

MEETING MINUTES

Planning & Zoning Commission

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Thursday, November 10, 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	Excused
Tom Pannett	Member	Present
Bill Uttley	Member	Present

Staff Members Present: Planning Director John Talentino, City Engineer Clark Rausch, Planning Manager Carson Combs, Staff Attorney Kelly Clodfelder, Council Representative Peggy Hale and Administrative Assistant Community Development Nicole Starrett.

Others Present: Bryan Dougherty representing PLAT-22-9; Sydney Berry representing PLAT-22-9; James Voyles representing PZ-22-60; Jim McFarland representing PZ-22-61; Leland Vogel representing PZ-22-63; Ellen Puckett representing PZ-22-64 and Shawn Boysko representing PZ-22-6, and other members of the public in attendance.

APPROVAL OF MEETING MINUTES – October 13, 2022

Chairman Muether asked if there were any changes or corrections to the October 13, Planning and Zoning Commission minutes. Minutes were approved by voice vote.

Status:	Accepted by Voice Vote (6-0)
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tom Pannett, Eric Gutknecht, William Uttley.

OATH TO TELL THE TRUTH

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

CHANGES TO THE AGENDA

Planning Manager Carson Combs noted that a request to postpone Case PZ-22-62 to the December meeting has been made by the applicant due to a health issue. Mr. Uttley, seconded by Mr. Lewie, made a motion to postpone Case PZ-22-62 – Miller Pipeline – 4990-5320 Scioto Darby Road to the December 8, 2022, meeting.

Status:	Motion to postpone was approved (6-0).
Mover:	Mr. William Uttley
Seconder:	Mr. Chris Lewie
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tom Pannett, Eric Gutknecht, William Uttley.

CASE 1: PLAT-22-9 – THE COURTYARDS AT CARR FARMS SECTION 4 – EAST SIDE OF LEPPERT ROAD APPROXIMATELY 2,000 FEET NORTH OF DAVIDSON ROAD

PARCEL NUMBER: 050-011719

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

REQUEST: Review and approval of a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Carr Farms PUD Concept Plan for a development consisting of 38 single-family lots on 13.026 acres.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is 13.026 acres located on the east side of Leppert Road approximately 1,500 feet south of Hayden Run Road. On November 12, 2015, the Planning and Zoning Commission approved the original PUD Concept Plan which consisted of 157 single-family lots on 79.5 acres. On April 12, 2018, The Commission approved a 6-month extension of the original Concept Plan. On September 13, 2018, the Commission approved a modification of the PUD Concept Plan consisting of 59 traditional single-family homes and 179 empty nester homes on 79.45 acres. On April 8, 2021, the Commission approved a Final Plat for The Courtyards at Carr Farms Phase 1 consisting of 47 single-family lots on 24.423 acres, as well as the development’s clubhouse area. Later that year on October 11, City Council adopted a resolution (21-R-62) which modified the PUD Concept Plan to include 16 townhouse dwelling units and 50 empty nester homes on 21.44 acres in Subarea “B” consisting of Subarea “B” at the southern end of the development. Final plats for Sections 2, 3, 5, and 6 were reviewed and approved by the Commission earlier this year.

The applicant is now requesting approval of a Final Plat for the last section of the Courtyards at Carr Farms (Section 4) consisting of 38 single-family lots, private streets and one open space reserve on 13.026 acres. This plat within Subarea “A” encompasses portions of the development along Leppert Road that are located north and west of the stream corridor protection zone.

COMMISSION ROLE:

The Commission is to review the proposed final plat for conformance to the provisions of the Courtyards at Carr Farms PUD Concept Plan and Hilliard Code Section 1188.05. Specifically, the Code provides for the granting of a final plat as specified in Chapter 1188 if the plat design and layout conform to the Hilliard Design Manual and conforms to the approved PUD Concept Plan. Following approval of the final plat, the application will be forwarded to City Council for the acceptance of public improvements. At that time, the applicant may submit plat documents to obtain final signatures for recording.

STAFF RECOMMENDATION:

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

- 1) That an easement be added between Lots 165 and 166 to provide pedestrian connectivity as identified in the approved PUD Concept Plan;

- 2) That the building line on Lot 164 be amended to demonstrate the minimum 52-foot lot width required by the PUD text; and
- 3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

CONSIDERATIONS:

- *Site Description.* The site consists of the northwestern portion of the Courtyards at Carr Farms PUD within Subarea "A". A maximum of 179 lots are permitted within the subarea, as well as the clubhouse and associated amenities. This section includes 38 single-family lots.
- *Development Standards.* Standards for single-family courtyard homes include a 120-foot minimum lot depth, minimum 20-foot front yard, minimum 15-foot minimum setback to sidewalk for corner lots, minimum 5-foot side yard, minimum 12.5-foot rear yard from internal property lines, minimum 65-foot building setback from the eastern and southern overall property boundaries, and minimum 1,400-square-foot floor area. The plat complies with these standards.
- *Minimum Lot Width.* Minimum lot width as required in the PUD text is 52 feet for the platted lots. Because of road curvature, Lot 164 as shown on the plat does not meet minimum width at the building line. The applicant has submitted a revised exhibit that complies, and the plat will be modified accordingly prior to City Council review.
- *Landscape Buffers.* The PUD Concept Plan includes mounding and landscaping along the Leppert Road right-of-way that will be installed as part of the development in accordance with the rezoning.
- *Reserve P.* The reserve is 5.654 acres that includes stormwater management facilities as well as the Leppert Road frontage treatment. The reserve will be owned and maintained by the HOA.
- *Reserve Q.* Private streets within the subdivision are denoted as Reserve Q and will also be owned and maintained by an association comprised of the property owners.
- *Multi-Use Path.* A 10-foot path will be installed along Leppert Road within the right-of-way. The adopted development plan includes a path connection from the Leppert Road right-of-way to Piedmont Drive between Lots 165 and 166. The applicant has agreed to revise the plat to include the easement prior to City Council review.

[END OF REPORT | PLAT-22-9]

Mr. Lewie inquired whether Lots 165 and 166 were in the 500-year floodplain. The City Engineer verified that the plat indicated that the properties were in Zone X.

Vice Chair Schneck asked if a multi-use path would be located along Leppert and inquired where it would connect; Mr. Combs clarified that the path along the Leppert right-of-way would be extended to the north property line and that the path system through the reserves would be extended to connect into the Hayden Run system.

Bryan Dougherty, representing Epcon Communities, addressed the Commission and verified that the plat indicated a 500-year floodplain.

With no additional questions or public comment, Mr. Pannett (seconded by Mr. Gutknecht) made a motion for the approval of the proposed final plat with the following three conditions:

- 1) That an easement be added between Lots 165 and 166 to provide pedestrian connectivity as identified in the approved PUD Concept Plan;
- 2) That the building line on Lot 164 be amended to demonstrate the minimum 52-foot lot width required by the PUD text; and
- 3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

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

CASE 2: PZ-22-60 – VOYLES FAMILY DENTAL – 3511 MAIN STREET

PARCEL NUMBER: 050-002808

APPLICANT: James Voyles, Voyles Family Dental, 3511 Main Street, Hilliard, OH 43026.

