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Legislative Bulletin

An Official Publication of the Hilliard City Council

Meeting Date: May 22, 2023

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ORDINANCES

The following ordinance was approved on May 22, 2023

23-07 AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ADVANCED DRAINAGE SYSTEMS, INC; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS; AND AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF FUNDS.

WHEREAS, the Developer owns a 17.5932 acres of Parcel Number 050-011833-00, as identified by the Franklin County Auditor's Office (the "Property"); and

WHEREAS, the Developer intends to construct an Engineering and Technology Center on the Property; and **WHEREAS**, the Ansmil Development text contemplates an east to west connection between Britton Parkway and Lyman Drive; and

WHEREAS, by Resolution No. 22-R-73, adopted on September 12, 2022, the City Manager was authorized to apply for and subsequently was awarded \$400,000 in grant assistance from the Ohio Department of Development and \$200,000 from the Ohio Department of Transportation; and

WHEREAS, as part of the development of the Property, the Developer is responsible for making certain Public Infrastructure Improvements as described in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the Developer and the City agree that certain Public Infrastructure Improvements are eligible for reimbursement.

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

SECTION 1. City Council approves the transfer of funds in the following amounts: From To Amount Fund 101 Fund 304, Object 53, Contractual Services \$2,236,623.29

SECTION 2. The Finance Director is hereby authorized and directed to transfer the following amounts: From To Amount Fund 101 Fund 304, Object 53, Contractual Services \$2,236,623.29

SECTION 3. Upon the transfer of the funds, an appropriation in an amount not to exceed \$2,236,623.29 is authorized from Fund 304, Object 53, Contractual Services.

SECTION 4. An expenditure in an amount not to exceed \$2,236,623.29 is authorized from Fund 304, Object 53 for Contractual Services, pursuant to the agreement **attached** hereto as Exhibit "A" and incorporated herein.

SECTION 5. The City Manager is authorized to enter into a Development Agreement with Advanced Drainage Systems, Inc. for the construction and installation of public infrastructure improvements, in a form substantially and similar to the one attached hereto as Exhibit "A" and incorporated herein, with such non- First Reading material and non-adverse changes to the City as may be deemed appropriate by the City Manager and Director of Law, with her execution thereof on behalf of the City constituting conclusive evidence of Council's approval of such changes.

SECTION 6. Upon reimbursement in the amount up to \$400,000 from the Ohio Department of Development and \$200,000 from the Ohio Department of Transportation ("grant award"), the Finance Director is hereby authorized and directed to deposit the grant award into Fund 304.

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23-07 Continued

SECTION 7. This Ordinance shall be in effect from and after the earliest time provided for by law.

The second reading/public hearing on the ordinances below will be June 12, 2023

23-08 AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS; AND THE APPROPRIATION AND EXPENDITURE OF FUNDS

WHEREAS, pursuant to Section 6.10 of the Charter of the City of Hilliard, Council may amend the appropriations ordinance, provided the ordinance as amended does not authorize the expenditure of more revenue than is expected, and

WHEREAS, by the passage of Ordinance No. 22-38 on November 14, 2022, Council adopted the 2023 Capital Budget, and

WHEREAS, following a determination by the City's insurance companies that two Division of Police vehicles were totaled, the City has received insurance proceeds; and

WHEREAS, the Chief of Police has determined that there is a need to replace one of the totaled unmarked police vehicle with the use of the insurance proceeds received, and

WHEREAS, due to the fact that Police vehicle purchases are funded through the Capital Improvement fund, it is necessary to transfer funds in the following amounts:

From	To	Amount
Fund 895, Object 46, Escrow	Fund 304, Object 46, Capital Improvement	\$24,205.25
Fund 895, Object 46, Escrow	Fund 304, Object 46, Capital Improvement	\$20,523.00

WHEREAS, upon the transfer of funds, it is necessary to appropriate a certain amount of the funds in order to purchase the new unmarked police vehicle; and

WHEREAS, the transfer, appropriation, and expenditure of these funds for an unmarked police vehicle is in the City's best interests.

