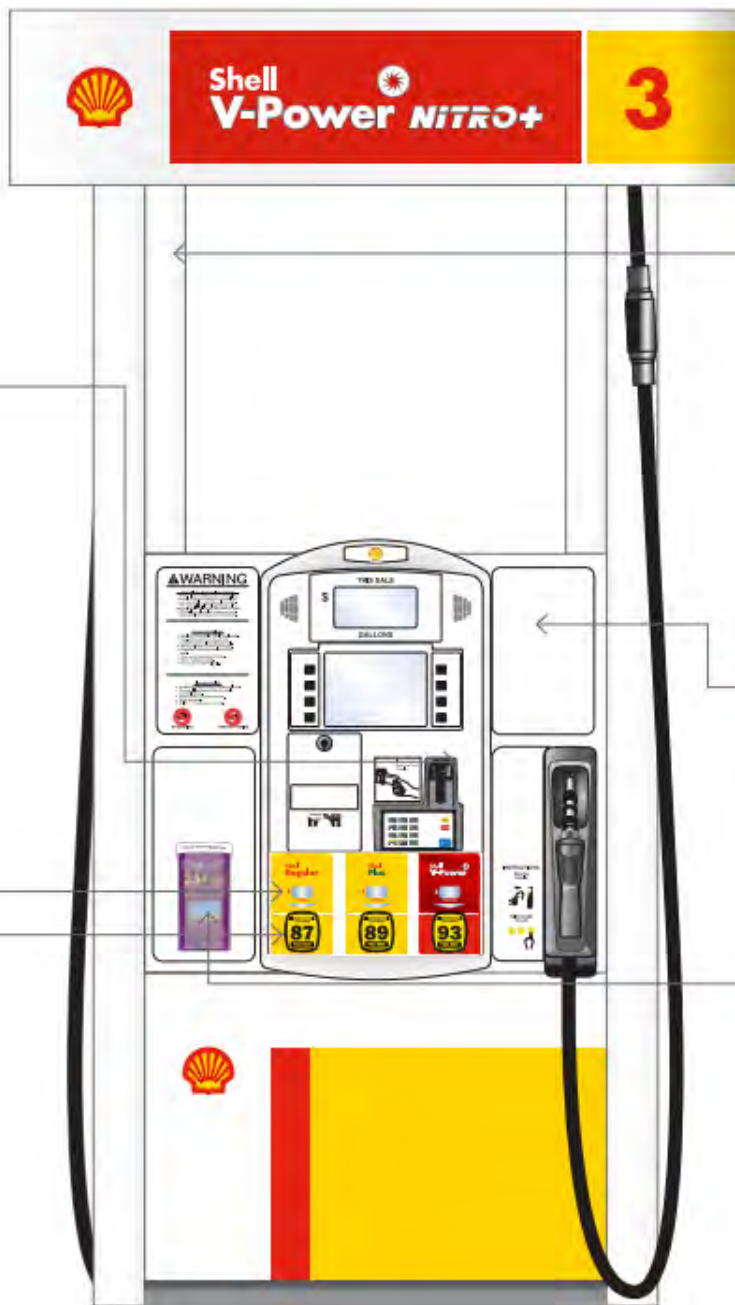
APPROVED OR REQUIRED DISPENSER DECALS

Customer information, product labeling required warnings and mandatory state, provincial and local decals are clustered in zones on the pump face as shown in the illustration at right. These zones will vary depending on the dispenser, but the intent is to display information in logical, intuitive groups.

PRODUCT ZONE

- Debit decal
 - Credit card decal
- The credit card decal should be placed on the dial face of the dispenser as close to the credit card reader as possible. The decal must be set vertically.

- RVI Product Labels
- Octane decals



-Here is an example of a standard

-(8) New pumps are installed under the new canopy that come preimagined this way.

REGULATORY ZONE*

- Stage II VR decal
- Health warning decals
- Other local regulatory decals

* If a state, provincial or other regulatory entity requires placement of a specific message in an area other than the designated zone for that message, then the state's or province's requirement should prevail.

WARNING ZONE

- Drive-off decal
- Credit card fraud decal
- Prepay decal
- Ethanol information decals (2)

CREDIT CARD APPLICATION HOLDER (CCAH)

Placement of the CCAH varies depending on the model of the dispenser. Verify the correct location with the supplier or Shell's representative.

Front of Building (North Side)

Building Colors
-White Color building
-Cedar and Black Metal Accents

TOP OF WALL
EL. 125'-0"

RIDGE HEIGHT
EL. 122'-5 5/8"

TRUSS BEARING
EL. 112'-4 1/2"

WINDOW HEAD
EL. 109'-0"

FIRST FLOOR
EL. 100'-0"



56" W



28/5" H

102" W



20" H

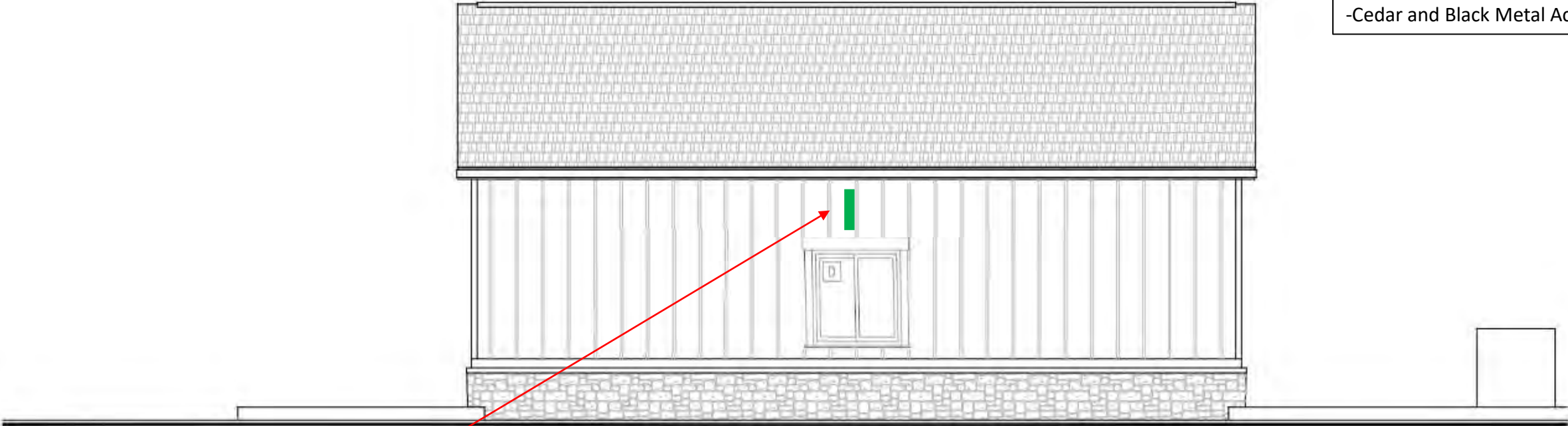
3'-0 5/8" W



3'-11 1/4" H

Side of Building (East Side)

- Building Colors
- White Color building
 - Cedar and Black Metal Accents

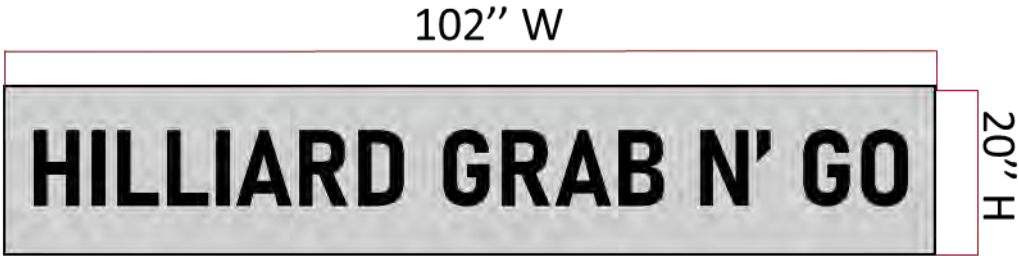
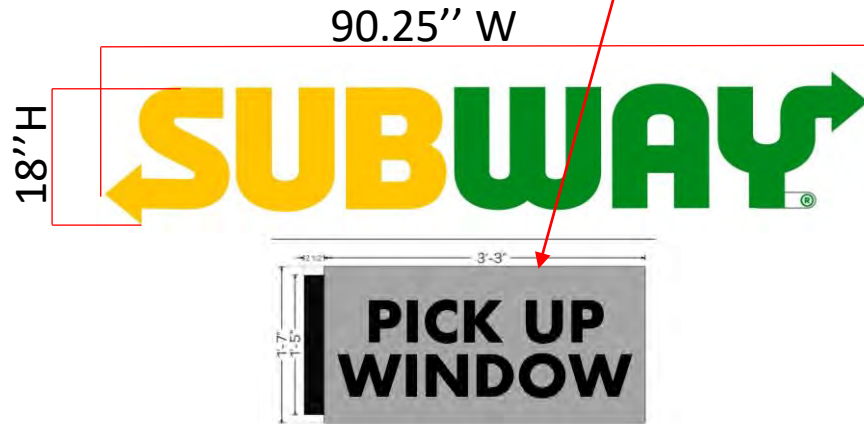
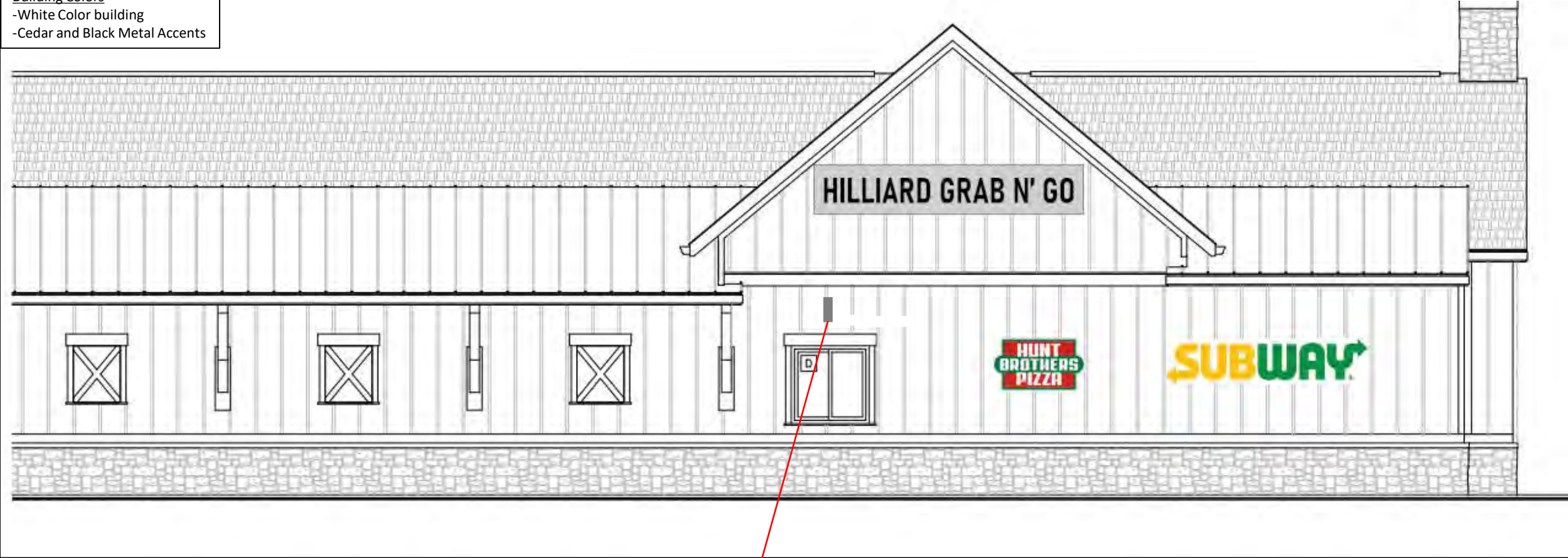


EAST ELEVATION
SCALE: 1/4" = 1'-0" LOOKING WEST



Back of Building (South Side)

- Building Colors
- White Color building
 - Cedar and Black Metal Accents



Approved

04/12/2021

Exhibit A - RES 21-R-22

THE SQUARE AT LATHAM PARK PUD

Property Location: 6500 - 6594 Scioto & Darby Creek Road
Owner / Applicant: MJC Holdings, LLC
Existing District: PUD and A-1, Agricultural
Proposed District: PUD
Date of Text: July 9, 2014
 March 6, 2020
[April 12, 2021](#)
Application No.: 14-0543LC

I. INTRODUCTION

The subject property is approximately 33.8 +/- acres. The applicant is applying for a modification for the entire 33.8 +/- acres to Planned Unit Development to allow for office, retail and commercial development and to allow for an age-targeted residential development. A PUD Zoning Development Plan showing the location of the five Subareas is attached hereto as Exhibit A.

II. GENERAL INTENT

A. It is the intent of the developer to create a unified, high quality development designed to foster a mixed-use pedestrian friendly apartment, office and retail development.

B. Final development plans for all buildings within each Subarea will be reviewed for approval by the Planning and Zoning Commission.

C. If the standards contained herein conflict in any way with the City of Hilliard Codified Ordinances, then the Planned Unit Development shall prevail. Standards in the City of Hilliard Zoning Code applicable to matters not covered in this document shall apply to each of the Subareas in the Planned Unit Development.

III. GENERAL DEVELOPMENT STANDARDS FOR SUBAREAS 1, 2 & 3

The Property has been planned for five separate subareas. The following general development standards shall apply to Subareas 1, 2, and 3 except as indicated otherwise in the text. In the event of a conflict between a general standard and the text for a specific sub-area, the more stringent standard shall apply.

A. Subarea 1 Uses

1. **Permitted Uses:**
The uses listed below shall be permitted uses within Subarea 1. The definitions contained in the City's codified ordinances shall apply, unless otherwise specified in this text. For purposes of this

text, “Drive-up” is defined as a customer staying in his/her automotive vehicle and being served by the business through transaction and communication at only one window. “Drive-through” is defined as a customer staying in his /her automotive vehicle and being serviced by the business through transaction and communication at more than one window or a window and a separate or remote speaker system.

- a. Administrative, General, Medical or Professional offices
- b. Public Uses, except service buildings.
- c. Retail Business
- d. Restaurants, Taverns and other Eating & Drinking Establishments (with or without outdoor seating).
- e. Professional, Personal, Business and Financial Services
- f. Essential Services
- g. Commercial Recreational Facilities
- h. Pharmacy (with or without Drive-ups)
- i. Entertainment Facilities
- j. Laboratories / Scientific research facilities
- k. Printing and Publishing Uses
- l. Animal Hospitals and Clinics (with space for medical boarding only; no kennel facilities shall be permitted)
- m. Childcare facilities, including nursery school and day care facilities
- n. Banks / Credit Unions (with or without Drive-ups)

2. Conditional Uses: The following shall be conditional uses in Subarea 1 only:

- a. Restaurants with drive up or drive through
- b. Any other drive-through use

The Planning and Zoning Commission shall review for approval all Conditional Uses.

Conditional Uses shall be approved if the following standards are met:

For Restaurants with Drive-up or Drive-throughs and for all other Drive-through Uses:

- a. Lanes required for vehicle access to and waiting for use of a Drive-through or Drive-up shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, based on a traffic analysis, and to minimize impacts on the use of other required parking or drives or on the use of abutting streets and hazards to pedestrians.

b. Drive-up or Drive-throughs which utilize microphones or other audible signals shall be designed to minimize sound impacts upon abutting uses or properties. Drive-up and Drive-through microphones shall not be audible beyond the property line.

c. The site plan shall be designed to reduce the impacts of lighting, litter, noise and exhaust resulting from the Drive-up or Drive-through.

d. Drive-up and Drive-throughs shall be located to minimize conflict with pedestrian and vehicular movements.

e. Vehicular traffic from the Property shall not exceed the traffic projected in the trip generation study dated December 2009 completed by Traffic Engineering Services. If the City Engineer determines that the traffic generation is greater than the submitted traffic study, the City Engineer may require a new study to be submitted as a part of the final development for review and approval.

B. Subareas 2 and 3 Uses

1. Permitted Uses:

The uses listed below shall be permitted uses within Subareas 2 and 3. The definitions contained in the City's codified ordinances shall apply unless otherwise state herein. For purposes of this text, "Drive-up" is defined as a customer staying in his /her automotive vehicle and being served by the business through transaction and communication at only one window. "Drive-through" is defined as a customer staying in his/her automotive vehicle and being serviced by the business through transaction and communication at more than one window or a window and a separate or remote speaker system.

- a. Administrative, General, Medical or Professional offices
- b. Public Uses, except service buildings
- c. Retail Business
- d. All Restaurants, Taverns and other Eating & Drinking Establishments (with or without outdoor seating).
- e. Professional, Personal, Business and Financial Services
- f. Essential Services
- g. Commercial Recreational Facilities
- h. Pharmacy (with or without Drive-ups)
- i. Entertainment Facilities
- j. Laboratories / Scientific research facilities

- k. Printing and Publishing Uses
 - l. Animal Hospitals and Clinics (with space for medical boarding only; no kennel facilities shall be permitted)
 - m. Childcare facilities, including nursery school and day care facilities
 - n. Banks / Credit Unions (with or without Drive-ups)
2. Conditional Uses: The following shall be conditional uses in Subareas 2 and 3 only:
- a. Restaurants with drive-up or drive through
 - b. Any other permitted uses with a drive-through
 - c. Automotive service stations with or without Vehicle Wash Facilities as an accessory use to a vehicle service station principal use (a maximum of one **automotive vehicle** service station is permitted within the overall area for Subareas 2 & 3.)

The Planning and Zoning Commission shall review for approval all Conditional Uses.

Conditional Uses shall be approved if the following standards are met:

For Restaurants with Drive-up or Drive-throughs and for all Drive-through Uses:

- a. Lanes required for vehicle access to and waiting for use of a Drive-through or Drive-up shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, based on a traffic analysis, and to minimize impacts on the use of other required parking or drives or on the use of abutting streets and hazards to pedestrians.

- b. Drive-up or Drive-throughs which utilize microphones or other audible signals shall be designed to minimize sound impacts upon abutting uses. Drive-up and Drive-through microphones shall not be audible beyond the property line.

- c. The site plan shall be designed to reduce the impacts of lighting, litter, noise and exhaust resulting from the Drive-up or Drive-through.

- d. Drive-up and Drive-throughs shall be located to minimize conflict with pedestrian and vehicular movements.

e. Vehicular traffic from the Property shall not exceed the traffic projected in the trip generation study dated December 2009 completed by Traffic Engineering Services. If the City Engineer determines that the traffic generation is greater than the submitted traffic study, the City Engineer may require a new study to be submitted as a part of the final development for review and approval.