REQUEST: Review and approval of variances under the provisions of Hilliard Code Section 1129.08 to increase the maximum permitted sign height from 7 feet to 9 feet and to reduce the minimum required setback from 7.9 feet to 5 feet for a monument-style ground sign.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is 0.6-acre located on the west side of Main Street approximately 275 feet north of Heritage Club Drive. The property is zoned B-2, Community Business District, which was established with Ordinance 14-29 as part of the full zoning code and map revision in 2014. The site includes a multi-tenant retail building constructed in 1973 that includes the dental practice and the Farmer’s Insurance Group office at 3509 Main Street. The property is owned by the applicant/dental practice.

To the north of the site at 3545 Main Street is AutoZone, which is also zoned B-2. Ten Pin Alley (bowling alley) is located to the rear of the site and is also zoned within the B-2, Commercial Business District. HER Realtors is located at 3499 Main Street to the south of the site and is zoned PUD, Planned Unit Development District as part of the Heritage Lakes PUD commercial area on the west side of Main Street. The Resurrection Evangelical Church is located across Main Street to the east and is zoned B-3, Office/Institutional District.

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 that conforms to the requirements and conditions set forth by the Commission.

STAFF RECOMMENDATION:

Staff finds that the depressed elevation of the site and constraints created by adjacent landscaping and utility structures create limitations to visibility given the traffic speed within the corridor. The proposed sign plan will blend with the general character of the area and will not substantially impact surrounding property owners, and staff finds that the proposed signage will meet the general spirit and intent of the Code. Based on these findings, staff recommends approval with the following condition:

- 1) That a sign permit be obtained prior to installation.

CONSIDERATIONS:

- *Visual Obstructions.* To the north of the site, parking lot landscaping for the AutoZone parking lot extends to the power pole located at the right-of-way. A significant number of utility structures and an additional high-power transmission pole are located at the southern property line enclosed by a solid privacy fence, limiting visibility of the site to the south. The site also includes a depressed elevation with the parking lot to the north (AutoZone) being approximately two feet higher than the proposed sign location. The AutoZone parking lot also includes mature evergreen shrubs that extend to the right-of-way and further accentuate the height difference. Staff has reached out to AutoZone on multiple occasions to inquire about removing some shrubbery to improve visibility but has received no response.
- *Sign Area & Height.* The proposed sign face is a 5' x 7' blue cabinet (35 square feet) that will be non-illuminated. The Zoning Code permits up to 50 square feet in area. The applicant has proposed a smaller sign face but is requesting increased height to compensate for the surrounding sight line issues noted above. The requested two additional feet in height is to accommodate the change in elevation.
- *Sign Setbacks.* Code requires a minimum setback of fifteen feet for signs from the right-of-way. This property was granted a setback variance by the Planning and Zoning Commission (05-0042LC) on September 8, 2005, to reduce that requirement to 7.9 feet. This request would be to further reduce the required setback to five feet. The ground sign would be placed in the center of an existing parking space.
- *Landscaping.* As part of the proposed sign improvements, the applicant will remove the parking space to provide a significant area of lawn around the signage. The proposed site modification will reduce impervious surfaces on the site and enhance stormwater infiltration, which is problematic due to the elevation and grading of the entire site.

[END OF REPORT | PZ-22-60]

Vice Chair Schneck inquired about staff communication with Auto Zone regarding the shrubbery and whether some could be removed. Mr. Combs confirmed that removal was not required by Code, but that an inquiry was being made to see if one or two shrubs could be removed to improve visibility. He noted that following a month of inquiry there had been no answer.

James Voyles was present on behalf of the case. He is the property owner and owns the dental practice. He noted that the site was significantly lower than the surrounding properties and that he feels that the variance request is necessary for the sign to be seen. He noted his agreement with the condition in the report.

Ms. Hale inquired if the sign will be illuminated; Dr. Voyles noted that he is only open during the day and it would not be lit.

Mr. Uttley, seconded by Chairman Muether, made the motion for approval with the following condition:

- 1) That a sign permit be obtained prior to installation.

Status:	Approved (6-0) with one condition.
Mover:	William Uttley
Second:	Chairman Jay Muether
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tom Pannett, Eric Gutknecht, William Uttley.

CASE 3: PZ-22-61 – LACON ROAD MULTI-TENANT SIGN – 3700-3720 LACON ROAD

PARCEL NUMBER: 050-009383 (Easthill Acres Subdivision)

APPLICANT: Leibrand Brown Campbell Ltd., 3706 Lacon Road, Hilliard, OH 43026; c/o Rebecca Green, 84 Skyline Drive, South Bloomington, OH 43103.

REQUEST: Review and approval of a sign variance under the provisions of Hilliard Code Section 1129.08 to increase the maximum height from 7 feet to 10 feet, to increase the maximum sign area from 50 square feet to 73.33 square feet and to permit off-premises business identification for a multi-tenant, monument-style ground sign.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is 18.7 acres located on the east side of Lacon Road between Edgecomb Avenue (private) and Easthill Drive (private). The property includes a large industrial building approximately 160,000 square feet in area that includes a variety of tenants. The site, as well as properties to the north, south and west are all located within the M-1, Restricted Industrial District. The primary tenant in the building at 3700-3720 Lacon is Dynomite Apparel. The private access drive to the site (Easthill Drive) also provides sole access to the properties at 3690, 3800, 3808 and 3180 Lacon Road on the north side of the private street). This signage request includes tenant spaces for parcel #050-002859 (3690 Lacon Rd.), parcel #050-003001 (3808 Lacon) and parcel #050-004914 (3810 Lacon) to provide identification for safety services.

In April 2003, the Commission granted conditional use approval for an Enterprise Rent-a-Car (03-0014LC). The Commission also granted a plan modification for the rental car business (04-0006LC) and an additional sign variance in June 2006 (06-0032LC). On November 14, 2003, a sign variance was granted by the Commission to allow on-site directional signage for Premium Beverage Supply (13-0092LC). Since that time, two conditional use requests have been approved by the Commission to permit religious uses as tenant spaces within the building. These included the Liberty Baptist Church (19-048LC) on July 11, 2019, and the Grandview Christian Assembly (20-0528LC) on November 12, 2020. Both approvals included conditions of approval that all signage comply with Code.

Based on lengthy discussion between area tenants and with the Norwich Township Fire Department and staff, the applicant is now requesting variances to the required height and area limitations of the Code for a 73.33-square foot, 10-foot-tall monument ground sign that will provide identification for 13 different tenants that obtain access off the Easthill Drive (private drive).

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 and resolves identification issues that have been brought forth by the Norwich Township Fire Department. Staff finds that the proposed sign plan while exceeding the size and height limitations of the Code will coordinate many businesses in a manner that will prevent sign clutter and enhance the provision of public safety services. Staff finds that the proposed sign plan, while substantial in the request for off-premises tenant panels, will blend with the general character of the area and will not impact surrounding properties in a negative manner. Staff finds that the proposed sign will meet the spirit and intent of the Code given the unique nature of the properties and their access and based on these findings recommends approval with the following seven conditions:

- 1) That no tenants/parcels on the proposed panels are permitted additional ground signage as part of this comprehensive sign plan;
- 2) That the sign be either externally lit or non-illuminated to comply with Code requirements;
- 3) That any future modifications to the proposed multi-tenant sign (other than tenant panel changes) be brought back to the Commission for further consideration; and
- 4) That a sign permit be obtained prior to installation.
- 5) That a detailed floor plan with clearly identified tenant spaces be provided;
- 6) That a zoning certificate and sign permit be obtained for each business; and
- 7) That businesses are permitted no more than one panel on the approved sign.