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

SECTION 1. Pursuant to Section 6.10 of the Charter of the City of Hilliard, Ordinance No. 22-38 is hereby amended in the following amount:

- Fund 304, Object 46 Increased to \$369,728.25

SECTION 2. City Council approves the transfer of funds in the following amounts:

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From	To	Amount
Fund 895, Object 46, Escrow Fund	Fund 304, Object 46, Capital Improvement Fund	\$24,205.25
Fund 895, Object 46, Escrow Fund	Fund 304, Object 46, Capital Improvement Fund	\$20,523.00

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

From	To	Amount
Fund 895, Object 46, Escrow Fund	Fund 304, Object 46, Capital Improvement Fund	\$24,205.25
Fund 895, Object 46, Escrow Fund	Fund 304, Object 46, Capital Improvement Fund	\$20,523.00

SECTION 4. Upon the transfer of the funds, an appropriation in an amount not to exceed \$40,000.00 is authorized from Fund 304, Object 46. The remainder of the transferred funds will be available for appropriation at a different time.

SECTION 5. An expenditure in an amount not to exceed \$40,000.00 is authorized from Fund 304, Object 46 to purchase one unmarked police vehicle.

SECTION 6. This Ordinance shall be in effect from and after the earliest time provided by law.

23-09 AMENDING THE AUTHORIZATION OF THE EXPENDITURE OF FUNDS FOR THE CLOVER GROFF RUN STREAM RESTORATION, PHASE 2, CIP ST-38.

WHEREAS, by the passage of Ordinance No. 22-38 on November 14, 2022, Council adopted the City's 2023 Capital Improvement Budget; and

WHEREAS, the approved Capital Improvement Budget included \$1,011,000.00 for CIP ST-38, Clover Groff Run Stream Restoration, Phase 2; and

WHEREAS, on April 24, 2023, City Council passed Resolution No. 23-R-26 authorizing the City Manager to enter into a contract for CIP ST-38, Clover Groff Run Stream Restoration, Phase 2 and authorizing the expenditure of funds; and

WHEREAS, on July 19, 2022, the City was awarded a Clean Ohio Green Space Conservation Program grant (the "Clean Ohio Grant") for forty-five percent (45%) of the project cost, not to exceed \$594,747; and

WHEREAS, Resolution No. 23-R-26 authorized an expenditure of funds not to exceed \$1,454,500.00 from Fund 304, Object 55; and

WHEREAS, the State of Ohio Auditor requires the full amount of the project funds to be allocated as local funds, even if the funds will be reimbursed by the Clean Ohio Grant; and

WHEREAS, since the 2023 Capital Improvement Budget only includes \$1,011,000.00 for CIP ST-38, an additional \$443,500 must be appropriated for the full amount of the project; and

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WHEREAS, these additional funds will be reimbursed to the City from the Clean Ohio Grant.

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

SECTION 1. An appropriation is made in the amount of \$443,500 from the 2023 capital improvement budget, Fund 304, Object 55 to provide the full amount of funds for CIP ST-38, Clover Groff Run Stream Restoration, Phase 2.

SECTION 2. An expenditure in an amount not to exceed \$1,454,500.00 is authorized from Fund 304, Object 55 to provide funds for CIP ST-38, Clover Groff Run Stream Restoration, Phase 2.

SECTION 3. The Finance Director is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds.

SECTION 4. This Ordinance shall be in effect from and after the earliest time provided for by law.

RESOLUTIONS

The following Resolutions were passed on May 22, 2023

23-R-35 APPROVING RE-APPOINTMENTS TO THE CITY'S AGE-IN-PLACE ADVISORY COMMITTEE.