For Automotive Service Stations:

a. The main building shall front Scioto Darby Road and there shall be no pavement between any portion of any building and Scioto Darby Road. Pavement may be allowed between the building and Scioto Darby Road for an access drive for up to two (2) Drive-Up Windows only, provided that there are no menu signs, outdoor speakers, or parking between the building and Scioto Darby Road. All pumps shall be located behind the main building.

b. Gas pumps cannot be positioned outside of the width of the main building. The gas pump canopy may exceed the width of the main building by not more than 20 percent and not more than 10 percent on either side of the main building.

c. Vehicle sales, rental or leasing shall not be permitted on site.

d. There shall not be more than one car wash bay.

e. No permanent or temporary outdoor storage, display or sale of goods, product, or stock shall be permitted unless specifically approved by the Planning & Zoning Commission.

f. Air compressor pumps (e.g., for tire inflation) and other outdoor equipment shall be identified on the site plan and shall be located and screened from view of the public right-of-way and in a manner which minimizes noise impacts to the surrounding properties. Screening may include landscaping, fencing or walls.

g. Vehicular traffic from the Property shall not exceed the traffic projected in the trip generation study dated December 2009 completed by Traffic Engineering Services. If the City Engineer determines that the traffic generation is greater than the submitted traffic study, the City Engineer may require a new study to be submitted as a part of the final development for review and approval.

C. Right-of-Way Dedication.

1. The right-of-way along the north side of Scioto Darby Road shall be dedicated to the City of Hilliard to a point measured 60 feet from the center line of Scioto Darby Road prior to the issuance of building permits to the Developer. All proposed setbacks along this corridor shall be measured from the newly established right-of-way line.

D. Density, Height, Lot Coverage and Setback Requirements.

1. There shall be a maximum density of 10,000 square feet of building footprint per acre.
2. Each building on Subareas 1, 2 and 3 shall have a minimum building footprint of 3,000 square feet and a maximum building footprint of 15,000 square feet.
3. The maximum building height shall be 35 feet as measured per Hilliard Code.
4. Lot Coverage. Structures, pedestrian areas, parking areas and other hard-surfaced or paved areas shall not cover more than seventy percent (70%) of the total Property area.
5. Building and Pavement Setbacks along the Property perimeter shall be as follows:
 - i. Along Scioto Darby Road: There shall be a minimum twenty-five (25) foot paving and building setback along Scioto Darby Road if parking is located behind the building. There shall be a minimum twenty five (25) foot paving setback and a minimum sixty (60) foot building setback if parking is located between the building and the Scioto Darby Road right-of-way.
 - ii. Along West Side of Property Adjacent to Hampton Reserve: The minimum Pavement Setback shall be twenty five (25) feet and the minimum Building Setback shall be sixty (60) feet and shall include a maximum 4:1 slope mound with a minimum height of three (3) feet and a maximum height of four (4) feet. A landscape buffer consisting of a mix of evergreen trees and ornamental trees, as shown on Exhibit D – Landscape Plan, shall be installed along the west property line.

- iii. Along East Side of Property Adjacent to the Darby Creek Horticulture property: A new public roadway shall be constructed as shown on the PUD Plan A. Along the west side of the new public right-of-way there shall be a minimum ten (10) foot paving setback and a minimum fifty (50) foot building setback if parking is located between the building and the new public right-of-way. There shall be a ten (10) foot building setback along the proposed public roadway if parking is located west of the building.
- 6. Building and Parking Setbacks between Subareas or internal property lines within each identified Subarea shall be as follows:
 - i. Minimum paving and building setbacks between subdivided lots shall be five (5) feet. Paving setbacks may be reduced to zero (0) feet if cross parking easements are in place. Shared curb-cuts are acceptable.

E. Buffering, Landscaping, Open Space and/or Screening Commitments.

- 1. In all parking areas, headlights shall be screened from the street and adjacent properties. Such screening shall be accomplished along the Scioto Darby Road frontage of the vehicular use area by the use of landscaped mounding, brick or stone walls, or combination thereof. Such screening shall be accomplished along all other sides of the vehicular use area by the use of landscaping, landscape mounding, brick or stone walls, or combination thereof. The height of screening shall be at least 36 inches with a maximum 4:1 slope for mounding.
- 2. For new buildings constructed along Scioto Darby Road where no parking is constructed between the building and the public right-of-way, no mounding along the property frontage will be required.
- 3. For all landscaping, minimum deciduous tree diameter shall be two and one half-inch caliper (2 ½"); evergreens shall be at least seven (7) feet high; ornamental trees shall be at least one and one half inch in caliper (1 ½"). All trees and landscaping shall be well maintained. Dead or non-thriving items shall be replaced within three (3) months.
- 4. Each of the subareas 1, 2 and 3 shall include a sidewalk or leisure trail that will connect to the proposed leisure path proposed for construction along Scioto Darby Road and as represented on the approved PUD Plan.

5. The Property will meet the City Storm Water Management Program (SWMP) subject to the review and approval of the City Engineer, or will provide for a regional SWMP subject to the City Engineer's approval.
6. No chain link fencing is permitted. Permitted fences include three-rail wood fences, as shown on Exhibit D2, and painted metal fences. Metal fences shall meet the following minimum standards:
 - a. Posts: Heavy Gauge 3/16" wall thickness, 2" square tubing. See Exhibit D2 for example.
 - b. Vertical Pickets: 5/8" diameter, 3/4" wall thickness round solid tubing. See Exhibit D2 for example.
 - c. Horizontal channels: 1" height x 2" depth. See Exhibit D2 for example.
 - d. Paint: powder coated black
7. Rooftop mechanicals, ground mounted mechanical and electrical equipment shall be screened from view to the full height of the unit.
8. Tree replacement requirements have been determined for the Property as a whole. A total of 897 caliper inches of replacement trees are required for the project. For each subdivided parcel, the developer will be required to plant a total of 26.54 caliper inches of trees per acre of the developed parcel and rounded up to the nearest whole number. For instance, if a 1.5 acre parcel within Subarea 2 is developed, the developed parcel will be required to have a minimum of 40 caliper inches of new trees (26.54 caliper inches per acre x 1.5 acres = 39.81 caliper inches). Trees planted in required landscape buffer areas may be used to meet the tree replacement requirements.

F. Building Design and/or Interior - Exterior Treatment Commitments.

1. The architectural character of the project will convey a campus feel of individual structures having a common theme and oriented near or around Green and/or Hardscape Recreational features as represented in the PUD plan.
2. Color Palette – Earth tones, muted and natural tones are required.
3. Materials:

- a) The same level of quality of architectural design and materials shall be provided on all building sides.
- b) Roof materials shall be shingles, cedar shakes, slate or synthetic slate. Shingles to be medium weight dimensional shingles. Standing seam metal roofs are permitted.
- c) Flat Roofs are permitted. All rooftop mechanical units shall be screened to the full height of the unit.

G. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments.

1. All exterior lighting shall be down lighting (cut off fixtures). All exterior lighting fixtures shall be from the same or similar manufacturer's type to insure compatibility.
2. Parking lot lighting standards shall not exceed 20 feet in height from finished grade. There shall be no light trespass onto properties adjacent to but not a part of the Square at Latham Park Property. In parking lots, light poles shall be placed in raised islands or medians to protect both lights and vehicles from damage.
3. All canopy lighting shall be recessed cut off fixtures with a flat lens mounted flush to the underside of the canopy structure.
4. Dumpsters and compactors shall be fully screened on all four sides to a minimum height of six feet or a height equal to that of the dumpster and compactor, whichever is greater. Such screening shall be maintained at 100-percent opacity and shall be constructed of brick or stone with a solid metal or wood gate.
5. An eight-foot (8') wide leisure / bike path shall be installed by the developer as shown on Exhibit D - Landscape Plan along the Scioto Darby Road frontage. The new leisure / bike path shall connect to the existing path located in front of the Hampton Reserve Subdivision to the west. The timing of the construction of the leisure / bike path on each Subarea shall be prior to the occupancy of any portion of any building on each of the separate Subareas. For example, the leisure paths identified on Exhibit D - Landscape Plan and located within the boundaries of Subarea 1 shall be constructed prior to the occupancy of the first building erected within Subarea 1.

H. Graphic and/or Signage Commitments.

1. All graphics and signage shall comply with the Hilliard Graphics and Sign Code.
2. All signage shall be externally illuminated or non-illuminated. Halo-lit signage is permitted. Exposed or visible light sources shall not be permitted.
3. Menu signs shall not be located between the building and the Scioto Darby Road right-of-way line, and shall meet all other Code provisions concerning menu signs. Menu signs shall be screened from view from the public right-of-way.

I. Access, Loading, Parking and/or Other Traffic Related Commitments.

1. Access to the site from Scioto Darby Road will consist of two full-service curb cuts and two right-in-only access points as shown on the PUD Zoning Development Plan, Exhibit A, subject to the approval of the City Engineer.
2. A full service access will be granted to and from the Property via Dulcet Lane located at the northwest corner of the Property. An entrance feature including landscaping will be installed at this access.
3. A right-in-only access will be granted onto Scioto Darby Road along the west side of Subarea 1 as shown on the PUD Zoning Development Plan attached as Exhibit A.
4. A full service access will be granted to and from the Property on the north side of the intersection between Scioto Darby Road and Alton Darby Road as shown on the PUD Zoning Development Plan, Exhibit A, subject to the approval of the City Engineer.
5. A full service access will be granted onto Scioto Darby Road along the east side of Subarea 3 as shown on the PUD Zoning Development Plan attached as Exhibit A, subject to the approval of the City Engineer. This access point shall be platted as a public road from Scioto Darby Road to the north property line of Subarea 3. A five (5) foot wide concrete sidewalk shall be constructed along the west side of the new public road.
7. Minimum parking requirements for permitted or conditional uses shall be one space per 250 square feet of gross floor area and a

maximum of one space per 150 square feet of gross floor area for each individual property.

8. All 90 degree parking spaces shall be a minimum of nine (9) feet in width and a minimum eighteen (18) feet in length. Parking aisles shall be a minimum of 24 feet wide.
9. Bicycle parking at a ratio of one bicycle space for every twenty five (25) vehicular parking spaces shall be provided throughout the development and, at a minimum, in one location in each Subarea. Sample bicycle rack details are shown on Exhibit D. Bicycle parking may count as required off-street parking up to a maximum of ten percent (10%) of the overall site's required parking.

J. Utilities

1. All new utility lines including water service, electricity, telephone, gas, cable television, and their connections or feeder lines shall be placed underground.
2. Private utilities (gas, electric, telephone, cable, etc.) may be located within the road right-of-way so long as their facilities are located outside all pedestrian facilities (bike paths, sidewalks), or private utilities may be located outside the right-of-way in private easements.
3. All utility connections should be out of view or screened from the public right-of-way. All mechanical equipment and related structures shall be screened to the full height of the unit by a fence, vegetation, or wall of harmonious architectural material and character.

K. Miscellaneous

1. ~~A property owner's association shall be created which will be responsible for the maintenance of all common areas and private driveways. A declaration of covenants, easements and restrictions for the Property establishing the association will be filed with the Franklin County Recorder prior to occupancy of any building on the Property. The articles of incorporation and by-laws for the property owner's association (the "association") shall contain a provision stating that if the association fails to fulfill its maintenance obligations with respect to the common areas, and it becomes necessary for the City of Hilliard to enter upon the common areas to perform necessary maintenance, upon submission of an invoice for the amount of the City's costs and expenses, the~~

~~City of Hilliard, as a beneficiary under this provision, shall be entitled to step into the shoes of the association and impose the assessments directly against each lot as if the City were the association itself. Prior to filing either the articles of incorporation or the by-laws for the property owners' association, the party responsible for the filing shall deliver a draft of each document to the Law Director for the City for confirmation that the documents contain the language set forth above.~~ An Easement, Covenants and Restriction Agreement (or similar agreement)(an "ECR") shall be created which shall provide for the maintenance of all common areas and private driveways on the Property by one or more of the owners of the Property. The ECR shall be filed with the Franklin County, Ohio Recorder's Office prior to occupancy of any building on the Property. The ECR shall contain a provision stating that if the owners of the Property fail to fulfill the obligation to maintain the common areas and private driveways on the Property, and it becomes necessary for the City of Hilliard to enter upon the common areas to perform the necessary maintenance, upon submission of an invoice for the amount of the City's costs and expenses for such maintenance, the City of Hilliard, as a beneficiary under this provision, shall be entitled to impose the cost incurred by the City directly against the owners of the Property as if it were a party to the ECR.

2. No outside storage of any product, stock, equipment, material, debris or vehicles shall be permitted unless specifically approved by the Planning and Zoning Commission.
3. Due to the proximity of the subject development to the Clover Groff Ditch, which is a tributary to the Big Darby Creek, special attention shall be made to the management of construction activities and post construction operations for this project. It will be encouraged that each of the Subareas provide water quality features such as vegetative bio-swales, wet pond or other water quality items that will help cleanse storm water before it is released downstream and into the Clover Groff Ditch.

IV. GENERAL DEVELOPMENT STANDARDS FOR SUBAREA 4

The following general development standards shall apply to Subarea 4 only except as indicated otherwise in the text. In the event of a conflict between a general standard and the text for a specific sub-area, the more stringent standard shall apply.

A. Subarea 4 Uses

1. Permitted Uses:

CASE 2: PZ-22-56 – WINERY/EVENT SPACE PARKING – 4071 & 4065 GRANT STREET/5460 FRANKLIN STREET

PARCEL NUMBERS: 050-000170, 050-000171, 050-000343

APPLICANT: Junction by Westwood, LTD., PO Box 1471 Hilliard, OH 43026; David K. Kim, ESE Holdings, LLC, 8125 Tartan Fields Drive, Dublin, OH 43017; c/o Grace Link, Revival Design Collective, 114 East Court Avenue, Bellefontaine, OH 43311; c/o The Westwood Collective, PO Box 79, Hilliard, OH 43026.

REQUEST: Review and approval of a variance to Hilliard Code Section 1127.03 to reduce required parking for a 4,300-square-foot winery, 700-square-foot covered patio and related outdoor dining and open space.

BACKGROUND:

The proposed site includes three parcels located northwest of Grant Street and southwest of Center Street. Two properties at the northwest corner of Grant and Franklin Streets (4071 and 4065 Grant Street) are residential properties that are 0.173-acre and 0.14-acre, respectively. Both are zoned OH-MD, Old Hilliard Mixed Use District. Across Grant Street from the site is the Early Television Museum. To the south and west are a mix of commercial properties also part of the OH-MD District. The third parcel as part of the proposed development is located at 5460 Franklin Street and includes “The Junction” and a triangular green space adjacent to the residential parcels on Grant Street. The Junction includes 1.2 acres and is also zoned in the OH-MD District. To the west of that property is the Hilliard Schools campus and regional retention basin owned by the City of Hilliard, both zoned S-1, Support Facilities District.

The applicant is requesting consideration of a shared parking plan/variance to Hilliard Code Section 1127.03 for a concept plan to develop a 4,300-square-foot winery and tasting room with covered and uncovered outdoor dining/patio space and a ±0.5-acre outdoor events area and park space. Consideration of the shared parking plan/variances is requested prior to the applicant moving forward with detailed design plans for the development. The applicant is required to return to the Commission at a later date to review the details of the proposed development plan as part of an Old Hilliard District Plan approval and Conditional Use review of the proposed wine bar use.

COMMISSION ROLE:

The Commission is to review the requested reduction of parking within Old Hilliard for conformance to the provisions of Section 1127.02 of the Code. Section 1127.02(h) reduces required parking within Old Hilliard by 50 percent and permits the Commission to reduce parking further based on the provisions of the Code. The Code permits shared parking for sites with multiple buildings, and Section 1127.02(d) of the Code permits the Commission to reduce required parking upon a finding that other forms of travel are available and likely to be used and that one or more of the conditions specified in Section 1127.02(d)(1) through (3) are met:

- Shared parking is available to multiple uses where pedestrian connections are maintained, shared parking has pedestrian and vehicular connections between lots unless within one center, shared parking agreements are provided following Commission approval;
- Convenient municipal parking is located adjacent to the subject property
- Expectations for walk-in traffic is reasonable due to pedestrian connections
- A parking study demonstrates other standards would be appropriate or
- The Commission requires a parking study for documentation demonstrating that one or more of the criteria are met

STAFF RECOMMENDATION:

Staff finds that the proposed development concept provides for shared parking between multiple uses that will be effectively served by pedestrian connections. Staff finds that the proposed winery and related site development is located adjacent to significant levels of municipal parking and the proposed development will significantly increase parking resources (both on-site and off-site) that are available to the general public. The site is also located adjacent to the Heritage Trail, is within the City's MORA and has proximity to municipal events and spaces that include a significant expectation for pedestrian traffic. Based on these components, staff finds that the proposed parking provision meets the intent and spirit of the Code's criteria as listed in Section 1127.02(d)(1) and recommends approval with two conditions:

- 1) That spaces along Franklin Street be integrated into the design as public parking; and
- 2) That the proposed parking concept, as demonstrated herein, be approved with the understanding that final parking numbers may be adjusted slightly based upon final detailed engineering, subject to staff approval.

CONSIDERATIONS:

- *Overview.* The proposed winery and outdoor patios and open spaces are permitted uses within the OH-MD, Old Hilliard Mixed Use District. Wine production is a conditional use but has much less impact on traffic and the surrounding area than the permitted restaurant uses. The proposed combination of uses and coordination with The Junction at 5460 Franklin Street are intended to create a destination that focuses on pedestrians and outdoor activity.
- *Proposed Winery Parking.* Parking Code for the winery/event area requires a total of 46 on-site spaces. The Code allows the Commission to further reduce the required level of parking, as well as to approve shared parking arrangements or other parking configurations that meet the general intent of the Code. The development includes the incorporation of 31 public spaces along Franklin Street, the installation of a private lot with approximately 12 spaces adjacent to the winery and the incorporation of 6 additional spaces within the existing municipal lot – ***providing a proposed total of 49 spaces (pending final design development).***

Proposed Wine Bar / Events Area			
Use	Requirement	Standard	Spaces Required
Production Area	1,830 square feet UFA	1 per 800 sf	2.29 spaces
Restaurant/Covered Patio	2,137 square feet UFA	1 per 50 sf	42.74 spaces
Uncovered Patio	76 seats	1 per 3 seats	25.33 spaces
Events Area	100 seats	1 per 3 seats	33.33 spaces
			104 spaces
Old Hilliard	Parking Reduction	50% reduction	(-) 52 spaces
Bicycle	Parking Reduction	1 per 4 bike spaces	(-) 6 spaces
		TOTAL SPACES REQUIRED	46 SPACES

- *The Junction Parking.* The proposed development includes coordination with The Junction at 5460 Franklin Street. Analysis of the Parking Code for the mix of uses requires a total of 21 spaces. The site currently includes 24 spaces in front of the building and 8 spaces located in a separate parking area to the south – ***providing a current total of 32 spaces for the mixed-use building.***

The Junction - 5460 Franklin Street			
Use	Requirement	Standard	Spaces Required
Office	1,200 square feet UFA	1 per 300 sf	4.0 spaces
Co-Work Space	1,740 square feet UFA	1 per 300 sf	5.8 spaces
Restaurant/Bar	1,521 square feet UFA	1 per 50 sf	30.42 spaces
Golf Simulator	1 per 3 occupants	1 per 3 occupants	5.67 spaces

			46 spaces
Old Hilliard	Parking Reduction	50% reduction	(-) 23 spaces
Bicycle	Parking Reduction	1 per 4 bike spaces	(-) 2 spaces
		TOTAL SPACES REQUIRED	21 SPACES

- *Bicycle Amenities.* The proposed development will include 12 bicycle spaces at the winery location and an additional 12 bicycle spaces located near the food truck court to provide coordinated use with the events area and the Heritage Trail connection to the school site. These amenities result in a 6-space reduction for the winery site.
- *Dumpster Relocation.* The proposed parking concept includes the relocation of dumpsters for The Junction from the proposed food truck court area to behind the Cultural Arts Center building. This relocation would provide greater distance from pedestrian/seating areas to reduce potential odor conflicts and to avoid having dumpsters located in a visually prominent location. (2 spaces to be removed)
- *Outdoor Food Court.* Installation of the pedestrian plaza and outdoor food court along the south end of The Junction will help to create a comprehensive pedestrian area between the buildings and provide clear pedestrian connection to the Heritage Trail. Inclusion of the plaza will result in the removal of 8 existing spaces to achieve the goal of the plan. (8 spaces to be removed).
- *Parking Summary.* The following table provides an overall summary of comprehensive parking for all the current and proposed uses on the three properties. As a comprehensive parking arrangement, the two sites will comply with Code requirements based upon the provided concept plan.