CONSIDERATIONS:

- *Sign Placement.* The proposed monument sign will be located 20 feet off the Lacon Road right-of-way and meets minimum setback requirements. Within the M-1 zoning district there are no required side setbacks for signage unless the property is adjacent to a residential use. Staff recommends that the sign be placed at least 5 feet from the side property line to accommodate required landscaping surrounding the sign. The monument sign will identify thirteen different tenants that are accessed from the private drive (Easthill Drive). Staff recommends that prohibitions for off-premises signage be waived in this unique case to assist in address identification for emergency services.
- *Sign Height.* Code limits monument signs to a maximum of seven feet from grade. Because of the significant number of tenants being requested, the proposed 10-foot-tall sign would exceed the Code by three feet.
- *Size.* The monument sign includes a 24-inch brick base and will include an overall sign face that will be 110 inches by 96 inches tall. The overall area of the sign face is 73.33 square feet, which exceeds the Code maximum of 50 square feet.

- *Lighting.* No lighting has been indicated for the proposed signage. Staff recommends that Code requirements are met for lighting.

[END OF REPORT | PZ-22-61]

The Commission had no questions for staff.

Present for the applicant was Jim McFarland with Zoningresources.com. Mr. Muether asked if Mr. McFarland was familiar with the seven conditions. Mr. McFarland asked for some clarification as to the type of zoning certificate and what type of sign permit is needed by each business.

Mr. Combs clarified that each individual business was required to have a zoning certificate for a change of use prior to operation. He explained that the fee is \$100. He clarified that regardless of the sign and the individual tenant panels, that every business should have one and that it will be addressed by Zoning Enforcement.

Mr. Talentino discuss the sign permit and that there would be one original permit for the sign and its tenant panels. If one of the panels are changed out in the future following initial installation, each business would be responsible for a separate sign permit for that new panel. He clarified that every sign permit requires an approved zoning certificate to be able to grant the sign permit. Mr. Talentino noted that in working with the fire department staff became aware of the issue that there are problems with locating the tenants.

Mr. McFarland asked if there were any current violations with the tenants. Mr. Talentino noted that he was not aware of any pending violations. He also noted that the city has changed software recently and that the City would honor any original certificates if the owner has a copy. Mr. Talentino clarified that the permit fee would be \$150 for the new construction and that any future tenant change would be \$100 per panel. He noted that tenants are also allowed to have a wall sign and would need to have appropriate addressing for safety services.

Mr. McFarland inquired about the floor plan as a condition; Mr. Talentino noted that the floor plan is the only way to determine parking requirements and to see if any modifications have been made inside the building that require review. He also explained that dimensions and placement of the tenant space is necessary to calculate sign area.

Mr. McFarland asked if the sign could be increased if additional tenants are identified. Mr. Talentino confirmed that the Commission would need to approve any size increase and that the panels could also be adjusted to accommodate more tenants.

Mr. Gutknecht inquired if we should add the word “future” on condition number six. Mr. Talentino noted that the condition addresses future tenants and that each original tenant would be covered under the original permit.

Chairman Muether, seconded by Mr. Uttley, made a motion to approve with the following seven conditions:

- 1) That no tenants/parcels on the proposed panels are permitted additional ground signage as part of this comprehensive sign plan;
- 2) That the sign be either externally lit or non-illuminated to comply with Code requirements;
- 3) That any future modifications to the proposed multi-tenant sign (other than tenant panel changes) be brought back to the Commission for further consideration; and
- 4) That a sign permit be obtained prior to installation.
- 5) That a detailed floor plan with clearly identified tenant spaces be provided;
- 6) That a zoning certificate and sign permit be obtained for each business; and
- 7) That businesses are permitted no more than one panel on the approved sign.

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

CASE 4: PZ-22-62 – MILLER PIPELINE – 4990-5320 SCIOTO DARBY ROAD

PARCEL NUMBERS: 050-002800, 050-003002 & 050-002343

APPLICANT: D&D Property Management LLC, 8850 Crawfordsville Road, Indianapolis, IN 46234; Don & Dale Miller, 4990 Scioto Darby Road, Hilliard, OH 43026; c/o Chad Lowe, Miller Pipeline, 5000 Scioto Darby Road, Hilliard, OH 43026.

REQUEST: Review and approval of a sign variance under the provisions of Hilliard Code Section 1129.08 to reduce the minimum setback for three 18-square-foot ground signs and two flag poles from 15 feet to 0 feet.

[Mr. Combs gave the staff report]

BACKGROUND:

The site includes three parcels located along the northern side of Scioto Darby Road. The properties at 4990-5320 are leased by Miller Pipeline and are located 130 feet southeast of Jill Lane and approximately 350 feet northwest of Reed Point Drive. The site is adjacent to the Luxair Addition subdivision to the northwest, which is zoned R-2, Low/Medium Density Residential District. The rear of the properties is bounded by the Norfolk Southern rail property. Across Scioto Darby Road from the site are homes within the Conklin Subdivision (zoned R-2) and the Nightingale Estates, which is zoned R-3, Moderate Density Residential District. Properties to the southeast of the site on the same side of the road include a range of commercial businesses that are zoned B-2, Community Business District, similar to the parcels included in this proposal. The adjacent site at 4984 Scioto Darby includes multi-tenant uses.

The applicant is requesting a variance to reduce the required setback for signs from 15 feet to zero feet for the installation of three 18-square-foot, two-post signs and two flagpoles

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 modified based on comments contained within this report. Staff finds that as amended, 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 may meet the spirit and intent of the Code as modified and based on these findings, recommends approval with the following four conditions:

- 1) That a zero setback for flag poles be approved contingent upon the applicant/property owner being responsible for any damages to and/or costs incurred to flag poles as a result of utility or infrastructure work within the public right-of-way;
- 2) That the proposal be limited to two (2) signs that are placed a minimum of five feet from the right-of-way;
- 3) That any future increase in sign size, height or change in sign type be brought back to the Commission for additional review; and
- 4) That sign permits be obtained for each sign prior to installation.