WHEREAS, on April 14, 2022, City Council passed Ordinance No. 22-09, which enacted Section 149.08 of the City's Codified Ordinances establishing an Age-in-Place Advisory Committee ("APAC"); and

WHEREAS, by the passage of Resolution No. 22-R-43 on May 9, 2022, City Council approved initial appointments to the APAC; and

WHEREAS, Paula Santry and Brian Meginnis terms on the APAC expire on May 13, 2023, and they desire to be re-appointed to new two year terms; and

WHEREAS, there is a current vacancy on the APAC and Jan Dickerson desires to be appointed for a two- year term; and

WHEREAS, reappointing members to the APAC is in the best interest of the City.

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

SECTION 1. City Council hereby re-appoints the following individual to terms on the Age-in-Place Advisory Committee for the terms provided:

Member	Term
Paula Santry	May 14, 2023 - June 30, 2025
Brian Meginnis	May 14, 2023 - June 30, 2025
Jan Dickerson	May 22, 2023 - June 30, 2025

SECTION 2. This Resolution is effective upon its adoption.

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23-R-36 REAPPOINTING MEMBERS OF THE BOARD OF TRUSTEES OF THE HICKORY CHASE NEW COMMUNITY AUTHORITY.

WHEREAS, on December 7, 2015, City Council adopted Resolution No. 15-R-88 establishing the method of appointing members to the Board of Trustees for the Hickory Chase Community Authority (the "Hickory Chase NCA"); and

WHEREAS, this method provides that City Council appoints three citizen members and one representative of local government; and

WHEREAS, the terms of the current appointed members to the Hickory Chase NCA have expired and need to be reappointed; and

WHEREAS, City Council desires to reappoint Brian Wilson, Aristotle Hutras and Catherine Cunningham as the citizen members and David Meadows as the local government representative to the Hickory Chase NCA.

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

SECTION 1. Hilliard City Council hereby reappoints members to the Board of Trustees for the Hickory Chase New Community Authority, each in the position and for the term indicated beside such member's name:

Name	Position	Term
Brian Wilson	Citizen Member	May 22, 2023 - May 21, 2025
Aristotle Hutras	Citizen Member	May 22, 2023 - May 21, 2025
Catherine Cunningham	Citizen Member	May 22, 2023 - May 21, 2024
David Meadows	Local Government Representative	May 22, 2023 - May 21, 2024

SECTION 2. This Resolution is effective upon its adoption.

23-R-37 ACCEPTING UTILITY EASEMENTS AND SANITARY SEWER PUBLIC IMPROVEMENTS FOR THE UPPER VIEW FLATS APARTMENTS.

WHEREAS, City Council approved a Planned Unit Development ("PUD") consisting of 282 ± acres of land located west of I-270, south of the Hilliard municipal boundary, east of Wilcox Road and approximately 2,600 feet north of Davidson Road, by the passage of Ordinance No. 04-48 on December 13, 2004 (the "Britton Central PUD"); and

WHEREAS, a final plat for the northern section of Britton Parkway was approved by the Planning and Zoning Commission and City Council on April 14, 2005, and September 26, 2005, respectively, by the passage of Resolution 05-R-39; and

WHEREAS, Edward Rose Properties, Inc., (the "Owner") owns 29.073 ± acres consisting of Subarea A2 of the Britton Central PUD identified as parcel number 050-010603 by the Franklin County Auditor's Office (the "Rose Property"); and

WHEREAS, on March 9, 2020, City Council approved changes to the Britton Central PUD to modify the building height, exterior siding, roof pitch, and site lighting within Subarea A2 of the PUD by the passage of Resolution 20-R-25; and

WHEREAS, Upper Vue Flats is a project consisting of a maximum 470 apartment units on the Rose Property; and

WHEREAS, the Owner has submitted a legal description and exhibit for the dedication of a public utility easement for the public sanitary sewers constructed by the Upper Vue Flats development, attached hereto as Exhibits "A" and "B", respectively, and incorporated herein; and