Comprehensive Parking Concept				
Location	Required Spaces	Current Spaces	Spaces after Development	Net Spaces (compared to Code)
The Junction	21	32	22	+1
Winery/Events	46	N/A	49	+3
			TOTAL NET SPACES	(+4)

- *Municipal Spaces.* The site is directly adjacent to 193 municipal spaces and other similar uses within Old Hilliard have been granted approval with no on-site parking required. The proposed mix of uses will also appropriately coordinate the following:
 1. The One9 at The Junction emphasizes winter use for the golf simulators.
 2. Sexton's Pizza emphasizes carry-out uses to minimize parking impact.
 3. Proposed outdoor space will not be utilized during cold weather months for events.
 4. Co-working space within The Junction has limited impacts on parking.
 5. Inclusion of the winery production provides activity to the area as a destination point while minimizing parking impacts.
 6. DORA activities are purposely focused on pedestrian activity throughout this entire portion of Old Hilliard.
- *Traffic Analysis.* Plans include a preliminary traffic analysis that determined that the proposed uses (given location and peak hour trips) will have no significant impact to area roads. That study was completed assuming no on-site parking provision. Working with staff on site plan alternatives, concept plans have improved parking provision from zero spaces to 47 spaces since the initial submission.

[END OF REPORT | PZ-22-56]

WINERY PARKING CONCEPT



Old Hilliard District Plan Parking Only

4071 GRANT STREET | HILLIARD, OHIO

Resubmitted on September 28, 2022

PREPARED BY:

REVIVAL
DESIGN COLLECTIVE

PREPARED FOR:

THE Westwood
COLLECTIVE

“Hilliard is an authentic town, dedicated to providing a comfortably unique environment where real people and businesses connect.” - City of Hilliard Comprehensive Plan

PLAN GOALS:

- ✓ Become a better connected community
- ✓ Grow into a truly sustainable city
- ✓ Promote active and healthy lifestyles
- ✓ Define and reinforce the character of Hilliard
- ✓ Optimize development potential in ways that benefit current and future citizens
- ✓ Collaborate with surrounding communities and local stakeholders



PARKING VARIANCE

Provision in Zoning Code in which the variance is requested:

1115.05 - OLD HILLIARD DISTRICT REQUIREMENTS |

(f) *Parking and Interior Circulation* | (4) The number of off-street parking spaces.

We are seeking approval for the attached parking and site plan.

The proposed winery and outdoor area requires 52 parking spaces. We are proposing:

- Adding 29 additional parking spaces along Franklin Street
- Turning a residential lot into a 12 space parking lot
- Adding 6 parking spaces to the existing public parking lot
- Adding 24 bicycle parking spaces so the total parking number can then be reduced by 6 spaces.

In summary, the plan we are proposing will net surplus 1 parking space and meet all the requirements of the Hilliard Zoning Code.

EXISTING CONDITIONS

Northwest of the property is a substantial amount of public parking but there are currently no sidewalks on either Franklin or Grant Street limiting the walkability of the area. Bordering the property is The Junction building (a commercial building that houses Sexton's Pizza), The Hilliard Civic & Cultural Arts Center, The Early Television Museum, a residential property, and Lee's Catering.

The Heritage Rail Trail bike path is currently being expanded along the south property line. The proximity of the trail provides wonderful opportunities to accommodate cyclists.



FRANKLIN STREET



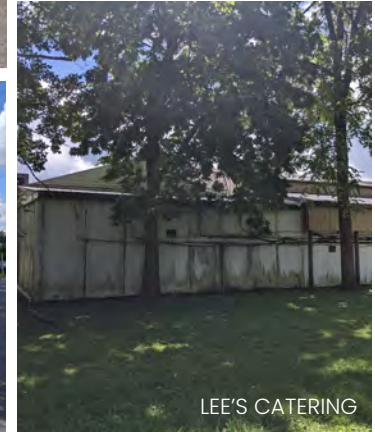
4071 GRANT ST



BIKE PATH



EARLY TELEVISION MUSEUM



LEE'S CATERING



HCCAC



PUBLIC PARKING

EXISTING CONDITIONS

The Junction, currently occupies **Parcel 050-000170**, but the plot is under utilized. Half of the plot is an empty undeveloped greenfield. The proposed public/private outdoor park area will occupy this space.

There is currently a house on **Parcel 050-00343**. We are proposing putting a parking lot on this parcel to accommodate 12 parking spaces.

Parcel 050-000171 is on the corner of Franklin Street and Grant Street. Currently there is an existing house which will be demolished to accommodate the new proposed winery and enclosed patio.

The intent would be to combine these 3 parcels.



PARCEL:
050-000170

EXISTING:
Junction +
undeveloped
area

PROPOSED: Use
undeveloped
area for
uncovered patio
and outdoor
events center

PARCEL:
050-000343

EXISTING:
Residential
Property
(4065 Grant St)

PROPOSED:
Parking lot to
gain 12 spaces

PARCEL:
050-000171

EXISTING:
Residential
Property
(4071 Grant St)

PROPOSED:
Winery +
covered patio

PUBLIC
PARKING

EXISTING:
193 spaces

PROPOSED:
Add 6 parking
spaces

EXISTING USES THE JUNCTION



OFFICE / CO-WORKING
Open M-F business hours
Max occupancy = 18

SEXTON'S PIZZA
Open Sun-Sa 11:30am-10:00pm
Max occupancy = 58
Carryout option

THE ONE9 GOLF LOUNGE
Open 24/7
Max occupancy = 17
Busiest in the winter

HOURS + USE

The occupants of the office space will be able to enjoy the public/private outdoor normal business hours when the rest of the businesses are in low use.

Sexton's pizza occupancy varies but they promote carry out which alleviates a lot of the demand on the parking lot.

The One9 Golf Lounge will have 24/7 access to members but it is anticipated that the heaviest use will be in the winter when the outdoor events venue will be underutilized.

OFFICE/COWORKING

OPEN MONDAY – FRIDAY
8:00 AM – 5:00 PM

18

MAX OCCUPANTS



PEAK HOURS OF OPERATION

SEXTON'S PIZZA

OPEN SUNDAY – SATURDAY
11:30 AM – 10:00 PM

58

MAX OCCUPANTS



PEAK HOURS OF OPERATION + CARRYOUT

THE ONE 9 GOLF LOUNGE

OPEN 24/7

17

MAX OCCUPANTS



PEAK HOURS OF OPERATION IN WINTER

WINERY + OUTDOOR EVENTS VENUE

OPEN WEDNESDAY – SUNDAY
EVENINGS

106

MAX OCCUPANTS
WINERY

100

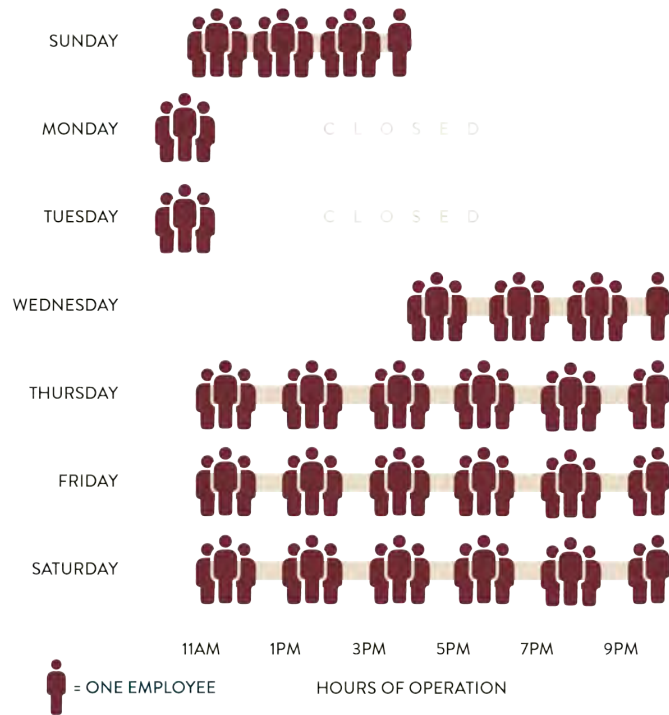
MAX OCCUPANTS
OUTDOOR VENUE



HOURS OF SIMULTANEOUS USE IN SPRING, SUMMER, + FALL

PEAK HOURS OF OPERATION

STAFF HOURS



EMPLOYEES

The Winery & Events Venue will be closed on Mondays + Tuesdays, but will have 2-3 people cleaning and working in manufacturing.

Wednesday through Sunday will have staffing ranging from 10-17 employees.

PARKING

MINIMUM SPACES
REQUIRED*

52
-

PROVIDED
PARKING SPACES

47
-

BICYCLE PARKING
REDUCTION*

6
-

NET PARKING SURPLUS +1 SPACE

**see calculations on next page*

SUPPLEMENTARY PARKING

TOTAL PUBLIC
PARKING SPACES

193
-

EXISTING TO REMAIN
PARKING AT THE
JUNCTION

16
-



PARKING CALCULATIONS

WINERY BUILDING

- Manufacturing/Production Space (1,830 SF x 1 space per 800 SF = 2.29 spaces)
- Tasting Area (2,137 SF x 1 space per 50 SF = 42.74 spaces)

OUTDOOR EVENTS VENUE

- Outdoor uncovered patio/outdoor assembly (76 seats x 1 space per 3 seats = 25.33 spaces)
- Outdoor Lawn/Open air business (100 seats x 1 space per 3 seats = 33.33 spaces)

TOTAL PARKING REQUIREMENT = 104 spaces

Old Hilliard District allows for a 50% in reduction of parking spaces = **52 MIN TOTAL SPACES REQUIRED**

BIKE RACKS



An abundance of bike racks are strategically located to accommodate the many cyclists in the area. A dual bench and bicycle rack (with a 12 bike capacity) is located just off of the Heritage Rail Trail which borders the outdoor park space. This will allow cyclists to stop for a break and refreshments in the beautiful backyard of the winery. On the front side of the building are additional bicycle racks (with a 12 bike capacity) to best serve the cyclists approaching the winery from Old Hilliard or Hilliard's Station Park.



DUMPSTERS

EXISTING: The Junction currently has two city-shared 6-yard dumpsters and one grease disposal container (for Sexton's Pizza). These are currently picked up by the city twice a week.

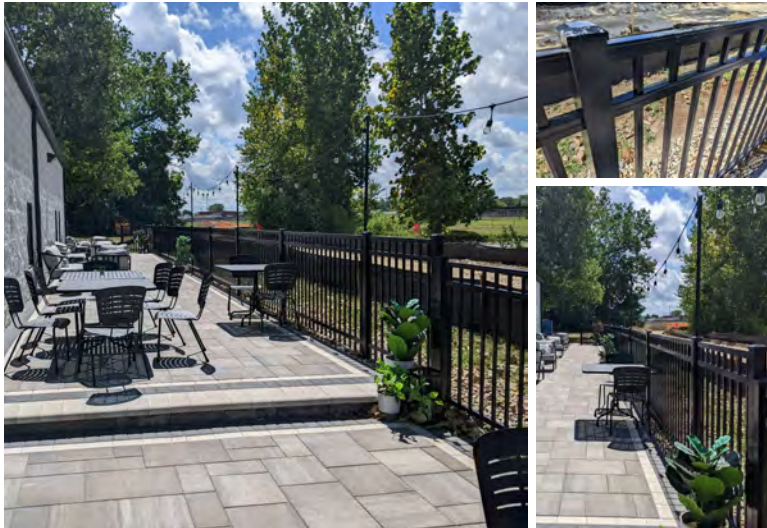
PROPOSED: The dumpsters for The Junction can also be used for the outdoor events space. These will be screened off with a **6' high privacy fence** in accordance with Zoning Code 1115.05, (e), (2). The frequency of **pickup can be increased** to accommodate the increase of anticipated trash. These dumpsters are to be located on the backside of the Arts Center and will take up 2 parking spaces. The Winery will have its own 6-yard dumpster located on the rear side of the winery (in accordance with Zoning Code 1115.05, (e), (1)) in the new proposed parking lot. A **6' high privacy fence** is proposed to screen the dumpsters, screen the backside of Lee's Catering, and to create a more secure park area.



FENCE

OUTDOOR AREA FENCE

Fence around outdoor area to be black aluminum. Because the Outdoor Events Venue will connect to The Junction, the intent is to match the existing fencing.



DUMPSTER SCREENING

Fence around all dumpsters and next to Lee's Catering to be 6' tall wood privacy fence with some plantings/arborvitae.



BUILDING: 4,300 SF

COVERED PATIO: 700 SF

TOTAL WINERY: 5,000 SF

PROPOSED DEVELOPMENT

UNCOVERED PATIO: 7,200 SF

OUTDOOR LAWN: 10,000 SF





PUBLIC + PRIVATE PARK SPACE

This Public/Private Park will feature a perimeter black aluminum fence and an area for popup concerts, pads for food truck parking, and a variety of seating areas. Trees, grassy areas, and backyard games will elevate this area to a useable and enjoyable park space. The central pond will double as a park water feature and water retention pond.

It can be frequently accessed by the public as a park space or for DORA area events. Privately, this outdoor area can be rented out for small concerts, wedding ceremonies, receptions, retirement parties, or corporate gatherings.

The Public/Private Park will act as an extension of the nearby Hilliard's Station Park.



WINERY



The winery will feature a production space, tasting room and covered patio area.

The production space is where the wine will be manufactured. The new back parking lot will offer back of house access to get supplies and product in and out of the facility so as to not disrupt the action on Franklin.

The tasting room will serve wine, beer, and liquor in addition to light food options like charcuterie cheeses and meats. The high end interior space blends classy and comfortable as patrons view the production area through a large glass picture window behind the bar.

The covered patio area that will be utilized for 3 seasons and acts as a connection piece between the outdoor venue space and the winery.

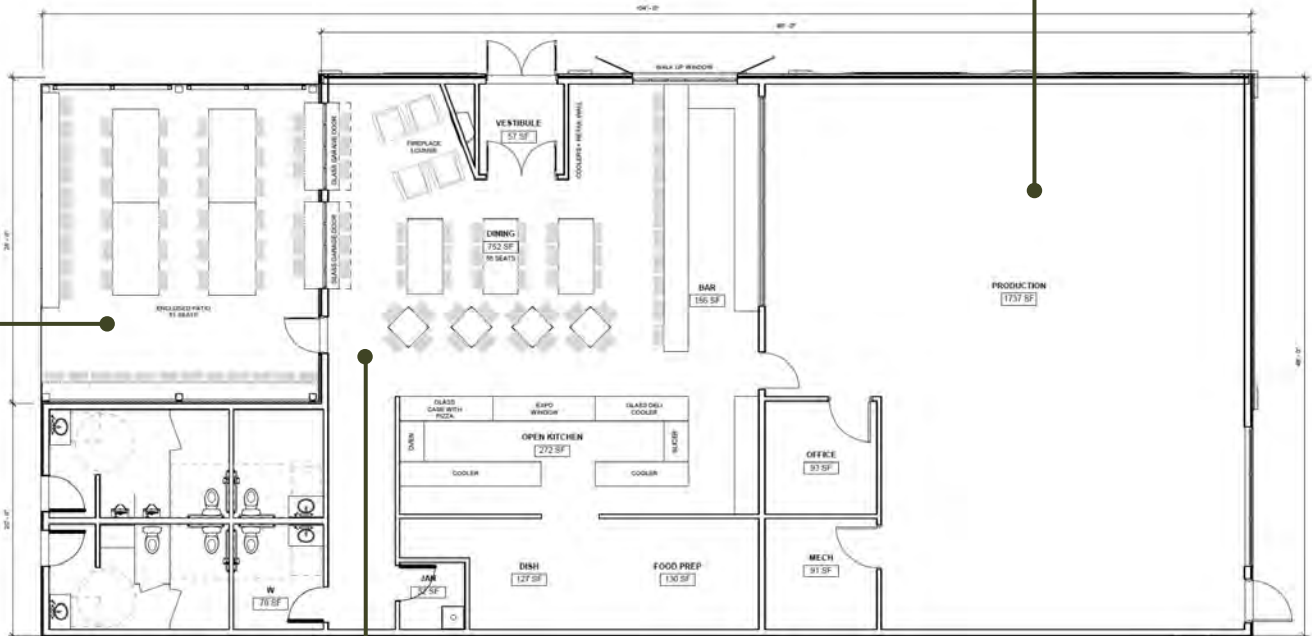
FLOOR PLAN

TOTAL BUILDING AREA: 5,000 SF

COVERED PATIO
700 SF

TASTING ROOM
2,300 SF

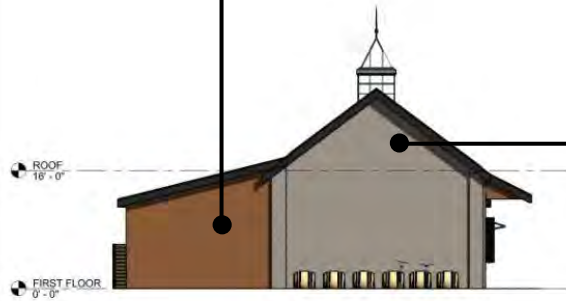
PRODUCTION
2,000 SF



EXTERIOR

VERTICAL COMPOSITE
SIDING WITH WOOD GRAIN

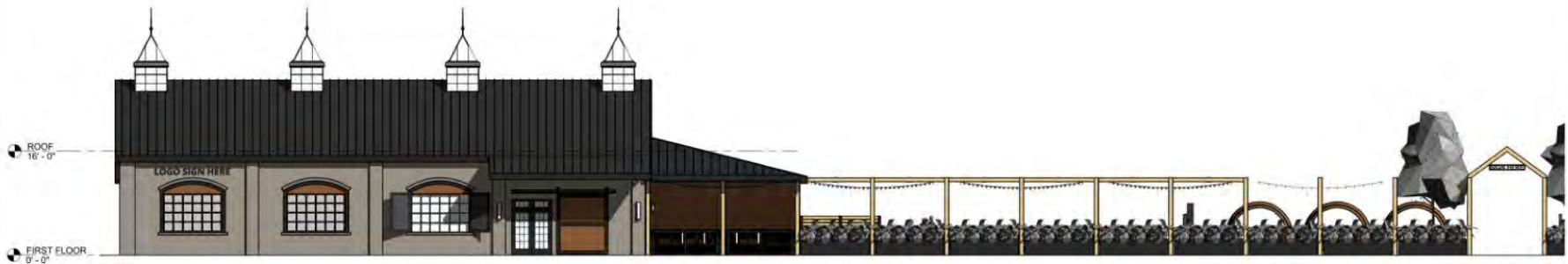
STONE VENEER

BLACK STANDING
SEAM METAL ROOF

SOUTHEAST ELEVATION



NORTHWEST ELEVATION



NORTHEAST ELEVATION

EXTERIOR VIBE



STONE VIBE



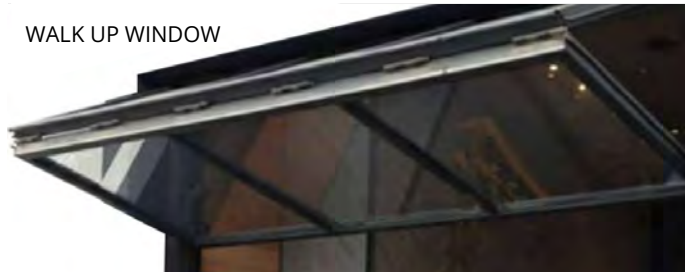
DOOR SIGNAGE VIBE



ENTRANCE VIBE



WALK UP WINDOW



WALK UP WINDOW





WALK UP WINDOW

With the Heritage Rail bike trail nearby utilized by countless amounts of people walking/biking downtown each week for concerts, restaurants, etc, a walk-up window is the perfect opportunity for D.O.R.A. events.