CONSIDERATIONS:

- *Site Characteristics.* The site includes three curb cuts onto Scioto Darby Road - one for each of the three parcels. The right-of-way along Scioto Darby is 80 feet in width (± 40 feet from centerline). Signage is required by Code to be placed a minimum of 15 feet from the edge of the right-of-way (± 55 feet from centerline). The applicant has indicated visibility problems for delivery trucks and is requesting variances to the required setbacks to alleviate on-site circulation problems with deliveries.
- *Code Enforcement.* The proposed signs were originally placed within the public right-of-way without authorization or an approved sign permit. Upon notification by Code Enforcement, the applicant removed the signs and submitted a variance application for the proposed signs.
- *Flag Poles.* Upon reviewing the sign application, it was determined that the existing flag poles are also located within the public right-of-way and must be removed. The flag poles are proposed to be moved straight back toward the parking lot to be relocated just outside of the right-of-way in order to still utilize existing uplighting without impacting the parking lot. Staff recommends that the setback reduction be permitted with the condition that the applicant waive municipal/utility company responsibility for any costs associated with relocation and/or damage incurred due to work within the right-of-way.
- *Proposed Sign Package.* The applicant is requesting a total of three sign locations that would be placed at the right-of-way line (zero-foot setback). The signs include a two-post design with a sign face that is 18 square feet in area (3' x 6'). Staff finds that given the nature of the requested variance, there is no need for the equivalent of three business identification signs and recommends that the sign proposal be limited to two signs placed a minimum of five feet from the right-of-way. Staff also recommends that limitations should be established so that any sign change that increases overall size or changes the type of sign be brought back to the Commission for additional consideration in light of the variances.

[END OF REPORT | PZ-22-62]

Status:	Motion to postpone approved (6-0).
Mover:	Mr. William Uttley
Seconder:	Mr. Chris Lewie
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Chris Lewie, Tom Pannett, Eric Gutknecht, William Uttley.

CASE 5: PZ-22-63 – ECO PARK – 3401 MILL RUN DRIVE

PARCEL NUMBER: 050-006467

APPLICANT: Entrotech 3401 LLC, 1245 Kinnear Road, Columbus, OH 43212; c/o Leland Vogel, Como Development, 5405 Red Bank Road, Galena, OH 43021.

REQUEST: Review and approval of a revised PUD Final Development Plan under the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan for a 15,000-square-foot addition to the existing building, a new 36,000-square-foot building and a 0.36-acre fenced outdoor storage area.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is 10.17 acres located on the southwest side of Mill Run Drive within the Mill Run PUD. To the south and east of the site are the Players Club at 3333 Mill Meadow Drive and the Mill Run Rehabilitation Center at 3399 Mill Run Drive. North of the site is the office building at One Mill Run, and across Mill Run Drive is the Upper Arlington Lutheran Church. All properties are located within the Mill Run PUD. The site also backs up to I-270 and the CSX railroad line where it crosses I-270. The future Amazon Data Center complex on Scioto Darby Road is located on the opposite side of the interstate.

City Council passed Ordinance 85-43 in 1985 to establish the Mill Run PUD, which covers approximately 199 acres on the east side of I-270. On September 8, 1997, Resolution 97-C-32 was adopted by City Council to approve the PUD Development Plan for construction of the two-story office building and parking lot on the site. The Ohio State Medical Association in December 2014 requested a development text modification from the Commission to expand the uses, update parking requirements and to modify building and pavement setbacks for the site. That change was adopted by Council through Resolution 15-R-01 in January 2015 and the text modifications are listed on the PUD Development Plan for the site. Following adoption of the text modifications, the property was sold by OSMA to the current owner, Entrotech in July of 2015.

The applicant is requesting approval of a revised PUD Final Development Plan to expand the existing office building and construct an additional building with parking and related storage area. Following approval by the Commission, the applicant would be able to submit for permits.

COMMISSION ROLE:

The Commission is to review this revised final development plan application for conformance to the PUD provisions of the Zoning Code as outlined in Chapter 1117. Specifically, the Code provides for the granting of final development plan approval under the criteria as outlined by Section 1117.06:

- Whether the proposed development is consistent with the purposes and conditions of the PUD Zoning District;
- Whether the proposal is consistent with the Hilliard Comprehensive Plan and is compatible with existing and potential uses around the property;
- Whether the layout and design is harmonious with the natural character of the surrounding area and site and employs best management practices;
- Whether the proposed project will place undue burden on public facilities and services;
- Whether the PUD will contain uses or conditions that may be injurious to the public health, safety and welfare;
- Whether the proposed development conforms to Code requirements unless specifically modified and approved in accordance with Chapter 1117;
- Whether the final development plan is generally consistent with the approved Concept Plan; and

- Whether the approval will result in a recognizable and substantial benefit to users of the project and the community, which would not otherwise be feasible under conventional zoning districts.

Following approval by the Commission, the applicant can move forward with final engineering and submit for permits to begin construction of the proposed improvements according to the requirements of the Code and conditions set forth by the Commission.

STAFF RECOMMENDATION:

Staff finds that the proposed revised final development plan meets the intent of the Mill Run PUD and the adopted zoning text provisions. Staff finds that the proposed development plan preserves and utilizes existing site amenities in a manner that will thoughtfully minimize impacts on adjacent properties and the surrounding area. Staff finds that the proposed development is generally consistent with the intent of the Code and the Comprehensive Plan and as modified herein and based on these findings, recommends approval with the following five conditions:

- 1) That detailed stormwater design be finalized to the satisfaction of the City Engineer;
- 2) That landscape plans are modified as noted in this report to meet provisions of the Code, subject to staff approval;
- 3) That the site plan and be adjusted to include additional parking spaces or that floor plans for the existing office be provided that demonstrate additional spaces are not required;
- 4) That tree survey/tree replacement information be updated to include individual tree information as required by Code; and
- 5) That a revised lighting plan with isocandella measurements be provided that demonstrates Code compliance.

CONSIDERATIONS:

- *Existing Building.* The existing 36,000-square-foot office building includes a predominantly concrete panel finish on the south and west elevations, while the north and east elevation are glass panels. A black block wall is provided around courtyard space that integrates into the front elevation of the building. Visibility of the site from I-270 is limited due to elevation differences and vegetation. The existing building and parking lot are set back significantly from Mill Run Drive.
- *Required Setbacks.* The adopted PUD text for this site requires a 70-foot building setback along I-270, as well as a 50-foot setback from Mill Run Drive and 20 feet along all other property lines. A 20-foot pavement setback is required around the entire perimeter of the site. Proposed improvements comply with these requirements.
- *Architectural Requirements.* The PUD text for 3401 Mill Run Drive requires that “Building architecture shall be consistent with the existing building, and there will be consistent quality of architectural design and use of material on all sides of any building.”
- *Building Addition.* Proposed improvements include a 15,000-square-foot addition to the southern end of the office building. Plans will extend the black brick treatment of the office through the elevations facing toward Mill Run Drive. Primary materials for the addition will be a galvanized metal siding that will blend with the concrete finish of the building. The addition will include two overhead doors facing south and two facing east toward Mill Run Drive. The proposed metal paneling will update the aging appearance of the concrete and glass façade.
- *New Building.* A 36,000-square-foot building is proposed on the eastern edge of the site adjacent to the Mill Run Rehabilitation Center (assisted living facility). The proposed 36,000 square foot building will provide flex space that includes warehouse space with an office component. Proposed architecture will coordinate with the primary building and include a combination of wide-ribbed galvanized metal and a smaller-ribbed charcoal gray metal. Portions of the building finished in the charcoal gray will project 8 inches in front of the galvanized finish to create depth and shadowing. The

shapes, textures and change in elevation are intended to decrease the scale of the building, particularly as it faces the adjacent property. The elevation facing the assisted living facility will also include treatments to mimic windows and include significant landscape screening to augment the already installed mounded and landscaped buffer. The proposed location of the building will screen noise from the service yard, as well as from I-270 for the adjacent property, which has service areas and a rear/emergency entrance facing toward landscape buffering along the property line.