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23-R-37 Continued

WHEREAS, the public improvements Upper Vue Flats Apartments have been found to be constructed per the approved public sanitary sewer plan; and

WHEREAS, the City conducted a final inspection of the public improvements associated with Upper Vue Flats on the **23-** date shown below; and

WHEREAS, per Section 1191-01 of the City's Planning and Zoning Code, the Developer has posted maintenance surety for the public improvements, and the public improvements will be maintained by the Developer until the date listed below for final acceptance and full maintenance by the City of Hilliard; and

Public Improvements	Final Inspection Date	Final Acceptance Date
Upper Vue Flats Apartments Public Sanitary Sewer Improvements (#P-952)	6/2/2022	6/2/2023

SECTION 1. The City of Hilliard accepts the dedication of an easement for public utilities within Upper Vue Flats, as shown on Exhibits "A" and "B", **attached** hereto and incorporated by reference herein.

SECTION 2. The City Engineer is authorized to approve any necessary administrative changes to affect the proper recording of the utility easement identified on Exhibits "A" and "B", and is authorized to provide the Clerk of Council with a final recorded copy of said easement.

SECTION 3. The City of Hilliard accepts the public improvements for Upper Vue Flats Apartments as set forth in the following plans titled:

"Public Sanitary Sewer Improvements for Hilliard Upper Vue Flats Riggins Road – 2021, P- 952" approved by the City Engineer on May 18, 2021, which plans are on file in the office of the City Engineer and available for inspection.

SECTION 4. The City Manager, Clerk of Council and City Engineer are authorized to do all acts and to execute all instruments appropriate or necessary to carrying out the terms of accepting the public improvements as provided herein.

SECTION 5. This Resolution is effective upon its adoption.

23-R-38 APPOINTING A MEMBER TO THE CITY'S PERSONNEL REVIEW BOARD.

WHEREAS, Section 8.01 of the City of Hilliard Charter ("Charter") provides that a Personnel Review Board ("Board") consisting of three qualified electors be appointed by a majority vote of Council; and

WHEREAS, by the passage of Resolution No. 21-R-38, Jim Manuel was appointed to the Board with a term ending May 24, 2023 and Mr. Manuel desires not be reappointed; and

WHEREAS, as a result, the City sought applications from candidates interested in serving on the Board; and Angela Harris has expressed interest in appointment to the Board; and

WHEREAS, City Council is prepared to appoint Angela Harris to serve a three year term.

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23-R-38 Continued

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

SECTION 1. City Council hereby reappoints the following individual to the Board:

Name	Term
Angela Harris	May 24, 2023 - May 24, 2026

SECTION 2. This Resolution shall be effective upon its adoption.

23-R-39 AUTHORIZING THE ACCEPTANCE AND SUBSEQUENT RECONVEYANCE OF A 21.665 ± ACRE PARCEL OWNED BY TRUEMAN BOULEVARD LLC AND 6.061 ± ACRE PARCEL OWNED BY RRIHQ LLC BY QUIT CLAIM DEED.

WHEREAS, Trueman Boulevard LLC and RRIHQ LLC (the "Companies") are the owners of real property in the City of Hilliard. Trueman Boulevard LLC is the owner of 21.665 ± acres of real property, identified as parcel number 050-003043-00 by the Franklin County Auditor's Office and RRIHQ LLC is the owner of an ± 19,377 square foot office building on ± 6.061 acres of real property located at 4525 Trueman Boulevard, identified as parcel number 050-010984-00 by the Franklin County Auditor's Office (collectively the "Property"); and

WHEREAS, in order to redevelop the Property, Equity, LLC (the "Developer") has proposed the construction of TruePointe, a mixed-use development that will include approximately 115,000 square feet of class A office space, 135,000 square feet of medical office, 40,000 square feet of retail and restaurant space, a 100-bed hotel, and 360 dwelling units with an investment exceeding \$250 million (the "Project"), and the City and the Developer expect to enter into a Development Agreement for the Project; and

