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Legislative Bulletin

An Official Publication of the Hilliard City Council

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ORDINANCES

There were no Ordinances passed on April 25, 2022

The First Reading of the following Ordinance was held on April 25, 2022. The Second Reading/Public Hearing is scheduled for May 9, 2022.

22-16 APPROPRIATING FUNDS FOR IMPROVEMENTS TO MERCHANT PARK, THE LABYRINTH PROJECT.

WHEREAS, the City owns the land located at 5467 Center Street, on which Merchant Park is located; and

WHEREAS, the City and the Hilliard Rotary Club desires to improve amenities at the Merchant Park (collectively, the "Park Project") to better serve the community; and

WHEREAS, the Hilliard Rotary Club has pledged \$20,000 to partner with the City for use in Merchant Park; and

WHEREAS, on December 13, 2022, City Council approved Ordinance No. 21-41 (the "2022 Capital Budget"), which approved \$40,000 for the Park Project; and

WHEREAS, the City desire to appropriate an additional \$20,000 for the Park Project in order to complete this year.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. An appropriation in the amount of \$20,000 is authorized from Fund 304, Object 55/53 for RP-2 for the purpose of designing and constructing the amenities in Merchant Park.

SECTION 2. This Ordinance shall be in effect from and after the earliest time provided for by law.

RESOLUTIONS

The following Resolutions were passed by Hilliard City Council on April 25, 2022.

22-R-35 APPROVING THE APPLICATION TO ADD PROPERTY TO THE HILLIARD COMMUNITY AUTHORITY AND DETERMINING THAT ADDING THE PROPERTY IS CONDUCIVE TO THE PUBLIC SAFETY, CONVENIENCE, AND WELFARE.

WHEREAS, pursuant to Chapter 349 of the Ohio Revised Code (the "R.C."), a petition (the "Petition") for the establishment of the Hilliard Community Authority (the "Authority") was submitted by Pulte Homes of Ohio, LLC, Rockford Homes, Inc., and Homewood Corporation (together the "Developer" within the meaning of Section 349.01(E) of the R.C.) to the City of Hilliard, Ohio (the "City") on November 7, 2017, and was approved by the City Council (the "City Council") of the City on November 13, 2017 by its Resolution 17-R-98; and

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22-R-35 continued:

WHEREAS, the Petition generally described the boundaries of the Authority (“District”); and

WHEREAS, the District, as described in the Petition, is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners, as defined in R.C. 349.01(F)(3), for purposes of the Petition; and

WHEREAS, on March 17, 2022, M/I Homes of Central Ohio, LLC (the “Property Owner”) filed an Application to Add Property to the Hilliard Community Authority Pursuant to Chapter 349 of the R.C. (the “Application”) with the City requesting that the real property located at Scioto Darby Creek Road between Elliot Road and Langton Road, in Hilliard, Ohio 43026, Franklin County Auditor Parcel No. 053-000322-00 and Parcel No. 120-000335-00775, be added to the Authority’s District; and

WHEREAS, the Application was determined by this Council by Resolution No. 22-R-20 passed on March 28, 2022, to be sufficient and in compliance with the requirements of R.C. 349.03 as to form and substance; and

WHEREAS, the required public hearing on the Application was held on April 25, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The Petition is hereby amended by the Application, as such amendment is further described in the Application. The Application is hereby approved and shall be recorded, along with this Resolution, in the journal of this Council for purposes of R.C. Chapter 349.

SECTION 2. Application’s Compliance with R.C. Section 349.01(A). Council hereby determines that the addition of the parcel referenced in the Application will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community as defined in R.C. Section 349.01(A).

SECTION 3. Open Meeting. It is found and determined that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including R.C. Section 121.22.

SECTION 4. This Resolution is effective upon its adoption.