- *Traffic Impacts.* The proposed expansion is expected to generate an additional 34 to 36 vehicles during peak hours and will not have significant impact. This general area of Mill Run was planned to include premium office uses that would have a far greater impact during peak hours. The site is located within the interior of Mill Run Development which has lower traffic counts.
- *Parking.* The existing 36,000-square-foot office building was constructed with 224 parking spaces. The proposed expansion will eliminate 20 spaces but incorporate an additional 78 spaces. Net parking for the site as identified is 182 spaces. Required parking as noted in the table below totals 190 spaces. Paved areas can easily accommodate additional spaces; in addition, this calculation is an estimate of the existing office which could be overestimated due to non-usable area within the building. Staff recommends that additional parking be striped to comply with Code or that detailed floor plans be provided that demonstrate no additional need for parking per Code.

CONSTRUCTION	SIZE	REQD PARKING	# SPACES
Existing Building (36k)	Office 36,000*	1 per 300 sf	120 spaces*
Building Addition (15K)	Storage 15,000 sf	1 per 800 sf	18.75 spaces
New Construction (36K)	Storage 33,000 sf	1 per 800 sf	41.25 spaces
	Office 3,000 sf	1 per 300 sf	10.00 spaces
		Required:	190 spaces*

*assumes that all space in the existing office is Usable Floor Area (UFA) as defined by Code.

- *Stormwater Management.* Basins are proposed along the Mill Run Drive entrance drive and adjacent to the wooded area along the I-270/railroad corridor where outdoor storage is proposed. All final stormwater design will be required to meet the City Engineer’s minimum requirements.
- *Landscaping.* Landscaping for the project is required to comply with Code. The submitted plans are generally consistent with Code and have been reviewed and approved by the City’s arborist. Staff will work with the applicant to finalize detailed spacing and placement of shrubs and trees during the permit process. Staff recommends that additional information regarding the tree survey and replacement be provided to verify Code compliance and that additional landscape areas be provided where necessary around the buildings to meet foundation planting and screening requirements.
- *Signage.* The PUD text for this site requires that signage comply with Code requirements. No signage has been proposed, but any necessary variances would be brought back to the Commission for consideration.
- *Lighting.* Proposed lighting for the project includes cut-off fixtures that will be no more than 20 feet in height. Lighting is generally consistent with Code, and updated lighting plans with isocandella measurements will be required as part of the permit process.
- *Outdoor Storage/Service.* A gravel service yard is proposed along the south side of the project and will be screened by the existing vegetation and elevation change with I-270. The gravel service area is necessary for the loading and unloading of large equipment. The lot will be used for parking vehicles and equipment. Any outdoor storage of materials will require a PUD text modification to be approved by City Council. The service yard will be enclosed by a 6-foot tall chain link fence with black slats that complies with Code. Dumpsters will include a galvanized metal enclosure to match the buildings.

[END OF REPORT | PZ-22-63]

Mr. Muether inquired about condition number three regarding parking and the floor plan. Mr. Combs explained that the applicant adding parking spaces. One bay of parking will be adjusted or removed to accommodate the building addition. He noted that the southern half of the site will include all new parking.

Vice Chair Schneck inquired about the dumpster enclosure, and Mr. Combs clarified that because of the nature of the business greater access to the dumpster by their work trucks is necessary. He said the placement will be in the middle of a large, paved area.

Mr. Lewie inquired about a curb cut off the cul-de-sac for southern access. Mr. Combs stated that it is to help break up trips of cars and service vehicles. He noted that the traffic impact study in the Commission's packet showed little impact and has been approved by Engineering.

Leland Vogel of Como Development spoke on behalf of the applicant and concurred with the conditions noted in the staff report. He explained for Mr. Lewie that they would be renovating the existing building and will be power washing the exterior and repairing windows.

Vice Chair Schneck inquired about the tenant in the building. Ms. Clodfelder clarified that the application was named Eco Park and because the Council agenda had been published she could note for the record that the company is Eco Plumbers.

Vice Chair Schneck, seconded by Chairman Muether, made a motion to approve a revised PUD Final Development Plan under the provisions of Hilliard Code Section 1117.08 and the Mill Run PUD Concept Plan for a 15,000-square-foot addition to the existing building, a new 36,000-square-foot building and a 0.36-acre fenced outdoor storage area with the following five conditions:

- 1) That detailed stormwater design be finalized to the satisfaction of the City Engineer;
- 2) That landscape plans are modified as noted in this report to meet provisions of the Code, subject to staff approval;
- 3) That the site plan and be adjusted to include additional parking spaces or that floor plans for the existing office be provided that demonstrate additional spaces are not required;
- 4) That tree survey/tree replacement information be updated to include individual tree information as required by Code; and
- 5) That a revised lighting plan with isocandella measurements be provided that demonstrates Code compliance.

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

CASE 6: PZ-22-64 – TRUEPOINTE – WEST SIDE OF TRUEMAN BOULEVARD APPROXIMATELY 1,500 FEET SOUTH OF DAVIDSON ROAD

PARCEL NUMBER: 050-003043

APPLICANT: Trueman Boulevard LLC, 4653 Trueman Boulevard, Suite 100, Hilliard, OH 43026; c/o Shawn Boysko, Equity Construction Solutions, 4653 Trueman Boulevard, Suite 200, Hilliard, OH 43026.

REQUEST: Review and approval of a PUD Final Development Plan under the provisions of Hilliard Code Section 1117.08 and the SOMA Company PUD Concept Plan for a development consisting of 15 building lots, 359 multi-family dwelling units in 5 buildings, a 6-story parking garage with 616 parking spaces, and a 6-story parking garage with 708 parking spaces on 27.73 acres.

[Mr. Talentino gave the staff report]

BACKGROUND:

The overall site consists of two parcels totaling 27.73 acres located on the west side of Trueman Boulevard approximately 1,500 feet south of Davidson Road. The site has approximately 1,900 feet of frontage on Trueman Boulevard and approximately 2,010 feet of frontage along I-270. On October 26, 1998, City Council approved a rezoning by ordinance (98-36) to create the Soma Company PUD which consists of approximately 146 acres on the east side of I-270 between Davidson Road and Cemetery Road. On August 11, 2022, Council approved a resolution (22-R-58) to modify the Soma Company PUD development text for Subareas 5 and 6 to create a mixed-use development that includes office, commercial, restaurant, hotel, and residential uses on 27.73 acres. The applicant is now requesting a Final Development Plan for a development consisting of 15 building lots, 359 multi-family dwelling units in 5 buildings, a 6-story parking garage with 616 parking spaces, and a 6-story parking garage with 708 parking spaces.