WHEREAS, the redevelopment of the Property by the construction of TruePointe requires approximately \$55 million in total public infrastructure and structured parking costs (the "Improvements"); and

WHEREAS, in order to reimburse the Developer for the Improvements, the City desires to declare that the Improvements are a public purpose under Section 5709.41 of the Ohio Revised Code, which code section permits the City to use Tax Increment Financing ("TIF") as a vehicle from which to collect service payments in lieu of taxes on the Property; and

WHEREAS, to use this TIF, Section 5709.41(B) of the Ohio Revised Code requires that the City held fee title to the Property prior to the adoption of an Ordinance authorizing use of this type of exemption; and

WHEREAS, in conformity therewith, the City desires to 1) accept the conveyance of the Property by quit-claim deed from the Companies, and 2) to then convey the Property, by quit-claim deed, back to the Companies.

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

SECTION 1. The City of Hilliard is authorized, at no cost, to accept the conveyance of a 21.665± acre parcel of property by quit-claim deed from Trueman Boulevard LLC, which parcel is identified in Exhibit "A" and ± 19,377 square foot office building on ± 6.061 acre parcel of property located at 4525 Trueman Boulevard by quit-claim deed from RRIHQ LLC, which parcel is identified in Exhibit "B", attached hereto and incorporated herein.

SECTION 2. The City's acceptance of the quit-claim deed shall be conditioned on Trueman Boulevard LLC's and 23-r-23-R-39 Continued

RRIHQ LLC's payment of all the real property taxes owing on the Property up to the effective date of this Resolution,

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including payment of any and all assessments due or owing.

SECTION 3. This Council finds that the City is acquiring the Property while engaged in urban redevelopment of the Property with the Project and that the City expects to approve an "incentive district" TIF for purposes of Section 12.10 of the City Charter pursuant to Section 5709.41 of the Ohio Revised Code.

SECTION 4. The City, by and through its City Manager, is authorized and directed to re-convey the Property, as identified in Exhibit "A" and "Exhibit "B", at no cost, back to the Companies.

SECTION 5. The City Manager is further authorized execute any deeds or agreements as may be necessary and appropriate for the transfer and conveyance of the Property. Such documents shall be approved as to form by the City Law Director.

SECTION 6. This Resolution is effective upon its adoption.

23-R-40 AUTHORIZING THE CONDITIONAL USE FOR ATHLETIC FIELDS AT 6287 COSGRAY ROAD WITHIN THE HILLIARD RECREATION & WELLNESS CENTER PUD.

WHEREAS, on January 24, 2022, City Council approved amendments to Chapters 1107 and 1123 of the City's Codified Ordinances to state that the Planning and Zoning Commission provides a recommendation to City Council on each conditional use application and that City Council would have the final approval for each application; and

WHEREAS, on April 5, 2023, a completed application for the review of a conditional use request for "Athletic Fields" for the property at 6287 Cosgray Road (Parcels #050-010761 and 050-010764) were submitted to the Planning Director in accordance with Hilliard Code Section 1123.02; and

WHEREAS, the Planning and Zoning Commission on May 11, 2023, reviewed the request for a conditional use to permit "Athletic Fields" within the Hilliard Recreation & Wellness Center PUD for the property located at 6287 Cosgray Road under the provisions of Hilliard Code Section 1123.03 and 1123.04; and

WHEREAS, the Planning and Zoning Commission in accordance with the Code made a positive recommendation to City Council with three conditions of approval; and

WHEREAS, as prescribed by Section 1107.03(d) upon receipt of a recommendation from the Planning and Zoning Commission, the City Council shall decide upon the conditional use application according to the procedures set forth in Chapter 1123.

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

SECTION 1. The Hilliard Recreation & Wellness Campus located at 6872 Cosgray Road (Parcels #050- 010761 and 050-010764) is granted a conditional use for "Athletic Fields" and will comply with the provisions of Hilliard Code Section 1123.03 and conditions of approval as set forth by the Planning and Zoning Commission.