To-go wine slushies and snacks are the perfect service for this walk-up crowd.



MANUFACTURING

The Southeast side of the building is dedicated to manufacturing. Stainless steel wine tanks, bottling equipment, and oak barrels are just a few of the things that will be held in this space.

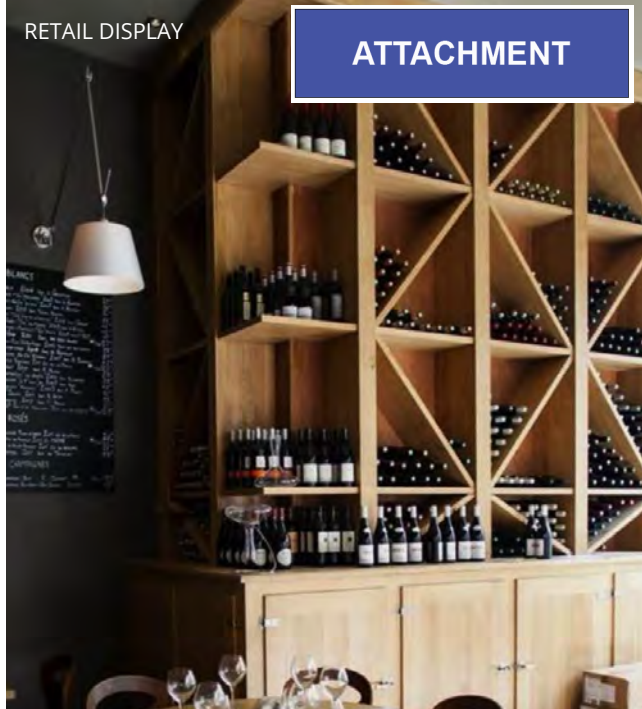
There will be room for a testing lab, workspace, and storage area for finished cases.

TASTING ROOM

The Northwest half of the building is dedicated to a tasting room comprised of a bar, open kitchen concept, and indoor seating areas accommodating approximately 55 guests.

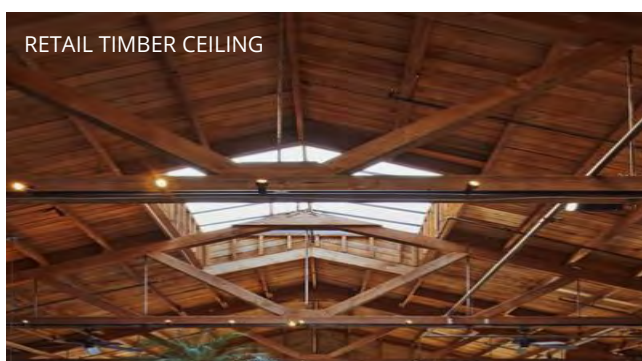


VESTIBULE ENTRANCE



RETAIL DISPLAY

ATTACHMENT



RETAIL TIMBER CEILING

DETAILS

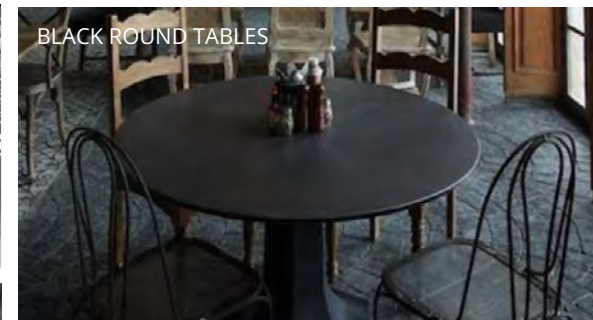
A long tasting bar with a large scale window allows for a view to the production space. Cold kitchen items from the open-style kitchen will be available to customers as they sip on their cocktails.



RETAIL DISPLAY



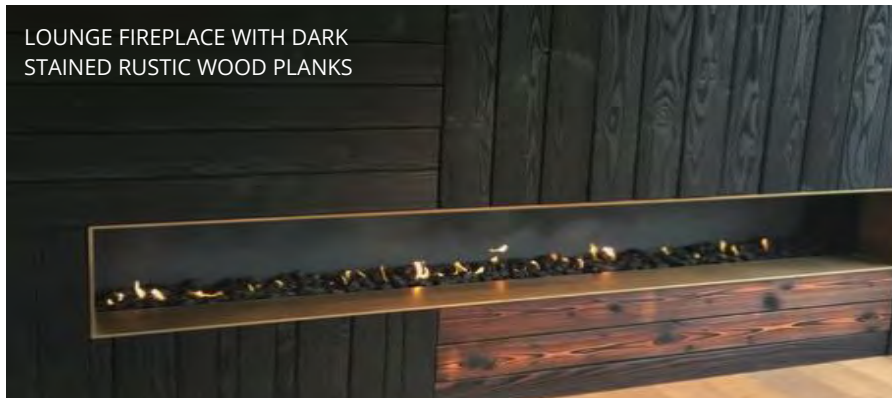
BAR WITH LARGE WINDOW TO
MANUFACTURING



BLACK ROUND TABLES



ZINC TOP BAR



LOUNGE FIREPLACE WITH DARK
STAINED RUSTIC WOOD PLANKS



WOOD COMMUNAL
TABLES



Date
September 2, 2022

Attention
Tim Lange

Address
Revival Design Collective
117 W. Main Street
Coldwater, Ohio 45828

Subject
Traffic Memo: Hilliard Winery
FRA-HIL-2203

Dear Mr. Lange:

The intent of this memo is to provide the City of Hilliard with a preliminary traffic analysis of the proposed Hilliard Winery, which is located at 4071 Grant Street in the City of Hilliard, Ohio.

The proposed development will not have any onsite parking; rather, it will utilize public parking lots between Franklin Street and Center Street. The adjacent roadways of Grant Street and Franklin Street are low volume local roads.

The proposed development's generated trips were estimated using 3,073 square feet of Fine Dining Restaurant (Land Use Code 931). According to the *ITE Trip Generation Manual, 11th Edition*, the proposed development is estimated to generate 24 trips during the PM peak hour (16 inbound and 8 outbound).

Based on the location of the site and low volume of peak hour trips, this development is not expected to have a significant impact to the adjacent roadway. Furthermore, it is unlikely that further analysis will have different results.

If you have any questions, feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, reading "Michael K. Goettemoeller".

Michael K. Goettemoeller, P.E. PTOE
Project Manager

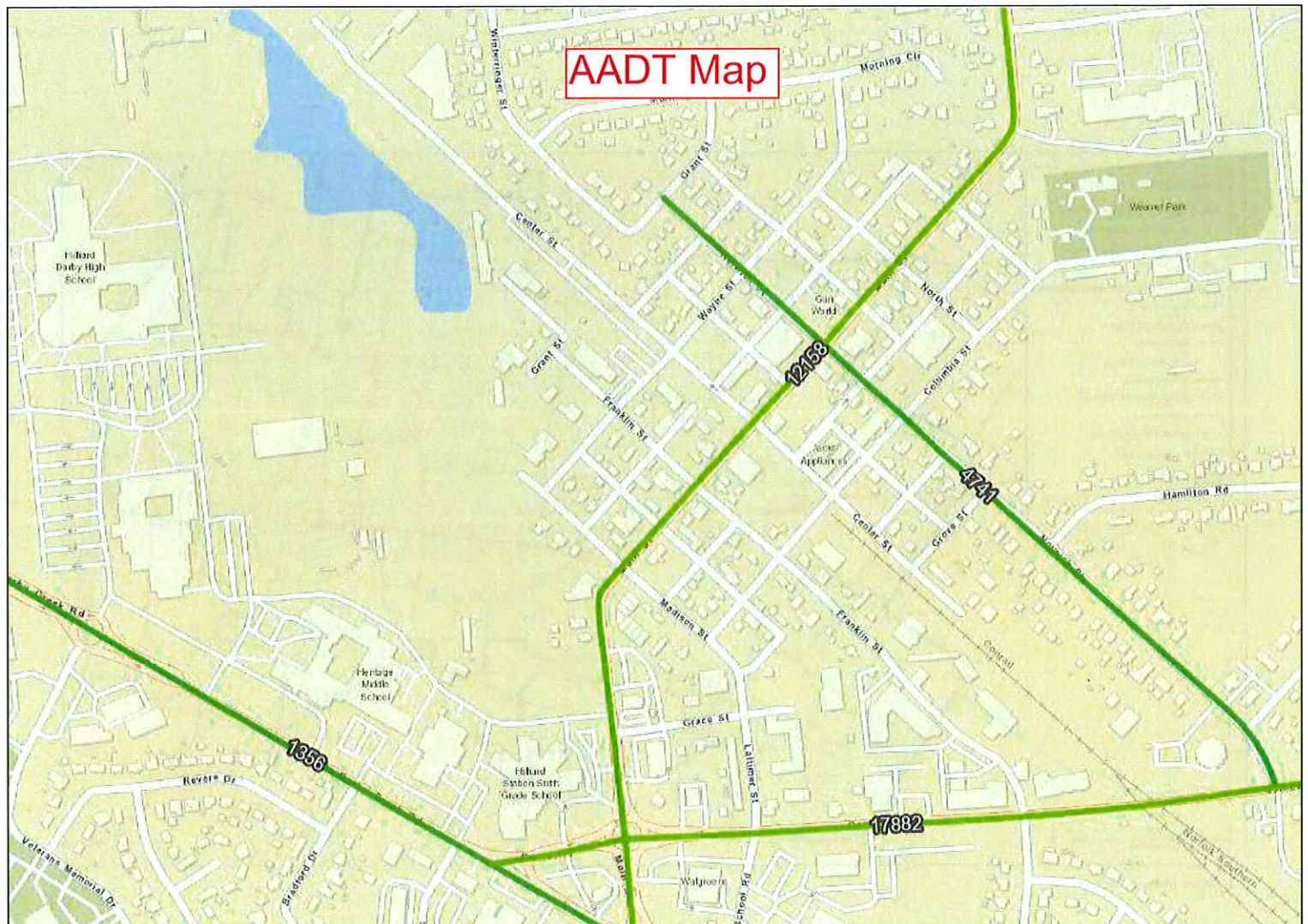
The following included attachments detail the findings of Choice One:

- A. Existing Traffic Data
- B. Concept Plan
- C. Trip Generation

W. Central Ohio/E. Indiana
440 E. Hoewisher Rd.
Sidney, OH 45365
937.497.0200 Phone

S. Ohio/N. Kentucky
8956 Glendale Milford Rd., Suite 1
Loveland, OH 45140
513.239.8554 Phone

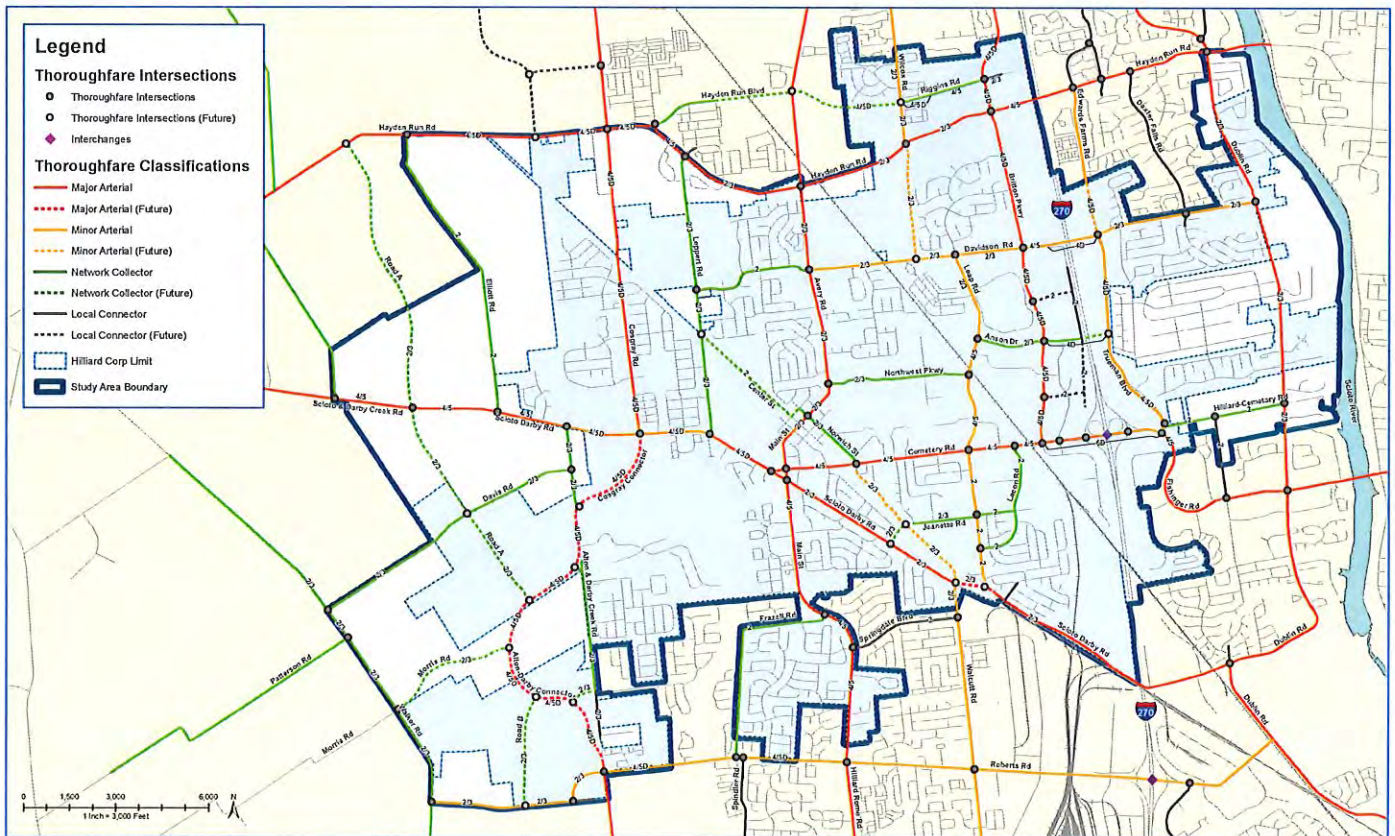


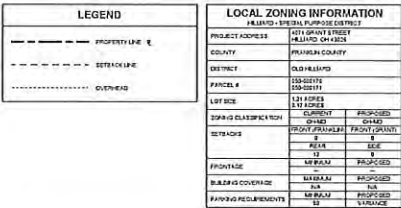


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Date: 8/30/2022





REVIVAL
DESIGN COLLECTIVE

117 WEST MAIN STREET
COLDWATER, OHIO 44828
800.567.9103
WWW.REVIVALDESIGN.CO

HILLIARD WINERY
4071 Grant Street, Hilliard, OH, 43026

PRELIMINARY
NOT FOR
CONSTRUCTION

ISSUANCES / REVISIONS
VMP 08/29/2022

PROJECT NO.	22066
AUTHOR	GL
ARCHITECTURAL SITE PLAN	

A0.00



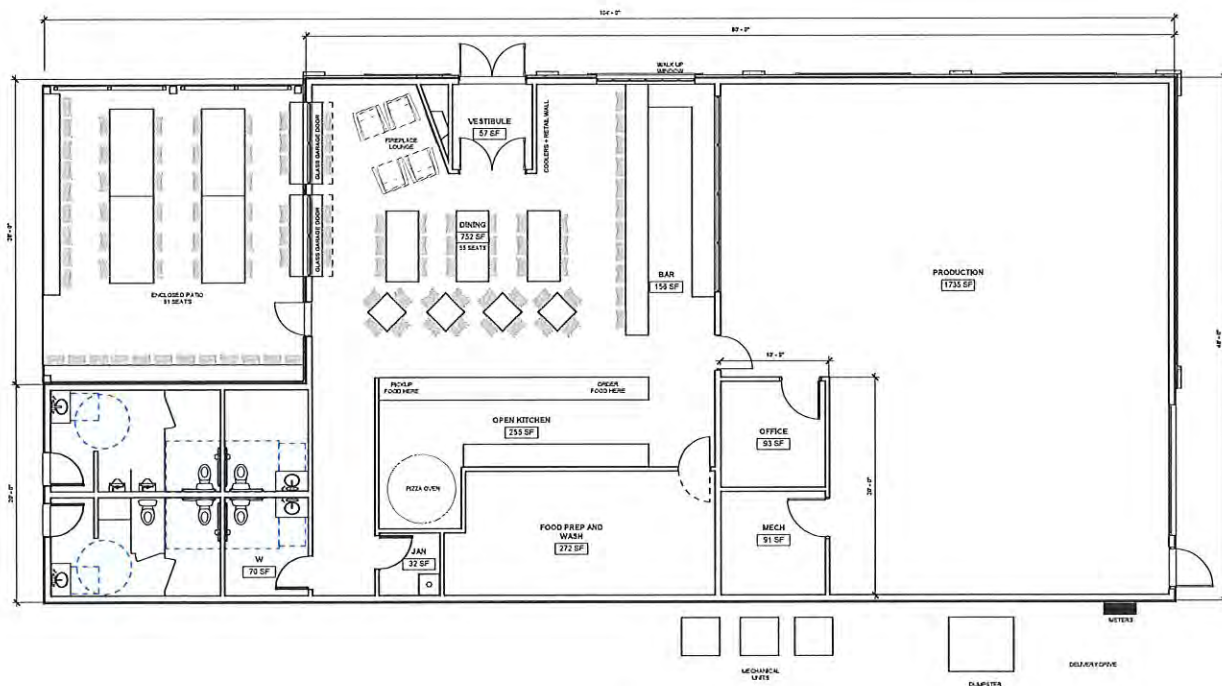
HILLIARD WINERY
4071 Grant Street, Hilliard, OH, 43026

PRELIMINARY
NOT FOR
CONSTRUCTION

ISSUANCES / REVISIONS
VAP 06/28/2022

PROJECT NO. 22066
AUTHOR GL
FIRST FLOOR PLAN

A1.01



1 FIRST FLOOR PLAN
1/4" = 1'-0"

Land Use: 931

Fine Dining Restaurant

Description

A fine dining restaurant is a full-service eating establishment with a typical duration of stay of at least 1 hour. A fine dining restaurant generally does not serve breakfast; some do not serve lunch; all serve dinner. This type of restaurant often requests and sometimes requires a reservation and is generally not part of a chain. A patron commonly waits to be seated, is served by wait staff, orders from a menu and pays after the meal. Some of the study sites have lounge or bar facilities (serving alcoholic beverages), but meal service is the primary draw to the restaurant. Fast casual restaurant (Land Use 930) and high-turnover (sit-down) restaurant (Land Use 932) are related uses.