COMMISSION ROLE:

The Commission is to review this final development plan application for conformance to the PUD provisions of the Zoning Code as outlined in Chapter 1117 and to the provisions of the Soma Company PUD Concept Plan. Specifically, the Code provides for the granting of final development plan approval under the criteria as outlined by Section 1117.06:

- Whether the proposed development is consistent with the purposes and conditions of the PUD Zoning District;
- Whether the proposal is consistent with the Hilliard Comprehensive Plan and is compatible with existing and potential uses around the property;
- Whether the layout and design is harmonious with the natural character of the surrounding area and site and employs best management practices;
- Whether the proposed project will place undue burden on public facilities and services;
- Whether the PUD will contain uses or conditions that may be injurious to the public health, safety and welfare;
- Whether the proposed development conforms to Code requirements unless specifically modified and approved in accordance with Chapter 1117;
- Whether the final development plan is generally consistent with the approved Concept Plan; and
- Whether the approval will result in a recognizable and substantial benefit to users of the project and the community, which would not otherwise be feasible under conventional zoning districts.

Following approval by the Commission, the applicant can move forward with final engineering and submit for permits to begin construction of the proposed improvements according to the requirements of the Code and conditions set forth by the Commission.

STAFF RECOMMENDATION:

Staff finds that the proposal, as amended in the conditions listed below, is consistent with the provisions of the Soma Company PUD Concept Plan. Based on this finding, staff recommends approval of the PUD Final Development Plan with the following nine conditions:

- 1) That the PUD Development Text is revised to permit both parking garages to be a maximum of 6 stories in height and to reduce the minimum vehicular use area setback to 0 feet from the north boundary;
- 2) That the graphics on the fiber mesh graphic panels and any signage on the garage buildings are reviewed concurrently for approval by the Planning and Zoning Commission;
- 3) That the signage plans are revised as follows:

- a) Signage on the west sides of the garage buildings shall be architecturally integrated into the building, and aesthetically harmonious with its surroundings consistent with the general objectives of the Graphics and Sign Code;
 - b) Push-thru letters shall extend no farther than ¼-inch from the sign face;
 - c) Eliminate the internally-illuminated band from the vertical blade sign on Building “A”;
- 4) That a fee in lieu of land dedication be provided consistent with the provisions of Code Section 1187.06;
 - 5) That the plans are revised to show the multi-use path will be located along the site perimeter to be counted as a recreational amenity for the overall development;
 - 6) That the plans be revised to show 697 caliper inches of replacement trees will be provided;
 - 7) That building elevation drawings showing all roof top mechanical units will be screened to the full height of the unit consistent with the provisions of the PUD text be submitted with the building permit application;
 - 8) That cross-access easements between the site and the adjacent property to the north are recorded, subject to the approval of the Law Director; and
 - 9) That emergency vehicle access shall meet the requirements of Norwich Township Fire Department.

CONSIDERATIONS:

- The site consists of Soma Company PUD Subarea 5. Permitted uses in Subarea 5 include office, retail, restaurant, residential (a maximum of 367 dwelling units), hotel, parking garages, and outdoor spaces and amenities. Access to the site will be from the three existing access points on Trueman Boulevard, and from an access drive connection from the adjacent property to the north.
- The proposed plan shows 15 building lots for the overall development. A parking garage is shown in the northwest portion of the site, and multi-family residential buildings (including a parking garage) are shown in the southern portion of the site. A multi-use path is proposed to encircle most of the site. It extends from the sidewalk along Trueman Boulevard westward along the northern property boundary to the western edge of the development. The path then travels southward along approximately one half of the I-270 frontage, through the multi-family buildings and eastward to the sidewalk along Trueman Boulevard. **[Staff recommends that the plans be revised to show the multi-use path will be located along the site perimeter to be counted as a recreational amenity for the overall development.]**
- Minimum building setbacks from the overall Subarea 5 boundary are as follows: 0 feet from the north, 5 feet from the south, 40 feet from the east, and 50 feet from the west. The proposed plan conforms to these setbacks. Minimum vehicular use area setbacks from the overall Subarea 5 boundary are as follows: 20 feet from the north, 20 feet from the south, 25 feet from the east, and 60 feet from the west. The proposed plan conforms to these setbacks except for 8 parking spaces located immediately west of the access drive connection to the adjacent property to the north. **[Staff recommends that the PUD text be revised to reduce the minimum setback for these parking spaces.]**

Multi-family Dwellings:

- Plans show a total of 359 dwelling units in 5 buildings. The plan features Building “A” which is 5 stories in height, has 215 dwelling units and is connected to the South Parking Garage (Building “C”). Building “A” is approximately 63 feet in height at the highest point which is less than the maximum 75-foot height permitted in the text. Building “A” features a communal courtyard area with an outdoor pool and has 28 studio dwelling units, 100 one-bedroom dwelling units, 79 two-bedroom dwelling units, and 8 three-bedroom dwelling units. Four buildings are identified as Building “B” which are 3 stories in height and have 36 dwelling units each. Building “B” is approximately 35 feet in height at the highest point which is less than the maximum 60-foot height permitted in the text. Each Building “B” has 6 studio dwelling units, 18 one-bedroom dwelling units, and 12 two-bedroom dwelling units. The maximum total impervious coverage permitted per the text is 80 percent. A trash enclosure area is proposed in the

southwestern portion of the site. The text requires trash receptacles to be screened from view on three sides by a solid masonry or wood framed wall (not concrete block) compatible with building materials on 3 sides and a metal or wood gate on the fourth side. **[Staff recommends that the plans be revised to specify the total impervious coverage.]**

- **Required parking** for the multi-family dwellings is 628 parking spaces based on 1.75 spaces per dwelling unit. The proposed plan shows 670 residential parking spaces including 230 uncovered surface parking spaces, 215 parking spaces within the south garage, 95 shared uncovered surface parking spaces, and 130 shared parking spaces within the south garage. Proposed two-way parking aisles are not less than 24 feet in width consistent with the Code. Parking spaces all meet the required minimum 9-foot width and 18-foot length.
- **Park land fee in lieu of land dedication:** Section 1187.06(c) of the Zoning Code requires land dedication for recreational facilities in the amount of 10 acres per 1,000 residents anticipated in the proposed development. A fee in lieu of land dedication for the purpose of providing park and recreation facilities to serve the future residents may be authorized by the City. Based on 152 one-bedroom (or studio) dwelling units, 91 two-bedroom dwelling units, and 8 three-bedroom dwelling units, and one person per bedroom, required park land dedication would be 5.02 acres. The fee in lieu of land dedication would be 5.02 acres multiplied by the appraised per acre value of the land to be developed.
- **Architecture:** The PUD Development Text specifies architectural standards for residential buildings and includes conceptual renderings to show examples of the quality of design and exterior materials. The proposed plans are consistent with the standards in the PUD Development Text. Roof top mechanical units are not shown and must be screened to their full height consistent with the text requirements. **[Staff recommends that building elevation drawings showing all roof top mechanical units will be screened to the full height of the unit consistent with the provisions of the PUD text be submitted with the building permit application.]**
- Exterior elevations consist of a combination of red brick (Glen Gery “Monticello”), tan brick (Belden “Dutch Gray Velour”), cast stone (Custom Cast Stone “Sandstone”), metal panel (Sobotec Alucobond “Anodic Clear Mica”) fiber cement panel lap siding (HardiePlank “Night Gray”, “Pearly Gray”, “Sherwin Williams 7007 “Ceiling Bright White”, and Sherwin Williams 7069 “Iron Ore”), dark gray and light gray metal coping (Dimensional Metals, Inc. “Metallic Silver”, “Charcoal Gray”, and “Slate Gray”), black aluminum store front framing, and black and white windows.