SECTION 2. Failure to obtain any necessary Zoning Certificate or Certificate of Occupancy shall invalidate the Conditional Use approval granted by City Council.

SECTION 3. This Conditional Use approval in accordance with Section 1123.05 of the Hilliard City Code shall expire 12 months after it is granted, unless construction is complete or commencement of the use has begun, or significant progress has been made towards its initiation.

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23-R-40 Continued

SECTION 4. Any expansion of the approved Conditional Use requires a final determination by City Council in accordance with Hilliard Code Chapter 1123.

SECTION 5. The Planning Director, City Engineer and Director of Building Standards are authorized to approve any necessary administrative changes to the approved site plan necessary to carry out the terms of this conditional use.

SECTION 6. This resolution is effective upon its adoption.

23-R-41 AUTHORIZING THE CONDITIONAL USE FOR BUILDING MATERIAL AND LUMBER SUPPLY AND OUTDOOR STORAGE ACCESSORY TO A PERMITTED USE EXCEEDING TEN PERCENT OF THE TOTAL AREA OF THE LOT OR PARCEL AT 3637 LACON ROAD WITHIN THE M-1, RESTRICTED INDUSTRIAL DISTRICT.

WHEREAS, on January 24, 2022, City Council approved amendments to Chapters 1107 and 1123 of the City's Codified Ordinances to state that the Planning and Zoning Commission provides a recommendation to City Council on each conditional use application and that City Council would have the final approval for each application; and

WHEREAS, on April 5, 2023, a completed application for the review of a conditional use request for "Building Material and Lumber Supply" and "Outdoor Storage Accessory to a Permitted Use Exceeding Ten Percent of the Total Area of the Lot or Parcel" for the property at 3637 Lacon Road (Parcels #050-002812 and #050-002862) was submitted to the Planning Director in accordance with Hilliard Code Section 1123.02; and

WHEREAS, the Planning and Zoning Commission on May 11, 2023, reviewed the request for a conditional use to permit "Building Material and Lumber Supply" and "Outdoor Storage Accessory to a Permitted Use Exceeding Ten Percent of the Total Area of the of the Lot or Parcel" within the M-1, Restricted Industrial District for the property located at 3637 Lacon Road under the provisions of Hilliard Code Section 1123.03, 1123.04 and 1123.17(c); and

WHEREAS, the Planning and Zoning Commission in accordance with the Code made a positive recommendation to City Council; and

WHEREAS, as prescribed by Section 1107.03(d) upon receipt of a recommendation from the Planning and Zoning Commission, the City Council shall decide upon the conditional use application according to the procedures set forth in Chapter 1123.

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

SECTION 1. 3637Lac Property LLC. located at 3637 Lacon Road (Parcels #050-002812 and #050-002862) is granted a conditional use for "Building Material and Lumber Supply" and "Outdoor Storage Accessory to a Permitted Use Exceeding Ten Percent of the Total Area of the Lot or Parcel" and will comply with the provisions of Hilliard Code Section 1123.17(c) and conditions of approval as set forth by the Planning and Zoning Commission.

SECTION 2. Failure to obtain any necessary Zoning Certificate or Certificate of Occupancy shall invalidate the Conditional Use approval granted by City Council.

SECTION 3. This Conditional Use approval in accordance with Section 1123.05 of the Hilliard City Code shall expire 12 months after it is granted, unless construction is complete or commencement of the use has begun, or significant progress has been made towards its initiation.

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23-R-41 Continued

SECTION 4. Any expansion of the approved Conditional Use requires a final determination by City Council in accordance with Hilliard Code Chapter 1123.

SECTION 5. The Planning Director, City Engineer and Director of Building Standards are authorized to approve any necessary administrative changes to the approved site plan necessary to carry out the terms of this conditional use.

SECTION 6. This resolution is effective upon its adoption.