Additional Data

If the fine dining restaurant has outdoor seating, its area is not included in the overall gross floor area. For a restaurant that has significant outdoor seating, the number of seats may be more reliable than GFA as an independent variable on which to establish a trip generation rate.

The sites were surveyed in the 1980s, the 1990s, and the 2010s in Alberta (CAN), California, Colorado, Florida, Indiana, Kentucky, New Jersey, and Utah.

Source Numbers

126, 260, 291, 301, 338, 339, 368, 437, 440, 976, 1053

Fine Dining Restaurant (931)

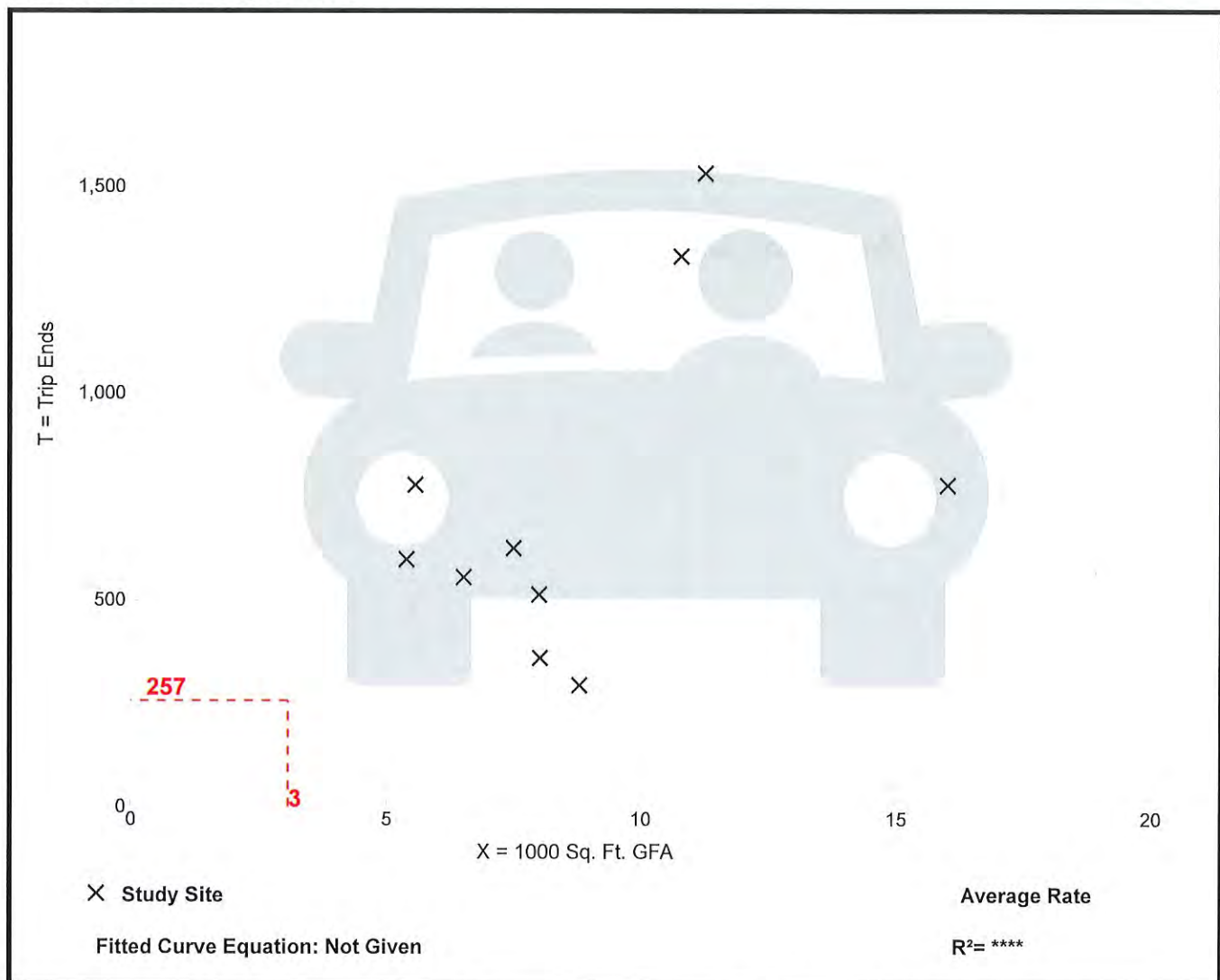
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 10
Avg. 1000 Sq. Ft. GFA: 9
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
83.84	33.45 - 139.93	40.01

Data Plot and Equation



Fine Dining Restaurant (931)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 19

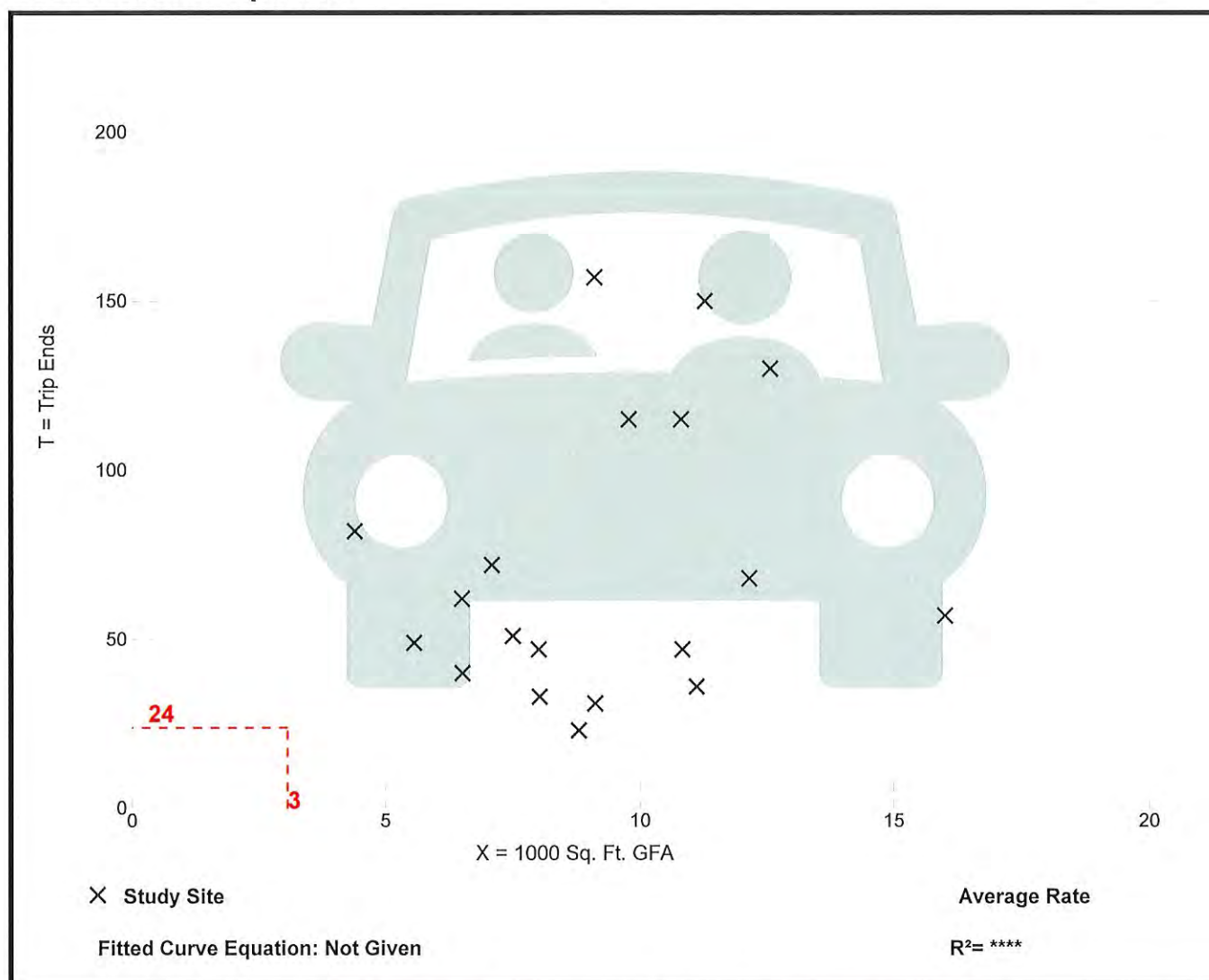
Avg. 1000 Sq. Ft. GFA: 9

Directional Distribution: 67% entering, 33% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
7.80	2.62 - 18.68	4.49

Data Plot and Equation



CASE 3: PZ-22-57 – MILL RUN EVENT CENTER – 3861 Park Mill Run Drive

PARCEL NUMBER: 050-007350

APPLICANT: Five Friends, LLC., 4174 Glynwater Lane, Hilliard, OH 43026; c/o Gursimer Singh, 3861 Park Mill Run Drive, Hilliard, OH 43026.

REQUEST: Review and approval of a PUD modification and a revised PUD Final Development Plan under the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan and Text.

BACKGROUND:

The site is 1.94 acres within the Mill Run PUD located on the north side of Park Mill Run Drive approximately 550 feet west of Fishinger Boulevard. On April 25, 1994, Council approved a resolution (#94-C-09) modifying the Mill Run PUD to accommodate a TGI Friday's restaurant on this site. The original restaurant development plan was approved in 1994. On November 8, 2001, the Planning and Zoning Commission approved a revised PUD Final Development Plan for exterior renovations to the existing building. The applicant is now requesting approval of a modification of the Mill Run PUD concerning permitted uses, setbacks, landscaping, lighting, signage, and architectural standards for this site.

COMMISSION ROLE:

The Commission is to review the proposal for conformance to the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan. The Code specifically provides the following requirements for making modifications to an approved PUD Final Development Plan, development text or zoning map in Section 1117.06 of the Code:

- The proposed development is consistent with the purpose of the PUD in Section 1117.01;
- The proposed development meets the qualifying conditions as outlined in Section 1117.02;
- The PUD is consistent with the recommendations of the Hilliard Comprehensive Plan;
- The development is compatible with the existing and intended uses surrounding the site;
- The design and layout is harmonious with the natural character of the site and surrounding area and employs best management practices to ensure their conservation;
- The proposed development does not place undue burdens on public facilities and services;
- The PUD includes uses or conditional uses that are not injurious to public health, safety and welfare;
- The development conforms to the requirements of the Code unless specifically modified and approved;
- The final development plan is substantially consistent with the approved Concept Plan for the PUD; and
- Approval will result in a recognized and substantial benefit to the users of the project and the community in a way not otherwise feasible under conventional zoning.

Following a recommendation by the Commission, a resolution for the proposed PUD text modification will be forwarded to City Council for review and approval. The proposed change in use will become effective 60 days following Council's approval, and the PUD final development plan will take effect at that time.

STAFF RECOMMENDATION: MOTION 1 (PUD TEXT MODIFICATION)

Staff finds that the proposed PUD modification is consistent with the approved PUD Concept Plan which permits retail and other commercial uses, and the original PUD Development Plan which permitted commercial uses for this site. Staff finds that the proposed use is generally consistent with the approved restaurant use. Staff finds that such modification is not in conflict with the general health, safety and welfare of the public or the development standards of the PUD district. Based on these findings, staff recommends approval of the proposed PUD modification as proposed.

STAFF RECOMMENDATION: MOTION 2 (FINAL DEVELOPMENT PLAN)

Staff finds that the proposed PUD Final Development Plan is consistent with the provisions of the proposed PUD Development Text. Based on this finding, staff recommends approval of the proposed PUD Final Development Plan with the following two conditions:

- 1) That the proposed PUD modification is approved by City Council; and
- 2) That a Zoning Certificate is obtained prior to operation of the approved use.

CONSIDERATIONS:

- The approved PUD plan permits a 6,830-square-foot restaurant use for this site.
- The approved development standards including building setbacks, pavement setbacks, building height, lot coverage, landscaping, and site lighting are as shown on the approved PUD Final Development Plan.
- The existing building is set back approximately 105 feet from the Park Mill Run Drive right-of-way line, 42 feet from the east property line, 228 feet from the north property line, and 85 feet from the west property line. The existing vehicular use area is set back 30 feet from the Park Mill Run Drive right-of-way line, 0 feet from the east property line, 3 feet from the north property line, and 0.5 feet from the west property line. The site plan shows 173 parking spaces including 6 handicap accessible spaces.

PROPOSED TEXT MODIFICATION:

- **Sections A.1 and A.2.** The proposed PUD modification includes the following permitted uses: event center (assembly and reception hall) with food and bar service, hotels (except for economy or extended stay hotels which shall be prohibited), offices, general retail businesses with less than 15,000 square feet of usable floor area, personal services, commercial schools and studios, training centers (including corporate, engineering, and sales), bars and taverns, and restaurants without drive-through facilities. Conditional uses include general retail businesses with 15,000 square feet or more of usable floor area; and restaurants with drive-through facilities.
- **Section B.1.** The proposed text requires a minimum height of three floors and a maximum height of 6 floors for hotels, and all other uses have a maximum height of 45 feet.
- **Section B.2.** The proposed text requires minimum building and pavement setbacks are as follows: setbacks from Park Mill Run Drive shall be 75 feet for buildings and 30 feet for parking; setbacks from side property lines shall be 20 feet for buildings and 0 feet for parking; setbacks from the rear property line shall be 20 feet for buildings and 3 feet for vehicular use area; and side and rear building setbacks shall be increased by two feet for each foot of additional building height above 45 feet.
- **Section B.3.** The proposal includes architectural renderings that demonstrate the level of quality of design and exterior materials for all buildings. All buildings shall have a consistent finish on all sides and shall be consistent with the level quality of architectural design and exterior materials as shown on the approved renderings included in this text; individual walls shall be articulated with fenestration, patterns, and structural expression on all sides of the building; the amount of fenestration shall be balanced with the amount of solid façade; any roof-mounted mechanical equipment shall be screened to the height of the equipment with materials that are architecturally compatible with the rooftop and the aesthetic character of the building.
- **Section B.4.** The proposal states that off-street parking and loading shall meet the provisions of the Hilliard Code.
- **Sections B.5 and B.6.** The proposal states that site lighting and landscaping shall meet the provisions of the Hilliard Code and the Hilliard Design Manual.
- **Section B.7.** The proposal states that signage shall meet the provisions of the Hilliard Code unless otherwise approved by the Planning and Zoning Commission as part of a comprehensive signage plan for the site.

PROPOSED PUD FINAL DEVELOPMENT PLAN:

- The proposed plans show conceptual site plan, floor plans, and building elevations for an event center use.
- The proposed plans demonstrate conformance to the provisions of the proposed PUD Development Text concerning building height, setbacks, architecture, parking and loading, site lighting, landscaping, and signage.
- The proposed plans show a maximum occupancy of 333 persons. Required parking is 111 spaces based on one space for every 3 persons allowed within the maximum occupancy load. The site has 173 existing parking spaces.
- The proposed plans indicate the existing brick will be painted white (Sherwin Williams SW7006 “Extra White”) and black (Sherwin Williams SW7674 “Peppercorn”), blue fabric awnings will be installed over the windows on the south and east elevations, and black aluminum storefront windows framing will replace the existing.

[END OF REPORT | PZ-22-57]

MILL RUN EVENTS CENTER



PARK MILL RUN DRIVE

Mill Run PUD Development
Text for 3861 Park Mill Run Drive

Application Number: PZ-22-27
 Property Location: 3861 Park Mill Run Drive
 Parcel Number: 050-007350
 Date: September 9, 2022

Introduction

The intent of this Planned Unit Development (PUD) text is to create a high-quality development with a range of potential uses that are compatible with development plans for the area. All development on this site shall conform to the provisions of the City of Hilliard Codified Ordinances and the Hilliard Design Manual. All site plans and building exterior elevation drawings shall be reviewed for approval as part of a PUD Final Development Plan by the Planning and Zoning Commission.

A. Uses

1. Permitted Uses:

- a. Event Center (Assembly and reception hall) with food and bar service
- b. Hotels except for economy or extended stay hotels which shall be prohibited
- c. Offices (including those for executive, administrative, medical, and similar professional activities)
- d. General retail businesses with less than 15,000 square feet of usable floor area
- e. Personal services
- f. Commercial schools and studios (including art, dance, martial arts, and music)
- g. Training centers (including corporate, engineering, and sales)
- h. Bars, taverns and restaurants serving alcoholic beverages
- i. Restaurants without drive-through facilities

2. Conditional Uses:

- a. General retail businesses with 15,000 square feet or more usable floor area
- b. Restaurants with drive-through facilities

B. Development Standards

- 1. Hotels shall have a height of not less than three stories and not more than six stories above finished grade. All other uses shall have a height of not more than 45 feet.
- 2. Minimum setbacks from Park Mill Run Drive shall be 75 feet for buildings and 30 feet for vehicular use areas. Minimum setbacks from side property lines shall be 20 feet for buildings and 0 feet for vehicular use areas. Minimum setbacks from rear property line shall be 20 feet for buildings and 3 feet for vehicular use areas. The side and rear building setbacks shall be increased by two feet for each foot of additional building height above 45 feet.

3. All buildings shall have a consistent finish on all sides and shall be consistent with the level of quality of architectural design and exterior materials as shown on the approved renderings included in this text. Individual walls shall be articulated with fenestration, 2 patterns, and structural expression on all sides of the building. The amount of fenestration shall be balanced with the amount of solid façade. Any roof-mounted mechanical equipment shall be screened to the height of the equipment with materials that are architecturally compatible with the rooftop and the aesthetic character of the building.
4. Off-street parking and loading shall meet the provisions of the Hilliard Code.
5. Site lighting shall meet the provisions of the Hilliard Code and the Hilliard Design Manual.
6. Landscaping shall meet the provisions of the Hilliard Code and the Hilliard Design Manual.
7. Signage shall meet the provisions of the Hilliard Code unless otherwise approved by the Planning and Zoning Commission as part of a comprehensive signage plan for the site.