North & South Parking Garages:

- The PUD Development Text requires commercial building design and materials to be consistent and compatible with the buildings along the I-270 outer belt between Cemetery Road and Sawmill Road. The plans show a 6-story, 241,552-square-foot north garage building with 708 parking spaces, and a 6-story, 205,206-square-foot south garage building with 616 parking spaces. **[The text specifies a maximum height of five stories. Staff recommends that the text be revised to permit the six stories.]**
- Building elevations indicate the predominant exterior material will be precast concrete. Fiber mesh graphic panels will be featured along the length of each elevation with a consistent rhythm that gives a complimentary appearance to the office and residential buildings. The panels are to help conceal vehicles from view and to de-emphasize the scale of the garage buildings so that they become secondary to the office buildings along the freeway. The graphics that will be applied to the panels have not been finalized. **[Staff recommends that the graphics be provided for review and approval by the Planning and Zoning Commission.]**

Landscaping:

- The proposed landscape plans show that 90 existing trees totaling 1,750 caliper inches will be removed from the site. Replacement trees for the overall site must be not less than 697 caliper inches as required per Code; however, the plans indicate that only 438 caliper inches of replacement trees will be provided.

[Staff recommends that the plans be revised to show 697 caliper inches of replacement trees will be provided.] The plans specify 244 caliper inches of trees will be planted based on 243,660 square feet of surface covered by structure, consistent with the provisions of the Zoning Code.

Site Lighting:

- The proposed plans conform to the provisions of the Zoning Code and the Hilliard Design Manual concerning light trespass. The PUD Development Text requires lighting fixtures to be cut-off type and not more than 25 feet in height. Light poles and standards shall be either black or dark bronze in color.

Proposed Signage:

- Proposed signage for the development includes the following:
 - 1) ID-01: 12-foot-tall, 84-square-foot (7.9'x10.6') ground sign with halo illuminated letters located at the main entrance into the site near the midpoint of the Trueman Boulevard frontage and not less than 15 feet from the Trueman Boulevard right-of-way line. The sign features a two-foot-tall base, "Truepointe" in text, and 5 tenant panels.
 - 2) ID-02: 7-foot-tall, 50-square-foot ground sign with halo-illuminated letters located at the site's northern entrance and not less than 15 feet from the Trueman Boulevard right-of-way line. The sign features a two-foot-tall base and the company name.
 - 3) ID-03: 7-foot-tall, 50-square-foot ground sign with halo-illuminated letters located at the site's southern entrance and not less than 15 feet from the Trueman Boulevard right-of-way line. The sign features a two-foot-tall base and the True Lofts name.
 - 4) RE-01: 12-square-foot, halo-illuminated wall sign on the west elevation of the southernmost residential building. It features "Truepointe Lofts" in text. **This sign appears to be larger than 12 square feet and staff recommends that the size be confirmed.**
 - 5) RE-02: 140-square-foot, 3-sided vertical blade sign located on the east elevation of Building "A". The sign features push-thru letters with opaque faces on the north and south sides, and an internally-illuminated white band on the east side. The Sign Code permits push-thru letters to extend ¼-inch from the sign face. **The proposed push-thru letters extend ¾-inch from the sign face and must be revised to meet the Sign Code. The proposed internally-illuminated band is not permitted per Code and must be revised accordingly.**
 - 6) RE-03: 1-square-foot, halo-illuminated wall sign located on the east elevation of Building "A" over the entrance door. The sign features "Truepointe Lofts" in text. **This sign appears to be larger than 1 square foot and staff recommends that the size be confirmed.**
 - 7) DV-01: 2,125-square-foot, internally-illuminated wall sign on the west elevation of the south parking garage. The sign features "Truepointe the Residences" in channel letters. **[Staff finds that this sign gives the appearance of a billboard sign instead of a sign that is architecturally integrated into the building. Staff recommends that this sign be revised to be consistent with the objectives of the Graphics and Sign Code.]**
 - 8) FG-01: Two wall signs totaling 4,500 square feet located on the west side of the north garage building. **[Staff finds that this sign gives the appearance of a billboard sign instead of a sign that is architecturally integrated into the building. Staff recommends that this sign be revised to be consistent with the objectives of the Graphics and Sign Code.]**
 - 9) Tenant signage for individual buildings and commercial tenants will have sizes equal to one square foot of sign area for each linear foot of building/tenant space frontage. Each sign will conform to the Sign Code concerning illumination unless otherwise approved by the Planning and Zoning Commission.
 - 10) Directional signage is shown in various locations throughout the site. These signs will be externally illuminated. The Sign Code permits directional signage to be a maximum of 3 feet in

height and a maximum of 2 square feet in size. Details concerning directional sign height and size have not been provided.

[END OF REPORT | PZ-22-64]

During the presentation Mr. Talentino corrected the caliper inches of tree replacement from 875 to 697, which follows the PUD text. He clarified for Mr. Uttley that the signage has a commercial purpose and provided a description. Mr. Uttley recommended that the Hilliard Arts Commission be involved in the design of the parking garage graphics as a unique opportunity for the community.

Mr. Pannett asked for clarification of the 697 caliper inches; Mr. Talentino confirmed that the number is the minimum number of inches that must be replaced. Mr. Talentino also explained the shared parking provision between the residential units, office building and other public areas (particularly with the garages) allows for more greenspace within the overall plan that are distributed throughout as small spaces. He noted that part of the greenspace provided includes the utility easement along I-270 and the setback along Trueman Boulevard.

Vice Chair Schneck inquired about how parking would be differentiated between residential and commercial uses. Mr. Boysko, representing the applicant, indicated that there is not a plan in place at this time, but the upper two levels of the south parking garage will include 215 spaces for the attached multi-family units. Both garages are intended to be public parking otherwise.

Mr. Lewie inquired if there were any elevated walkways. He also noted that with the size of the buildings and signs, it would be a unique opportunity for Central Ohio and to work with the Arts Council on them.

Mr. Talentino clarified that there are surface sidewalk connections but not any raised/elevated connections. He said that staff is willing to work with anyone who is interested. [Vice Chair Schneck noted that on the record.]

Representatives for the applicant were introduced as Shawn Boysko with Equity Construction Solutions (ECS), Ellen Puckett with MKSK Landscape, John Iman with MA Design responsible for Architecture, Kyle Weber with Kleingers Group as the Civil Engineer, Dave Jones President of ECS and others.

Mr. Uttley inquired if they would be willing to work with the Arts Council. Mr. Boysko responded that there are five acres of park area within the development that will provide the opportunity for public art. The panels on the garages are going to be branded to the particular tenants of the office. Mr. Boysko indicated that they are a larger entity with strong opinions about the branding of the signage. He indicated the company is someone regionally and you'll recognize it when you see them.

Mr. Boysko stated that they are removing 90 trees and replacing them with 500 to reforest the property as much as possible. He explained that there are no trees along Trueman Boulevard because of an easement. He said that the applicant is looking for approval of the fiber mesh panels and the size and lettering of the sign panels. He noted that the applicant will come back once they can provide the branding. He wanted feedback on the location of the sign panels and explained that the fabric panels need to be subdued to allow the sign panels to have greater visibility. He stated for Vice Chair Schneck that the signs are illuminated and that there are different options for the light source.