23-R-42 AUTHORIZING THE CONDITIONAL USE FOR INDOOR COMMERCIAL RECREATION AT 4000 PARKWAY LANE WITHIN THE B-4, I-270 CORRIDOR DISTRICT.

WHEREAS, on January 24, 2022, City Council approved amendments to Chapters 1107 and 1123 of the City's Codified Ordinances to state that the Planning and Zoning Commission provides a recommendation to City Council on each conditional use application and that City Council would have the final approval for each application; and

WHEREAS, on April 5, 2023, a completed application for the review of a conditional use request for "Indoor Commercial Recreation" for the property at 4000 Parkway Lane (Parcel #050-002266) was submitted to the Planning Director in accordance with Hilliard Code Section 1123.02; and

WHEREAS, the Planning and Zoning Commission on May 11, 2023, reviewed the request for a conditional use to permit "Indoor Commercial Recreation" within the B-4, I-270 Corridor District for the property located at 4000 Parkway Lane under the provisions of Hilliard Code Section 1123.03, 1123.04 and 1123.18(f); and

WHEREAS, the Planning and Zoning Commission in accordance with the Code made a positive recommendation to City Council; and

WHEREAS, as prescribed by Section 1107.03(d) upon receipt of a recommendation from the Planning and Zoning Commission, the City Council shall decide upon the conditional use application according to the procedures set forth in Chapter 1123.

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

SECTION 1. Dunlap Holdings LLC. and Resolute Lacrosse located at 4000 Parkway Lane (Parcel #050-002266) is granted a conditional use for "Indoor Commercial Recreation" and will comply with the provisions of Hilliard Code Section 1123.18(f) and conditions of approval as set forth by the Planning and Zoning Commission.

SECTION 2. Failure to obtain any necessary Zoning Certificate or Certificate of Occupancy shall invalidate the Conditional Use approval granted by City Council.

SECTION 3. This Conditional Use approval in accordance with Section 1123.05 of the Hilliard City Code shall expire 12 months after it is granted, unless construction is complete or commencement of the use has begun, or significant progress has been made towards its initiation.

SECTION 4. Any expansion of the approved Conditional Use requires a final determination by City Council in accordance with Hilliard Code Chapter 1123.

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23-R-42 Continued

SECTION 5. The Planning Director, City Engineer and Director of Building Standards are authorized to approve any necessary administrative changes to the approved site plan necessary to carry out the terms of this conditional use.

SECTION 6. This resolution is effective upon its adoption.

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<u>Public Improvements</u>	<u>Final Inspection Date</u>	<u>Final Acceptance Date</u>
Upper Vue Flats Apartments Public Sanitary Sewer Improvements (#P-952)	6/2/2022	6/2/2023

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23-R-33 AUTHORIZING THE CONDITIONAL USE FOR INDOOR COMMERCIAL RECREATION AT 5303 NORWICH STREET, SUITE 400 WITHIN THE OH-MD, OLD HILLIARD MIXED USE ZONING DISTRICT.

WHEREAS, on January 24, 2022, City Council approved amendments to Chapters 1107 and 1123 of the City's Codified Ordinances to state that the Planning and Zoning Commission provides a recommendation to City Council on each conditional use application and that City Council would have the final approval for each application; and

WHEREAS, on March 13, 2023, a completed application for the review of a conditional use request for "Indoor Commercial Recreation" for the property at 5303 Norwich Street, Suite 400 (Parcel Nos. #050-000188 and 050-000084) was submitted to the Planning Director in accordance with Hilliard Code Section 1123.02; and

WHEREAS, the Planning and Zoning Commission on April 13, 2023, reviewed the request for a conditional use to permit "Indoor Commercial Recreation" within the OH-MD, Old Hilliard Mixed Use District for the property located at 5303 Norwich Street, Suite 400 under the provisions of Hilliard Code Section 1123.03 and 1123.04; and

WHEREAS, the Planning and Zoning Commission in accordance with the Code made a positive recommendation to City Council with three conditions of approval; and

WHEREAS, as prescribed by Section 1107.03(d) upon receipt of a recommendation from the Planning and Zoning Commission, the City Council shall decide upon the conditional use application according to the procedures set forth in Chapter 1123.