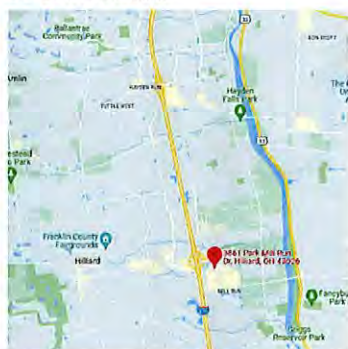
MILLRUN EVENT CENTER

3861 PARK MILL RUN DRIVE HILLIARD, OHIO 43026

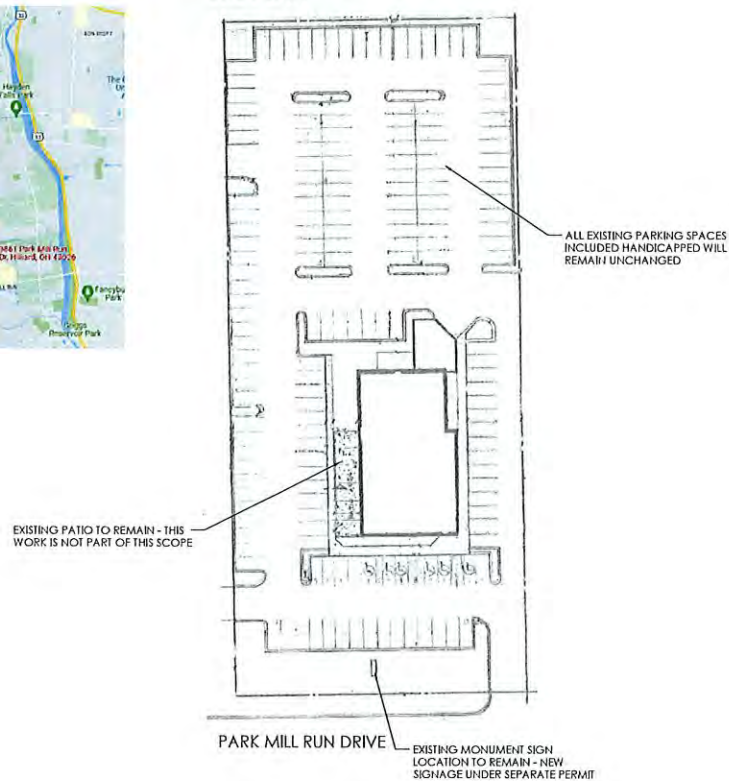


Orange frog Design Group
411 Meditation Lane
Columbus, Ohio 43235
P 614.578.1707

LOCATION MAP



SITE PLAN



ARCHITECTURAL SHEET INDEX

A000 COVER
A001 CODE SHEET
A002 EGRESS PLAN
A301 OVERALL FLOOR PLAN
A302 REFLECTED CEILING PLAN
A303 INTERIOR ELEVATIONS & RENDERINGS
A401 EXTERIOR RENDERED ELEVATIONS
A402 EXTERIOR RENDERED ELEVATIONS
A501 INTERIOR BUILDING SECTIONS
A601 WALL SECTIONS & CEILING DETAILS
A801 DOOR, WINDOW, FINISH SCHEDULES & DETAILS

MEP SHEET INDEX

P001 PLUMBING DETAILS
P101FD PLUMBING-FIRE FIRST FLOOR DEMO WORK PLAN
P101FN PLUMBING-FIRE FIRST FLOOR NEW WORK PLAN
P101D PLUMBING FIRST FLOOR DEMO WORK PLAN
P102D PLUMBING ROOF DEMO WORK PLAN
P101N PLUMBING FIRST FLOOR NEW WORK PLAN
P102N PLUMBING ROOF NEW WORK PLAN
P301 PLUMBING DETAILS
P302 PLUMBING DETAILS
P401 PLUMBING DETAILS
H001 HVAC DETAILS
H101D HVAC FIRST FLOOR DEMO WORK PLAN
H102D HVAC ROOF DEMO WORK PLAN
H101N HVAC FIRST FLOOR NEW WORK PLAN
H102N HVAC ROOF NEW WORK PLAN
H301 HVAC HOOD DETAILS
H302 HVAC HOOD DETAILS
H303 HVAC HOOD DETAILS
H304 HVAC HOOD DETAILS
H305 HVAC HOOD DETAILS
H306 HVAC DETAILS
H307 HVAC DETAILS
E001 ELECTRICAL DETAILS
E101D ELECTRICAL FIRST FLOOR DEMO WORK PLAN
E102D ELECTRICAL ROOF DEMO WORK PLAN
E101N ELECTRICAL FIRST FLOOR NEW WORK PLAN
E301 ELECTRICAL DETAILS & ONE-LINE
E302 ELECTRICAL ROOF NEW WORK PLAN
E303 ELECTRICAL PANELBOARDS
E304 ELECTRICAL PANELBOARDS
E305 ELECTRICAL PANELBOARDS
E306 ELECTRICAL PANELBOARDS
E307 ELECTRICAL DETAILS



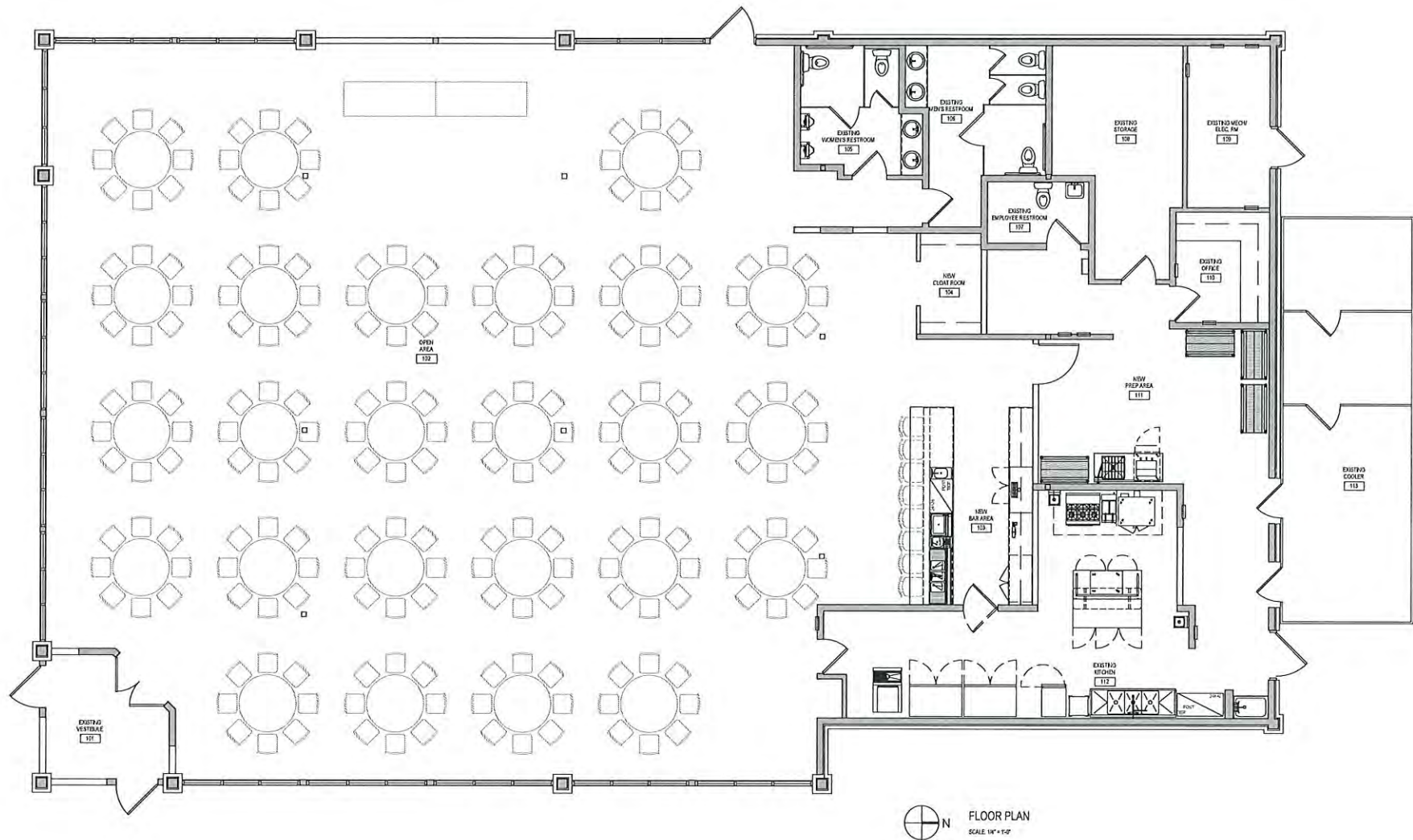
MATTHEW D. JONES, LICENSED PROFESSIONAL ENGINEER
EXPIRATION: DECEMBER 31, 2022

COVER SHEET

PROJECT INFORMATION

ISSUED FOR: CONSTRUCTION DOCUMENTS
DATE OF ISSUE: 6.7.2022
PROJECT NUMBER: 2021-47

A000











































CASE 4: PZ-22-58 – BURDGE PROPERTY – 3809 Cemetery Road

PARCEL NUMBERS: 050-004916 (Blue Crystal Acres Subdivision)

APPLICANT: Jeremy and Angela Burdge, 3789 Cemetery Road, Hilliard, OH 43026; c/o Blake Rafeld, Blake Rafeld & Associates, 3504 Colchester Road, Columbus, OH 43221.

REQUEST: Review and approval of a revised final development plan in accordance with Chapter 1117 and the Mill Run PUD Development Plan and Text for the construction of a Horticultural Display Garden consisting of 10 parking spaces, a 1,500-square-foot storage building and landscaped grounds on 1.32 acres.

BACKGROUND:

The site is 1.32 acres within the Mill Run PUD located on the south side of Cemetery Road approximately 100 feet east of Fishinger Boulevard. The site has an existing single-family dwelling that was built in 1966 and was most recently used as a real estate office. On July 08, 1985, Council approved an ordinance (85-43) creating the Mill Run PUD on 206 acres. On April 25, 1988, Council approved a resolution (88-C-18) modifying the Mill Run PUD and including the subject site in the Office Subarea. Code Enforcement has been working to address property maintenance issues regarding the building for nearly four years. The applicant (adjacent residence to the east) purchased the property in March of this year and is working to improve the property.

The applicant is now requesting approval of a modification of the Mill Run PUD to establish permitted uses and standards since the property has no current PUD text and the house (previously used as an office) is slated to be demolished due to its condition. The requested PUD Final Development Plan is also proposed to install a horticultural garden that includes a storage building with teaching space, existing driveway and proposed parking and landscaping.

COMMISSION ROLE:

The Commission is to review the proposal for conformance to the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan. The Code specifically provides the following requirements for making modifications to an approved PUD Final Development Plan, development text or zoning map in Section 1117.06 of the Code:

- The proposed development is consistent with the purpose of the PUD in Section 1117.01;
- The proposed development meets the qualifying conditions as outlined in Section 1117.02;
- The PUD is consistent with the recommendations of the Hilliard Comprehensive Plan;
- The development is compatible with the existing and intended uses surrounding the site;
- The design and layout is harmonious with the natural character of the site and surrounding area and employs best management practices to ensure their conservation;
- The proposed development does not place undue burdens on public facilities and services;
- The PUD includes uses or conditional uses that are not injurious to public health, safety and welfare;
- The development conforms to the requirements of the Code unless specifically modified and approved;
- The final development plan is substantially consistent with the approved Concept Plan for the PUD; and
- Approval will result in a recognized and substantial benefit to the users of the project and the community in a way not otherwise feasible under conventional zoning.

Following a recommendation by the Commission, a resolution for the proposed PUD text modification will be forwarded to City Council for review and approval. The proposed change in uses will become effective 60 days following Council's approval, and the PUD final development plan will take effect at that time.

STAFF RECOMMENDATION: MOTION 1 (PUD TEXT MODIFICATION)

Staff finds that the proposed PUD modification is consistent with the intent of the original PUD Concept Plan and will blend with the surrounding area. The proposed use will improve a long-standing Code Enforcement issue and will be harmonious with the surrounding area. Staff finds that the proposal is also consistent with the intent of the Code as modified in the proposed PUD development text. Based on these findings, staff recommends that the Commission forward a positive recommendation to Council concerning the proposed PUD text modification.

STAFF RECOMMENDATION: MOTION 2 (FINAL DEVELOPMENT PLAN)

Staff finds that the proposed PUD Final Development Plan is generally consistent with the intent of the PUD development text, as proposed herein. Staff finds that the proposed Final Development Plan will be a harmonious addition to this portion of the Mill Run PUD that was not addressed in the original zoning and recommends approval with four conditions:

- 1) That the proposed PUD text modification is approved by City Council;
- 2) That a Zoning Certificate is obtained prior to operation of the approved use;
- 3) That a Building Permit be obtained for the proposed storage building; and
- 4) That any necessary site approval be obtained from the City Engineer prior to construction.

CONSIDERATIONS:

- The site located on the south side of Hilliard Cemetery Road just east of the intersection with Trueman Boulevard. The site includes a ranch house that is a former office with drive and small parking area. The building has deteriorated and has been a pending Code Enforcement issue. A demolition permit has been approved for the structure. This application includes a PUD text modification and final development plan to construct a small horticultural garden and teaching space.
- The curvilinear brick development sign for Mill Run is located on the property just to the west of this site. The Ohio Health facility is located just south of the property beyond an existing tree row along the rear of the property. To the north of the site across Hilliard Cemetery Road are other large lot residences located within Norwich Township.
- The Burdge Residence, zoned R-1, Low Density Residential District, is located just east of the site at 3789 Cemetery Road. The residence is an historic 1860's era brick farmhouse. The proposed horticultural gardens would be a visual extension of the house.

PROPOSED TEXT MODIFICATION:

- *Uses.* The proposed text maintains the ability to have office uses in the future and includes the following other uses that are integral to the proposed garden development. Greenhouses/Nurseries without retail are provided as a conditional use as an option to propagate plants and would require further approval.
 1. Public/Private Gardens
 2. Arboretum, Education & Assembly
 3. Private Open Spaces
 4. Habitat Conservation Practices
- *Development Standards.* The proposed text requires the following building and pavement setbacks on the site:

Setbacks	Front Yard	Side Yard	Rear Yard
Building	40 feet	15 feet	15 feet
Parking	30 feet	10 feet	10 feet

- *Access & Parking.* Access for the site will utilize the existing curbcut and driveway off Cemetery Road. As a garden and education location, parking areas and access to the storage building will utilize an alternate

pavement that includes a gridded system with limestone chip as indicated on the Final Development Plan. The garden will also include a 6-foot-wide limestone chip path system.

PROPOSED PUD FINAL DEVELOPMENT PLAN:

- *Horticultural Gardens.* Proposed plans include a variety of garden areas that include specimen plantings and typical areas for planting that will change over time. Proposed plant selections have been reviewed by the City for appropriateness.
- *Parking Area.* The submitted site plan includes a 9-space parking lot that will be constructed of a grid system with limestone chip material for compaction. The proposed lot design is in keeping with the conservation/sustainability theme of the project.
- *Pedestrian Paths.* Walking paths throughout the project will also include the limestone chip treatment commonly found in the construction of formal English gardens. Paths are proposed at a typical width of six feet. As part of the project, the applicant will also extend the public sidewalk along remaining portions of Cemetery Road.
- *Storage Building.* A ±1,250-square-foot storage building will be provided at the southwest corner of the site. The building will be constructed of wood or composite wood siding and include a brick watercourse. Construction will include fiberglass shingles. The building will include an octagon-shaped teaching space with paver entry patio that will provide limited seating for instruction.

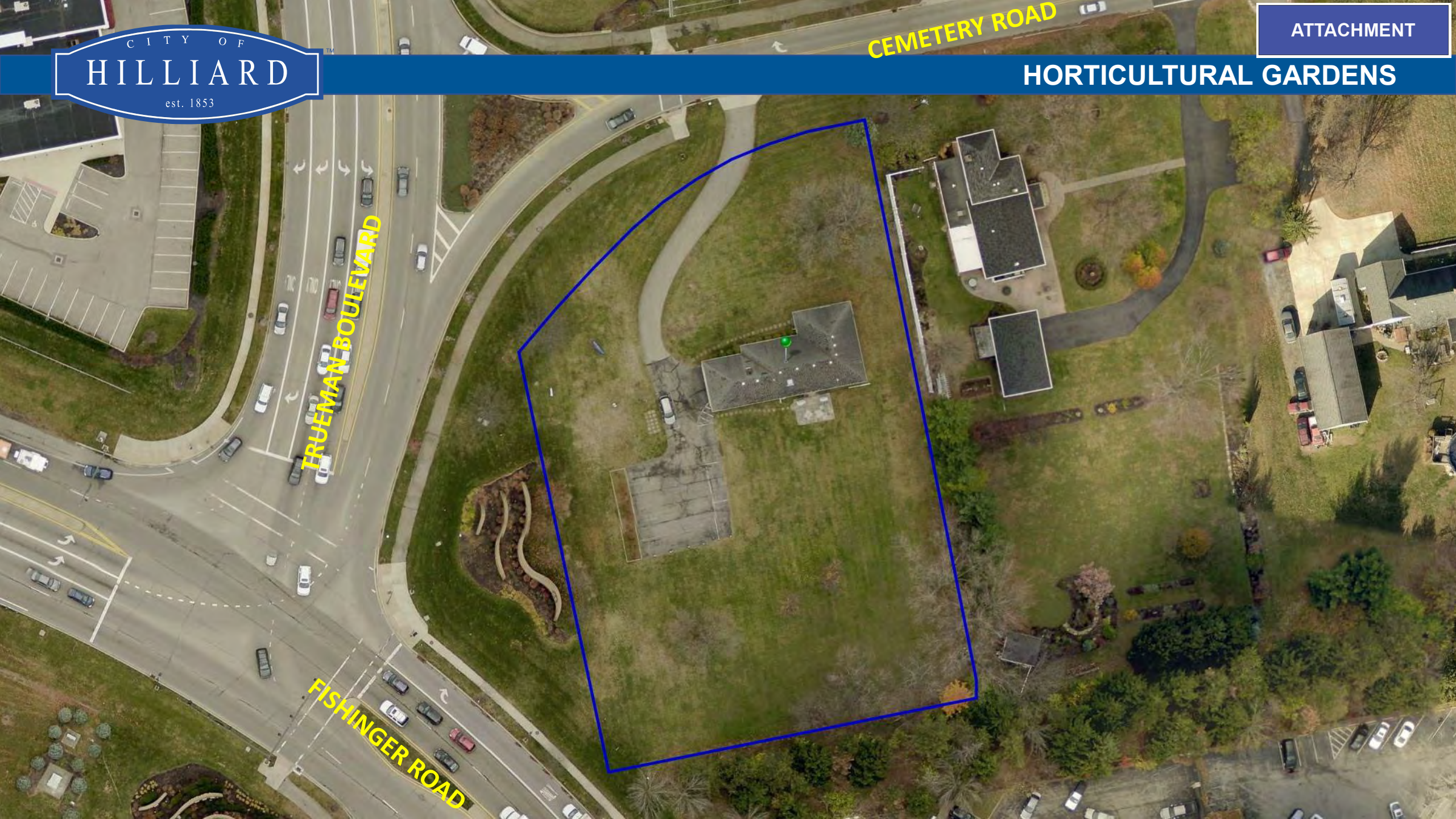
[END OF REPORT | PZ-22-58]

CEMETERY ROAD

HORTICULTURAL GARDENS

TRUEMAN BOULEVARD

FISHINGER ROAD



**PUD Development Text
3809 Cemetery Road**

Permitted Uses:

- Office
- Public/Private Gardens
- Arboretum, Education & Assembly
- Private Open Spaces
- Habitat Conservation Practices

Conditional Uses:

- Greenhouses/Nurseries (excluding retail sales)

Development Standards

- Building Setbacks (Front Yard = 40 feet, Side/Rear Yard = 15 feet)
- Parking Setbacks (Front Yard = 30 feet, Side Rear Yard = 10 feet)

Access and Parking

- Access will be provided from the existing curbcut on Cemetery Road, unless otherwise approved by the Planning and Zoning Commission and the City Engineer
- The existing access drive will be used in its current location/width. Additional access to the storage/education building will be provided as approved on the Final Development Plan.
- As a garden and education facility, alternate pavement will be permitted that includes the incorporation of a true grid system with limestone chip fill.
- Parking spaces will be provided at a minimum 10'x18' feet with a 24-foot drive aisle. Parking layout and size will be as approved by the Commission as part of the Final Development Plan.