Mr. Gutknecht, seconded by Mr. Lewie, made a motion to approve the PUD Final Development Plan with the following nine conditions:

- 1) That the PUD Development Text is revised to permit both parking garages to be a maximum of 6 stories in height and to reduce the minimum vehicular use area setback to 0 feet from the north boundary;
- 2) That the graphics on the fiber mesh graphic panels and any signage on the garage buildings are reviewed concurrently for approval by the Planning and Zoning Commission;

- 3) That the signage plans are revised as follows:
 - a. Signage on the west sides of the garage buildings shall be architecturally integrated into the building, and aesthetically harmonious with its surroundings consistent with the general objectives of the Graphics and Sign Code;
 - b. Push-thru letters shall extend no farther than ¼-inch from the sign face;
 - c. Eliminate the internally-illuminated band from the vertical blade sign on Building “A”;
- 4) That a fee in lieu of land dedication be provided consistent with the provisions of Code Section 1187.06;
- 5) That the plans are revised to show the multi-use path will be located along the site perimeter to be counted as a recreational amenity for the overall development;
- 6) That the plans be revised to show 697 caliper inches of replacement trees will be provided;
- 7) That building elevation drawings showing all roof top mechanical units will be screened to the full height of the unit consistent with the provisions of the PUD text be submitted with the building permit application;
- 8) That cross-access easements between the site and the adjacent property to the north are recorded, subject to the approval of the Law Director; and
- 9) That emergency vehicle access shall meet the requirements of Norwich Township Fire Department.

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

CASE 7: PZ-22-65 – THE PAINT SHOP NAIL STUDIO – 4227 AVERY ROAD, SUITE A

PARCEL NUMBER: 050-000950

APPLICANT: SOI Properties #7, LLC. 4673 Cranleigh Court, Dublin, OH 43016; represented by Rachel Shadwick, 1515 County Road 61, Caledonia, OH 43314; and Fast Signs of Pickerington-Reynoldsburg, 201 Clint Drive, Suite 500, Pickerington, OH 43147.

REQUEST: Review and approval of a sign variance under the provisions of Hilliard Code Section 1129.08 to increase the permitted number of colors for a 24-square-foot tenant sign panel.

[Mr. Combs gave the staff report]

BACKGROUND:

The site is located on a 0.368-acre parcel that is part of a 0.86-acre gas station located at the southwest corner of Avery Road and Dexter Avenue 80 feet north of Northwest Parkway. The property is zoned B-1, Neighborhood Business District and includes a Circle K gas station and convenience store and two additional tenant spaces within the ±7,250-square foot building. The additional tenant space includes a Century 21 real estate office and the former space of the Faith Driving School. Properties directly to the west are also zoned B-1 and include Ohio State Bookkeeping and One Call Lawn Care. To the north and west are residential properties zoned R-2, Low/Medium Density Residential District as part of the Avery Subdivision. R-2 properties to the south are residences that are part of the Morningside Addition subdivision, and those across Avery Road to the east are also zoned R-2 and include single-lot residences and the Hilliard Church of Christ.

The applicant is requesting a variance to increase the limit of four colors to install a 24-square foot wall sign panel above the southern building entrance at 4227 Avery Road.

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 that conforms to the requirements and conditions set forth by the Commission.

STAFF RECOMMENDATION:

Staff finds that the proposed sign as requested is generally consistent with the spirit and intent of the Code and will blend with the general character of the surrounding area. Staff finds that the proposed sign variance is not substantial and will not be detrimental to surrounding property owners. Based on these findings, staff recommends approval with the following four conditions:

- 1) That the increase in colors pertain only to this proposed tenant and that any change be brought back to the Commission for consideration;
- 2) That the applicant obtains all necessary building permits for the tenant retrofit;
- 3) That a zoning certificate be obtained prior to operation of the proposed use; and
- 4) That a sign permit be obtained prior to installation of the proposed signage.

CONSIDERATIONS:

- *Sign Placement.* The proposed sign panel will be placed above the southern entrance to the tenant suites within the building. Configuration for the building includes two 4'x6' panels (24 square feet each) symmetrically placed above the entrance. The proposed sign will replace the existing Faith Driving School panel and will utilize existing external illumination..
- *Colors.* Code limits the number of colors on signs to a maximum of four. The logo of the business proposed for this location includes paint splotches that have varying gradations of five colors. Strictly limiting the colors would significantly impact the design intent of the logo. Given the location and limited visibility of the proposed sign, staff recommends that the variance be allowed in this instance.

[END OF REPORT | PZ-22-65]

Vice Chair Schneck asked about illumination, and Mr. Combs indicated that there is existing illumination that would be the same as the neighboring Century 21 sign. He noted that the request is for this sign only and that staff recommends that the color variance is not applicable to future panels.

Chairman Muether, seconded by Mr. Uttley, made a motion to approve with the following four conditions:

- 1) That the increase in colors pertain only to this proposed tenant and that any change be brought back to the Commission for consideration;

- 2) That the applicant obtains all necessary building permits for the tenant retrofit;
- 3) That a zoning certificate be obtained prior to operation of the proposed use; and
- 4) That a sign permit be obtained prior to installation of the proposed signage.

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

DISCUSSION ITEMS / COMMITTEE COMMUNICATIONS

Councilwoman Hale explained to the Commission that Council looked at compensation for boards and commissions and that there are discrepancies between who is paid and who is not as well as looking at how other municipalities compensate their boards. She noted that Council had decided to end salaries for boards and commissions in June 2023.

Mr. Lewie noted that based on the importance of the Commission there should be some compensation. He voiced concern for the quality of members and urged that at least training and other support and resources are offered.

Mr. Uttley pointed out the professionalism of the Commission and that compensation should be measurable to the amount of time that is involved. He noted that there was a formula that was used to determine salaries and that many other committees were rolled into the job of the Commission. He noted that members spend personal time to drive and look at the applications and they take the job very seriously. He noted that Council has the authority to take on more responsibility, but cautioned about what impact that will have on the Commission.

Mr. Pannett asked if there were only certain commissions that are created by statute. Ms. Clodfelder explained that the Planning and Zoning Commission is the only board that is in the Charter. Everything else is within the Codified Ordinances. She said the Board of Zoning Appeals is statutory, so the Planning and Zoning Commission and the Board of Zoning Appeals are the only two in the Ohio Revised Code.

Chairman Muether noted that he was hearing this for the first time and questions how Council values the Commission; Mr. Schneck noted that Council had not yet approved the budget.

Mr. Pannett commented that because he serves on the Commission, it impacts his PERS medical funds in his retirement; Mr. Lewie also noted that the Commission has never asked for an increase. He reiterated that he has urged for training opportunities that have been ignored. He cautioned that there are six of seven Commission members whose terms are up next year. Closing the discussion, Ms. Hale thanked the Commission and urged the members to email her with additional comments and suggestions.

ADJOURNMENT – 9:08 PM

With no additional business, Chairman Muether (seconded by Vice Chair Schneck) motioned to adjourn at 9:08 p.m.

CERTIFICATION:



Carson Combs, Planning Manager
December 9, 2022

[END OF MINUTES | November 10, 2022]