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

SECTION 1. Old Hilliard Mercantile located at 5303 Norwich Street, Suite 400 (Parcel Nos. #050-000188 and 050-000084) is granted a conditional use for "Indoor Commercial Recreation" and will comply with the provisions of Hilliard Code Section 1123.03 and conditions of approval as set forth by the Planning and Zoning Commission.

SECTION 2. Failure to obtain any necessary Zoning Certificate or Certificate of Occupancy shall invalidate the Conditional Use approval granted by City Council.

SECTION 3. This Conditional Use approval in accordance with Section 1123.05 of the Hilliard City Code shall expire 12 months after it is granted, unless construction is complete or commencement of the use has begun, or significant progress has been made towards its initiation.

SECTION 4. Any expansion of the approved Conditional Use requires a final determination by City Council in accordance with Hilliard Code Chapter 1123.

SECTION 5. The Planning Director, City Engineer and Director of Building Standards are authorized to approve any necessary administrative changes to the approved site plan necessary to carry out the terms of this conditional use.

SECTION 6. This resolution is effective upon its adoption.

23-R-34 AUTHORIZING THE CONDITIONAL USE FOR BREW PUBS AND SIMILAR ESTABLISHMENTS AT 4071 GRANT STREET WITHIN THE OH-MD, OLD HILLIARD MIXED USE ZONING DISTRICT.

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WHEREAS, on January 24, 2022, City Council approved amendments to Chapters 1107 and 1123 of the City's Codified Ordinances to state that the Planning and Zoning Commission provides a recommendation to City Council on each conditional use application and that City Council would have the final approval for each application; and

WHEREAS, on March 8, 2023, a completed application for the review of a conditional use request for "Brew Pubs and Similar Establishments" for the property at 4071 Grant Street (Parcels #050-000170, 050-000171, 050-000343) were submitted to the Planning Director in accordance with Hilliard Code Section 1123.02; and

WHEREAS, the Planning and Zoning Commission on April 13, 2023, reviewed the request for a conditional use to permit "Brew Pubs and Similar Establishments" within the OH-MD, Old Hilliard Mixed Use District for the property located at 4701 Grant Street under the provisions of Hilliard Code Section 1123.03, 1123.04 and 1123.10(a); and

WHEREAS, the Planning and Zoning Commission in accordance with the Code made a positive recommendation to City Council; and

WHEREAS, as prescribed by Section 1107.03(d) upon receipt of a recommendation from the Planning and Zoning Commission, the City Council shall decide upon the conditional use application according to the procedures set forth in Chapter 1123.

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

SECTION 1. Hilliard Winery & Outdoor Events Center located at 4701 Grant Street (Parcels #050-000170, 050-000171, 050-000343) is granted a conditional use for "Brew Pubs and Similar Establishments" and will comply with the provisions of Hilliard Code Section 1123.10(a) and conditions of approval as set forth by the Planning and Zoning Commission.

SECTION 2. Failure to obtain any necessary Zoning Certificate or Certificate of Occupancy shall invalidate the Conditional Use approval granted by City Council.

SECTION 3. This Conditional Use approval in accordance with Section 1123.05 of the Hilliard City Code shall expire 12 months after it is granted, unless construction is complete or commencement of the use has begun, or significant progress has been made towards its initiation.

SECTION 4. Any expansion of the approved Conditional Use requires a final determination by City Council in accordance with Hilliard Code Chapter 1123.

SECTION 5. The Planning Director, City Engineer and Director of Building Standards are authorized to approve any necessary administrative changes to the approved site plan necessary to carry out the terms of this conditional use.

SECTION 6. This resolution is effective upon its adoption.

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