Commercial Real Estate
Due Diligence Management
3465 South Arlington Rd Suite E#183
Akron, OH 44312
866.290.8121
www.amnational.net

ALTA/NSPS Land Title Survey

for
Hilliard

3809 Hilliard-Cemetery Road
Hilliard, OH 43026
County of Franklin

SURVEYOR'S CERTIFICATION

To: Jeremy Burdge; Stewart Title Guaranty Company; and American National, LLC.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 8b, 7a, 7b1, 7c, 8, 9, 13, 14, 16, 17, 18 of Table A thereof. The fieldwork was completed on April 11, 2022.

David W. Grant, PS Signature Date:
Ohio Professional Surveyor No. 8460
Date of Plat or Map: April 13, 2022
Date of Last Revision: April 14, 2022

Network Reference #20220603-1

Survey Prepared By:
North Coast Geomatics
173 Owosso Ave
Fairlawn, OH 44333
(614) 519-3611
dgrant@northcoastgeo.com
Job No. NCG 2739
Survey Updates: surveys@amnational.net

Legal Description

File No.: 1572402

Situated in the State of Ohio, County of Franklin, and in the City of Hilliard and Township of Norwich:

Being 1.006 acres of Lot 10 and 0.227 acres out of Lot 11 as the same are designated and delineated upon the subdivision plat entitled "Re-Subdivision of Lots 10 Through 15 of Blue Crystal Acres Subdivision and shown of record in Plat Book 64, Page 56, Franklin County Recorder's office, Columbus, Ohio and said parcel of land being more particularly bounded and described as follows:

Beginning at an iron pin found at the Northeast corner of said Lot 10 and the Northeast corner of said ReSubdivision;

Thence S 10 degrees 57' 1 8"E. With the East line of Lot 10, the East line of said Re-Subdivision and the West line of Lot 9 as conveyed to Dr. Jeremy and Angela Burdge, a distance of 310.00 feet to an iron pin found;

Thence S 79 degrees 02' 42" W. With the South line of Lot 10 and the South Line of said Re-Subdivision a distance of 200.00 feet (passing an iron pin found at 150.00 feet) to an iron pin set;

Thence with a line Through Lot 11, N 10 degrees 57' 18" W. a distance of 222.98 feet to an iron pin set in the South Right-of-way of Hilliard-Cemetery Road as Defined in said Re-Subdivision;

Thence Northeasterly, with the arc of a curve to the right having a radius of 452.45 feet, a central Angle of 24 degrees 26' 56", and chord that Bears N. 52 degrees 01' 57" E. a distance of 191.61 feet to an iron pin set on the North line of said Re-Subdivision;

Thence N. 79 degrees 02' 42" E. with the North line of said Re-Subdivision a distance of 29.31 feet to the point of Beginning and containing 1.283 acres of Land, more or less and subject to all right-of-way, Easements and restrictions, if any, of previous record.

The Bearings in the foregoing description are based on the South line of said Re-Subdivision as S 79 degrees 02' 42" W.

This Description was prepared by Vernon A. Rybski, Professional Surveyor No. 4041 from information Obtained from an actual field survey of the Premises conducted by P & L Systems, LTD, in July, 1989.

Parcel Number 050-004916-00

The surveyed property is the same property described in Stewart Title Guaranty Company Commitment No. 1572402, with an effective date of January 27, 2022 at 8:00 A.M.

Zoning Notes

Zoning report or letter to be provided to the surveyor by the client pursuant to Table A Items 6(a) and 6(b).

Flood Zone

By graphic plotting only, this property is entirely in Zone X-Unshaded (Area of Minimal Flood Hazard) of the Flood Insurance Rate Map, Community Panel No. 39049C0161K, which bears an effective date of June 17, 2008 and is not in a Special Flood Hazard Area.

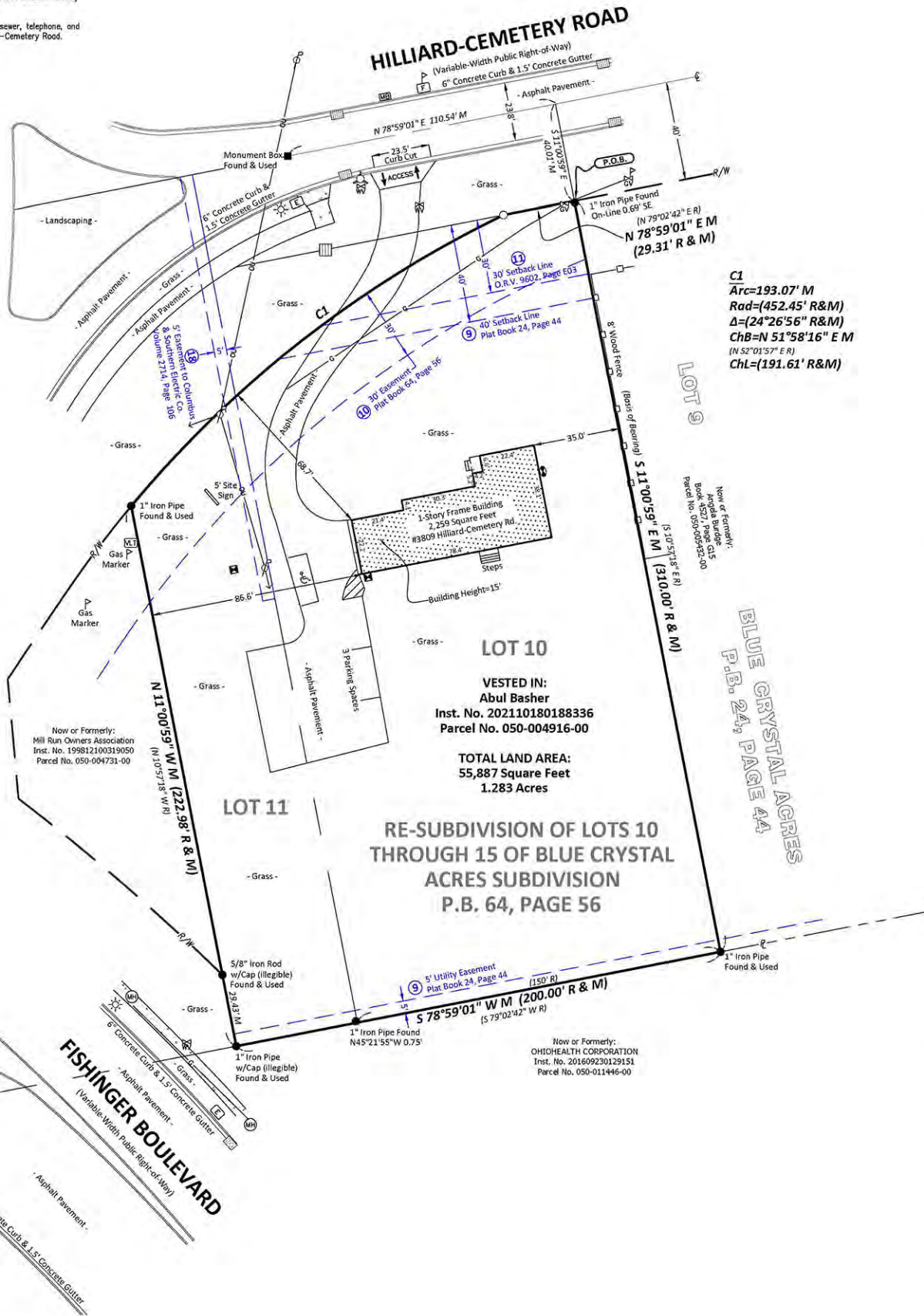
Utility Notes

1. The location of utilities shown hereon are from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of any subterranean uses.

2. From observed above ground appurtenances only as shown hereon, gas, electric, storm sewer, telephone, and water lines are available for the surveyed property within the public right of way of Hilliard-Cemetery Road.

Legend of Symbols & Abbreviations

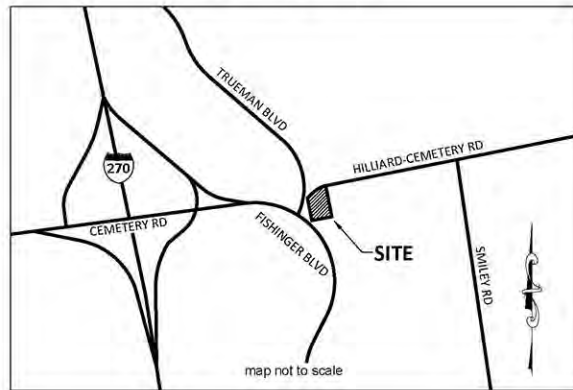
R/W	- Right-of-Way
P	- Adjiner Property Line
C	- Centerline
P.O.B.	- Point of Beginning
ENC	- Encroachment
S	- Schedule B Item
Rad	- Radius
Arc	- Arc Length
Δ	- Delta Angle
ChB	- Chord Bearing
CHL	- Chord Length
M	- Measured
(R)	- Record
MBF	- Monument Box Found
MF	- Monument Found
5/8" IR	- 5/8" Iron Rod w/Cap
NCO PS	- NCO PS 8460 8668" Set
EM	- Electric Meter
EV	- Electric Vault
FV	- Fiberoptic Vault
GM	- Gas Meter
GV	- Gas Valve
CB	- Catch Basin (Square)
CI	- Curb Inlet
LP	- Light Pole
UP	- Utility Pole
GW	- Guy Wire
FD	- Fire Hydrant
WV	- Water Valve
UM	- Unknown Manhole
UV	- Unknown Vault
UUM	- Underground Utility Marker
HCPS	- HC Parking Space
MB	- Mail Box
UG	- Underground Gas
OU	- Overhead Utilities
WF	- Wood Fence
CA	- Concrete Area
NPA	- No Parking Area
BA	- Building Area



Encroachment Statement

At the time of this survey, there was no visible evidence of encroachments.

Vicinity Map



General Notes

- The Basis of Bearing for this survey is Grid North of the Ohio State Plane Coordinate System, South Zone (FIPS Zone 3402), on the North American Datum of 1983(2011) (Epoch 2010.000) using geoid model GEOID18, with a combined scale factor of 1.0000357843690. A GNSS Real Time Kinematic Network survey was used to establish a bearing of South 11°00'59" East for the easterly line of the surveyed property, and a Northing of 741,149.74 and Easting of 1,786,005.34 (U.S. Survey Feet) for the 1-inch iron pipe found at the southeast corner of the surveyed property.
- There is direct access to the surveyed property via Hilliard-Cemetery Road, a public right-of-way.
- There are 3 regular parking spaces and 1 handicapped parking space for a total of 4 parking spaces on the surveyed property.
- Parcel Number of surveyed property: 050-004916-00
- On the date of the field survey there was no observable evidence of earth moving work, building construction, or building additions within recent months.
- Surveyor is unaware of any changes in street right of way lines, either completed or proposed.
- On the date of the field survey there was no observable evidence of site used as a solid waste dump, sump or sanitary landfill.
- The posted address on site is 3809 Hilliard-Cemetery Road, Hilliard, Ohio 43026.
- At the time of this survey, there was no evidence of cemeteries, burial grounds, or gravesites on the surveyed property.
- Surveyed property is located at the intersection of Hilliard-Cemetery Road and Fishinger Boulevard, as shown.

Notes Corresponding to Schedule B

- Building lines, easements and restrictions shown on the recorded plat/map of Blue Crystal Acres as recorded in Plat Book 24 Page 44. (REFERS TO THE SURVEYED PROPERTY. PLOTTABLE ITEMS ARE SHOWN HEREON)
- Building lines, easements and restrictions shown on the recorded plat/map of Re-Subdivision of Lots 10 Through 15 of Blue Acres Subdivision as recorded in Plat Book 64 Page 56. (REFERS TO THE SURVEYED PROPERTY. PLOTTABLE ITEMS ARE SHOWN HEREON)
- Restrictions contained in deed as more fully set forth in the documents recorded as Deed Book 1876 Page 188 (REFERS TO THE SURVEYED PROPERTY BUT CONTAINS NO PLOTTABLE SURVEY ITEMS), Official Record Volume 9602 Page 603 (SETBACK LINE SHOWN HEREON, PONDS LIE TO THE WEST OF THE SURVEYED PROPERTY); as modified and amended in Official Record 13912 Page B14 (REFERS TO THE SURVEYED PROPERTY BUT CONTAINS NO PLOTTABLE SURVEY ITEMS).
- Easement granted to Ohio-Midland Light and Power Company, as more fully set forth in the document recorded as Deed Book 1903 Page 427. (THE LOCATION CANNOT BE DETERMINED FROM THE RECORD DOCUMENT)
- Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Deed Book 1912 Page 530. (AREA DESCRIBED LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement for Highway Purposes granted to The State of Ohio, as more fully set forth in the document recorded as Deed Book 2691 Page 408. (AREA DESCRIBED LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement for Channel Purposes granted to The State of Ohio, as more fully set forth in the document recorded as Deed Book 2691 Page 414. (AREA DESCRIBED LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement granted to The Ohio Bell Telephone Company, as more fully set forth in the document recorded as Deed Book 2707 Page 593. (AREA DESCRIBED (LOT 15) LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement granted to The Ohio Bell Telephone Company, as more fully set forth in the document recorded as Deed Book 2707 Page 596. (AREA DESCRIBED (LOT 14) LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Deed Book 2714 Page 108. (EASEMENT LIES ON THE SURVEYED PROPERTY AND ITS LOCATION IS SHOWN)
- Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Deed Book 2719 Page 515. (AREA DESCRIBED (LOT 13) LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Deed Book 2719 Page 518. (AREA DESCRIBED (LOT 14) LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Deed Book 2719 Page 537. (AREA DESCRIBED (LOT 12) LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement granted to Columbus Gas of Ohio, Inc., as more fully set forth in the document recorded as Official Record 962 Page B06. (AREA DESCRIBED LIES TO THE WEST OF THE SURVEYED PROPERTY)
- Easement granted to Columbus and Southern Ohio Electric Company, as more fully set forth in the document recorded as Official Record 8765 Page H10. (AREA DESCRIBED LIES TO THE SOUTHWEST OF THE SURVEYED PROPERTY)
- Deed of Easement granted, as more fully set forth in the document recorded as Official Record 14124 Page F05. (AREA DESCRIBED LIES WITHIN THE R/W OF FISHINGER BOULEVARD)

BLAKE RAFFELD
& ASSOCIATES
3504 Colchester Road Columbus, OH 43221 TEL 614/560-0971

JEREMY & ANGELA BURDGE
3789 HILLIARD CEMETERY RD
HILLIARD, OH 43026

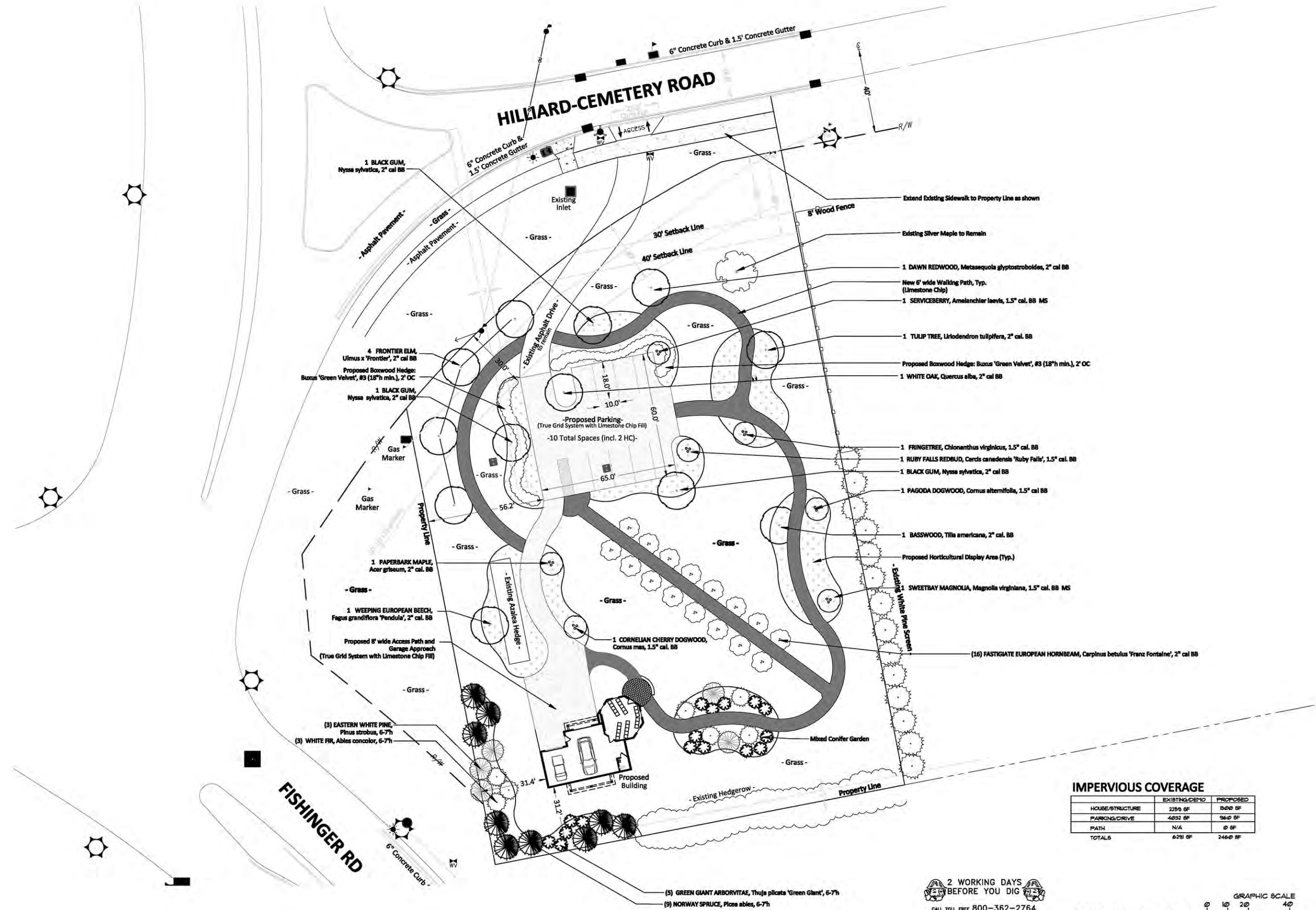
SITE IMPROVEMENTS
3809 HILLIARD CEMETERY RD
HILLIARD, OH 43026