22-R-36 **APPROVING CHANGES TO THE ANSMIL PLANNED UNIT DEVELOPMENT (“PUD”) PLAN AND TEXT TO SPECIFY THE MINIMUM BUILDING AND PAVEMENT SETBACKS AND MODIFY THE EXTERIOR BUILDING MATERIAL AND LIGHTING STANDARDS FOR SUBAREA E1.**

WHEREAS, City Council approved a Planned Unit Development District (“PUD”) consisting of 320± acres of land for the Ansmil PUD by passage of Ordinance No. 99-57, effective January 12, 2000 (the “Ansmil PUD”); and

WHEREAS, City Council approved a first modification to the Ansmil PUD to modify the provisions of the General Development Standards, creating Subareas A1, A5, and A6, and modifying the boundaries and standards for Subareas A2, A3, A4, B1 and B3 by approving Resolution No. 06-R-07 on February 13, 2006; and

WHEREAS, City Council approved a second modification to the Ansmil PUD to modify the provisions and requirements of the General Development Standards, create Subarea E1, eliminate Subareas B3 and B4, and modify the boundaries and development standards and requirements for Subareas B1, B2, C1, C2, C3, C4, C5, C6, C7, C8 and D1 by approving Resolution No. 07-R-08 on March 26, 2007; and

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22-R-36 continued:

WHEREAS, City Council approved a third modification to the Ansmil PUD to modify subareas, permitted uses and development standards for a portion of Subarea E1; and, among other changes, to eliminate Continuing Care Retirement Community as the primary use within Subarea E1 and permit the following uses: senior residential, non-age restricted residential dwellings (not to exceed 500 dwelling units), public library, public or private parks, recreational activities or uses, office and ancillary services, bank and financial institutions, eating and drinking places, neighborhood business, personal services and home occupations by approving Resolution No. 14-R-86 on February 9, 2015; and

WHEREAS, staff finds that the proposal represents a reasonable effort toward the accomplishment of the original PUD Zoning Development Plans as approved by Council and such requested modifications are not in conflict with the general health, safety, and welfare of the public or the development standards of the Planned Unit Development District; and

WHEREAS, at its regularly scheduled and advertised meeting on April 14, 2022, the City's Planning and Zoning Commission voted to forward a positive recommendation to City Council to modify the Ansmil PUD to specify minimum building and pavement setbacks and modify exterior building material and lighting standards for a portion of Subarea E1 as requested by the Applicant; and

WHEREAS, a copy of the plan showing the amended portions of the Development Plan and Text for the Ansmil PUD Subarea E1 are attached hereto as Exhibit "A" and incorporated herein by reference (the "Revised Plan and the Ansmil Development Text PUD dated April 14, 2022").

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. Council finds that amending the Ansmil PUD as requested by the Applicant is in the best interest of the City and its residents. The Ansmil PUD Concept Plan and Text is amended to specify minimum building and pavement setbacks and modify exterior building material and lighting standards for a portion of Subarea E1.

SECTION 2. The plan showing the amended Concept Plan and Text, **attached** hereto as **Exhibit "A"** and incorporated herein by reference, is approved and shall hereafter be included in the Ansmil PUD Concept Plan and Text.

SECTION 3. This Resolution is effective upon its adoption.

22-R-37 **AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND AND TO THE RECREATION AND PARKS FUND.**

WHEREAS, by the passage of Ordinance No. 20-20 on August 24, 2020, City Council mandated that 75% of the net sale proceeds from the Grener Property shall be used for Recreation and Parks purposes; and

WHEREAS, by the passage of Ordinance No. 21-38 on November 22, 2021, City Council amended Section 183.01 of the City's Codified Ordinances creating a Recreation and Parks Fund; and

WHEREAS, in order to comply with Ordinance No. 20-20, the Director of Finance desires to transfer \$7,160,583 from the Capital Improvement Fund to the Recreation and Parks Fund; and

WHEREAS, by the passage of Ordinance No. 21-41 on December 13, 2021, City Council approved the appropriation of funds for the Capital Budget; and

WHEREAS, in order to fund certain Capital Improvement Projects with available cash, it is necessary for the Director of Finance to transfer \$7,000,000 from the General Fund to the Capital Improvement Fund; and

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22-R-37 continued:

WHEREAS, it is in the Interest and benefit of the City of Hilliard and the public at large that the City transfers funds as provided herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. City Council approves transferring funds to the Recreation and Parks Fund 703 in the amount of \$7,160,583 from the Capital Improvement Fund.

SECTION 2. City Council approves transferring funds to the Capital Improvement Fund 304 in the amount of \$7,000,000 from the General Fund.

SECTION 3. The City Finance Director is authorized and directed to transfer the following amounts:

- \$7,000,000 from the General Fund to the Capital Improvement Fund,
- \$7,160,583 from the Capital Improvement Fund to the Recreation and Parks Fund.

SECTION 4. This Resolution is effective upon its adoption.

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