DRAWING INFORMATION	
DATE:	9/2/2022
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	

SHEET

L1

JOB #2201



IMPERVIOUS COVERAGE

	EXISTING/DEM	PROPOSED
HOUSE/STRUCTURE	2256 SF	1500 SF
PARKING/DRIVE	4032 SF	060 SF
PATH	N/A	0 SF
TOTALS	6288 SF	2460 SF



LANDSCAPE SITE PLAN

1"=20'-0"



GAF Timberline

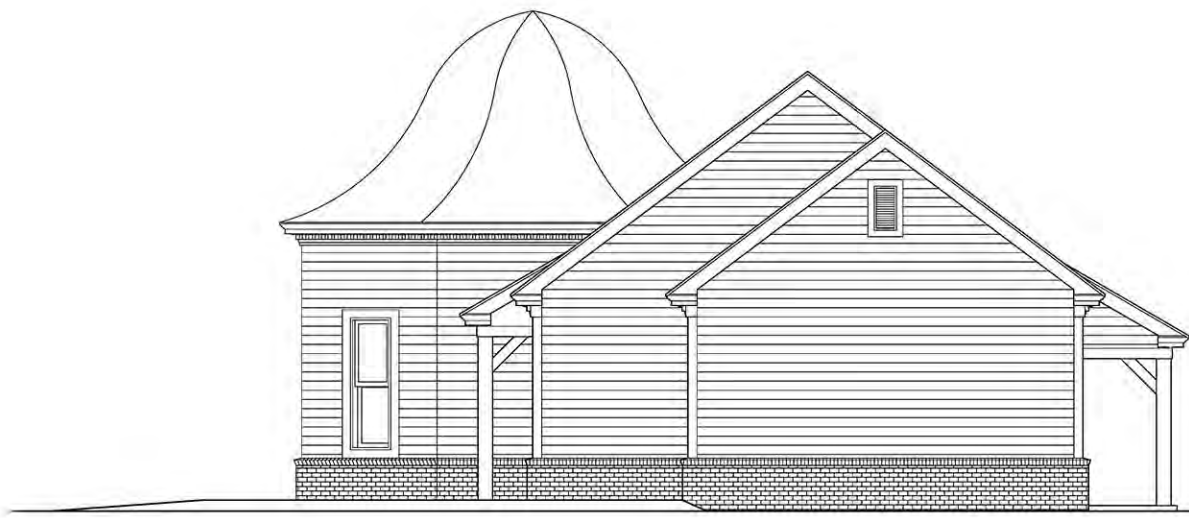


COMPARE

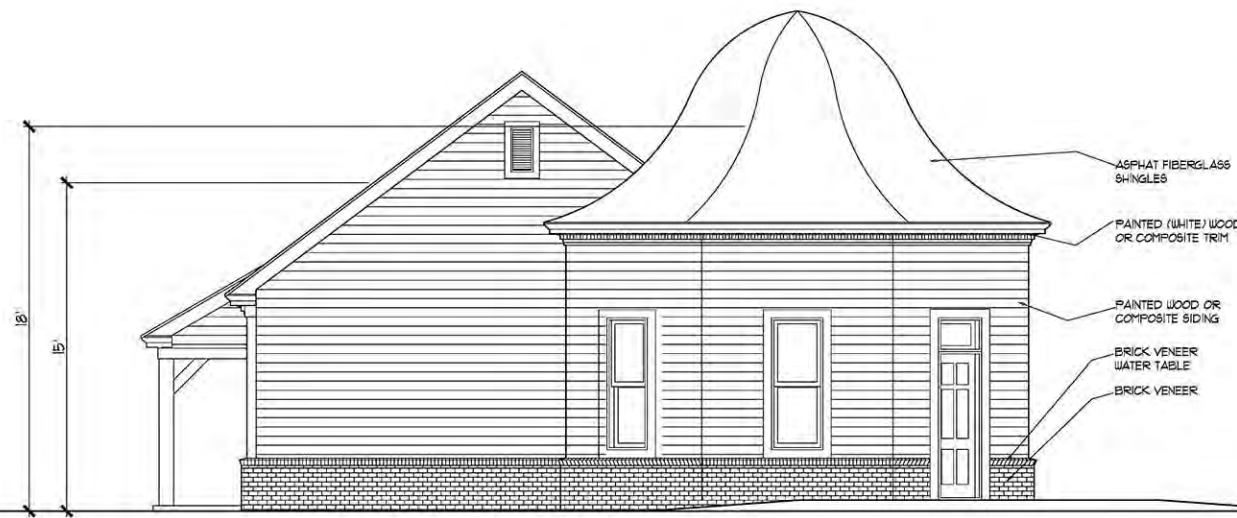
TRIANGLE BRICK MAKING QUALITY AFFORDABLE



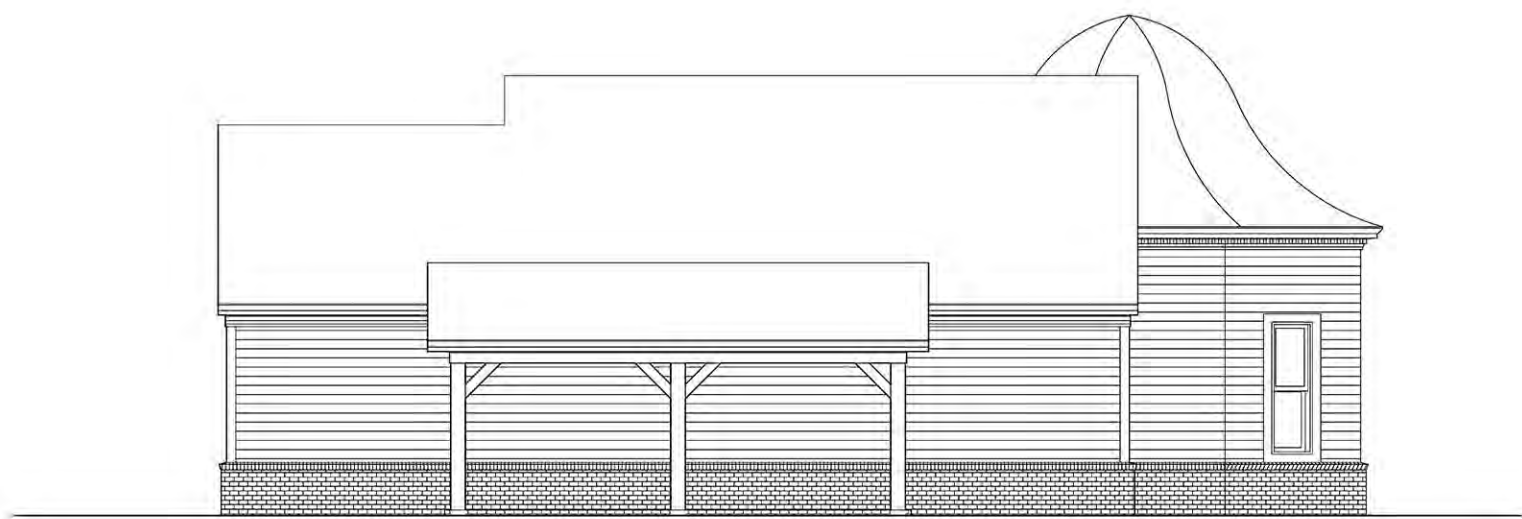
PORTSMOUTH



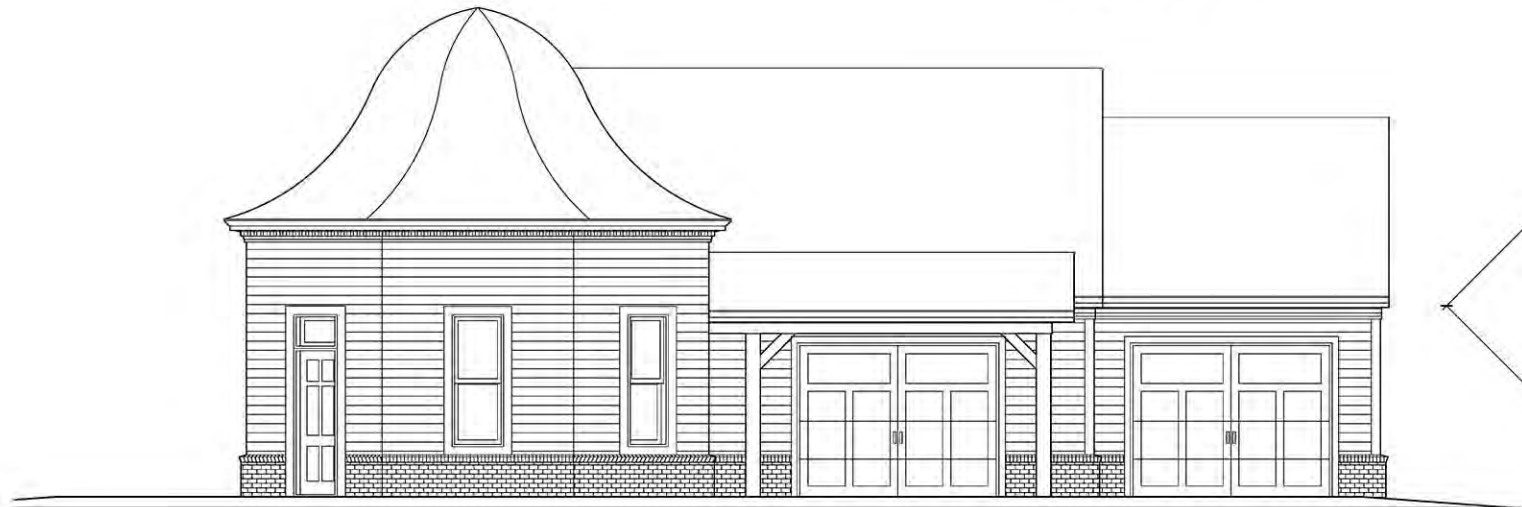
RIGH SIDE ELEVATION
SCALE: 1/4"=1'-0"



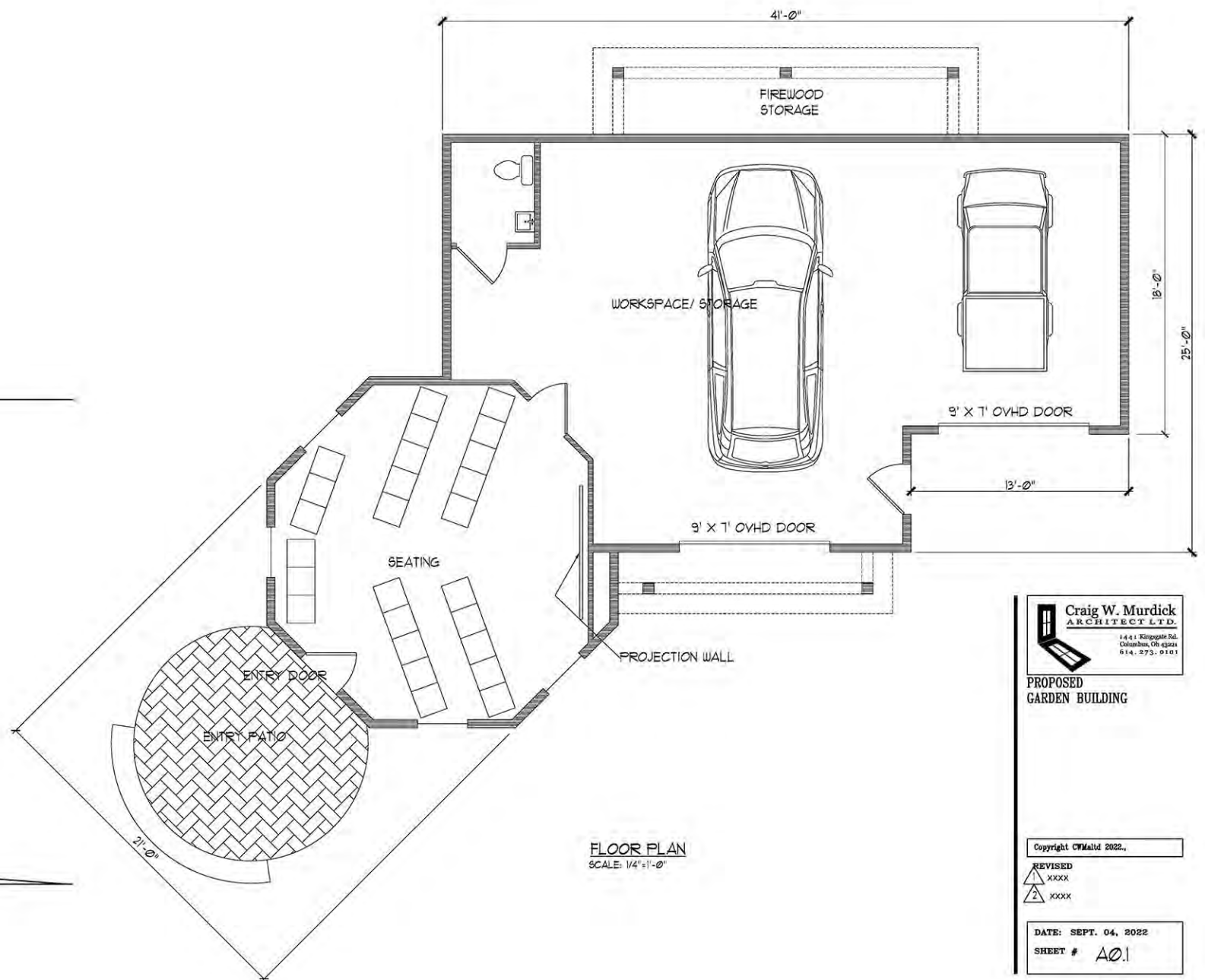
LEFT SIDE ELEVATION
SCALE: 1/4"=1'-0"



REAR ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"



FLOOR PLAN
SCALE: 1/4"=1'-0"

Craig W. Murdick
ARCHITECT LTD.
1411 Kingsgate Rd.
Columbus, OH 43228
614.273.0101

PROPOSED
GARDEN BUILDING

Copyright CWM Ltd 2022.

REVISED
XXXX
XXXX

DATE: SEPT. 04, 2022

SHEET # A0.1

CASE 5: PZ-22-59 – THE LINCOLN CENTER LEADERSHIP ACADEMY – 3311-3315 Mill Meadow Drive
PARCEL NUMBER: 050-005422

APPLICANT: Morse-Maize Family LP, 2706 E. Main Street, Columbus, OH 43209; c/o Glen Dugger, Smith & Hale LLC, 37 W. Broad Street, Columbus, OH 43215.

REQUEST: Review and approval of a PUD text modification under the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan to add “Public and Private Schools” and “Preschool/Daycare” as permitted uses on 6.28 acres.

BACKGROUND:

The site is 6.28 acres within the Mill Run PUD located at the southeast corner of Mill Run Drive and Mill Meadow Drive. On January 8, 1990, Council approved a resolution (#90-C-02) modifying the southwestern portion of the Mill Run PUD to accommodate an office building on this site. On May 10, 1990, the Planning and Zoning Commission approved a lot split for the 6.257-acre site to develop a one-story office building. The site has an existing 32,000-square-foot office building which was most recently used as a call center. The applicant is now requesting approval of a PUD modification to add “public and private schools” and “Preschool/Daycare” as permitted uses.

REVIEW CRITERIA:

The Commission is to review the proposal for conformance to the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan. The Code specifically provides the following requirements for making modifications to an approved PUD Final Development Plan, development text or zoning map in Section 1117.06 of the Code:

- The proposed development is consistent with the purpose of the PUD in Section 1117.01;
- The proposed development meets the qualifying conditions as outlined in Section 1117.02;
- The PUD is consistent with the recommendations of the Hilliard Comprehensive Plan;
- The development is compatible with the existing and intended uses surrounding the site;
- The design and layout is harmonious with the natural character of the site and surrounding area and employs best management practices to ensure their conservation;
- The proposed development does not place undue burdens on public facilities and services;
- The PUD includes uses or conditional uses that are not injurious to public health, safety and welfare;
- The development conforms to the requirements of the Code unless specifically modified and approved;
- The final development plan is substantially consistent with the approved Concept Plan for the PUD; and
- Approval will result in a recognized and substantial benefit to the users of the project and the community in a way not otherwise feasible under conventional zoning.

Following a recommendation by the Commission, a resolution for the proposed PUD text modification will be forwarded to City Council for review and approval. The proposed change in uses will become effective 60 days following Council’s approval. Final development plan approval will be needed from the Commission in the future.

STAFF RECOMMENDATION:

Staff finds that the proposed PUD modification to add “Public and Private Schools” and “Preschool/Daycare” as a permitted uses may be consistent with the intent of the original PUD Concept Plan. The scale and scope of the proposed school and preschool/daycare will determine if the use is consistent with the PUD Concept Plan and will be harmonious with neighboring properties, and the applicant will be required to demonstrate the appropriateness of the use at the Final Development Plan stage. Based on these findings, staff recommends that

the Commission forward a positive recommendation to Council concerning the proposed PUD text modification for the change in uses.

CONSIDERATIONS:

- The site consists of a one-story, 32,000-square-foot office building with 303 existing parking spaces. A building permit for the Discover Card office/call center building received plan approval on June 13, 1990.
- The proposal consists of a PUD text modification to permit the following uses:
 1. Office,
 2. Public and Private Schools
 3. Preschool/Daycare
- The applicant has not provided a floor plan for the proposed use or information concerning the proposed number of teachers, employees, and students. Parking for the proposed uses is required as follows:

PARKING REQUIREMENTS FOR SCHOOLS	
	1 parking space per teacher, employee or administrator
+	1 parking space for every 10 students
+	1 parking space per 3 seats based on maximum capacity in the main place of assembly

PARKING REQUIREMENTS FOR PRESCHOOL/DAYCARE	
	1 parking space per 350 square feet UFA
+	1 parking space for every employee
+	Sufficient area designated for drop-off of children in a safe manner that will not result in traffic disruptions

- The applicant has not submitted a traffic impact analysis necessary to guide City staff in reviewing the transportation aspects of the proposed uses. Staff finds that the proposed use could incorporate a change in traffic patterns on the site that would impact operations on the public street. All detailed information would be required at the Final Development Plan stage to demonstrate adequate site layout and circulation that does not impact surrounding properties or the public right-of-way.

[END OF REPORT | PZ-22-59]

HORTICULTURAL GARDENS

