

Franklin County Board of Commissioners Rezoning Hearing

Zoom Conference Meeting

(To participate: (929) 436-2866; Meeting ID: 626 133 6620)

Tuesday, April 14, 2020 10:00 a.m.

- 1. Call roll for board members
- 2. Introduction of staff
- 3. Swearing in of witnesses
- 4. Approval of minutes from the August 13, 2019 meeting
- 5. New Business:

i. ZON-19-07 Brad Fisher

Owner:	Agape Community Fellowship			
Applicant:	Kalen Swan			
Township:	Norwich Township			
Site:	3912 Alton Darby Creek Rd. (PID #200-003681)			
Acreage:	5.000-acres			
Zoning:	Rural			
Request:	Requesting to rezone from the Rural district to the Select Commercial			
	Planned District (SCPD) to allow for a church and child care center.			

ii. ZON-19-08 Brad Fisher

Owner:	Al Rahma Mosque				
Applicant:	Abdulahi Warsame				
Township:	Clinton Township				
Site:	Parkwood Ave. (PID #130-001579, 130-001602, 130-011912)				
Acreage:	0.420-acres				
Zoning:	Rural District				
Request:	Requesting to rezone from the Rural district to the Suburban Office and				
	Institutional (SO) district.				

6. Adjournment of Meeting to May 12, 2020



MINUTES OF THE FRANKLIN COUNTY BOARD OF COMMISSIONERS REZONING HEARING

Tuesday August 13, 2019

The Franklin County Board of Commissioners convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Tuesday, August 13, 2019.

Present were:

Marilyn Brown, President Kevin L. Boyce, Commissioner John O'Grady, Commissioner

Franklin County Economic Development and Planning Department:

Jenny Snapp, Assistant Director
Matt Brown, Planning Administrator
Brad Fisher, Planner
Phil Ashear, Planner
Nick Soulas, Franklin County Prosecutor's Office
Ken Wilson, Franklin County Administrator

Chairperson Brown opened the hearing which was followed by the roll call of board members and the swearing in of witnesses. Commissioner Boyce made a motion to approve the minutes from the June 11, 2019 meeting. It was seconded by Chairperson Brown. The motion was approved by a two-to-zero vote.

OLD BUSINESS:

The next order of business being County Rezoning Case ZON-19-01. A motion was made to remove the matter from the table by Commissioner Boyce. It was seconded by Commissioner Brown. The motion passed by a two-to-zero vote. The applicant and owner is Hollywood Ventures, LLC. The agents are Donald Plank and Rebecca Mott with the Plank Law Firm. The site is located in Franklin Township at 4081 through 4201 West Broad Street. The request is to rezone from the General Industrial district to Community Services district. Mr. Brad Fisher read and presented the case to the Franklin County Board of Commissioners.

Ms. Rebecca Mott spoke on behalf of applicant and submitted Exhibit 1. A motion was made by Commissioner Boyce and seconded by Commissioner Brown to approve rezoning from General Industrial district to Community Services district. The motion was approved by a two-to-zero vote.

NEW BUSINESS:

The next order of business being County Rezoning Case ZON-19-03. The applicant is the Franklin County Rural Zoning Commission. The request is for a zoning text amendment with regard to Screening and Buffering requirements found in Section 521 and corresponding sections of the Zoning Resolution that reference Screening and Buffering requirements. Mr. Phil Ashear read and presented the case to the Franklin County Board of Commissioners. A motion was made by Commissioner Boyce and seconded by Commissioner O'Grady to approve zoning text amendment. The motion was approved by a three-to-zero vote.

The next order of business being County Rezoning Case ZON-19-04. The applicant is the Franklin County Rural Zoning Commission. The request is for a zoning text amendment to the Urban Residential R-12 district, Section 315.042(a) of the Franklin County Zoning Resolution, to change the minimum lot width for one-family dwellings. Mr. Phil Ashear read and presented the case to the Franklin County Board of Commissioners. A motion was made by Commissioner Boyce and seconded by Commissioner O'Grady to approve the zoning text amendment. The motion was approved by a three-to-zero vote.

The next order of business being County Rezoning Case ZON-19-05. The applicant is the Franklin County Rural Zoning Commission. The request is for a zoning text amendment to Sections 308 and 501 of the Franklin County Zoning Resolution to renumber subsections for clarity. Mr. Phil Ashear read and presented the case to the Franklin County Board of Commissioners. A motion was made by Commissioner Boyce and seconded by Commissioner O'Grady to approve the zoning text amendment. The motion was approved by a three-to-zero vote.

There being no further business coming before the Franklin County Board of Commissioners, Commissioner Brown adjourned the meeting. The hearing was adjourned at 11:00 a.m.

Signature

Minutes of the August 13, 2019, Franklin County Board of Commissioners Rezoning hearing were approved this 14th day of April, 2020.



STAFF REPORT

Board of County Commissioners April 14, 2020

> Case: ZON-19-07 Prepared by: Brad Fisher

Owner: Agape Community Fellowship

Applicant: Kalen Swan

Township: Norwich Township

Site: 3912 Alton Darby Creek Road (PID #200-003681)

Acreage: 5.0-acres

Utilities: Private water and wastewater

Request: Requesting to rezone from the Rural district to the Select Commercial Planned

District (SCPD) to allow for a church and child care business.

Summary

The applicant is requesting to rezone from Rural district to the Select Commercial Planned District (SCPD) to allow for a church and child care business. Staff recommends *conditional approval*.

Request

The subject site is located on the east side of Alton Darby Creek Road, just south of Davis Road in Norwich Township. The site was developed with a 12,162 square foot church in 1994.

The proposal is to rezone from the Rural district to the Select Commercial Planned District (SCPD) to allow for the existing church to continue and add a child care business. No new development is proposed.

Surrounding Land Use/Zoning

Properties to the north and west are zoned Rural and developed with low-density residential uses in Norwich Township and Brown Township. Properties to the southeast and northeast are zoned Rural Residential in the City of Hilliard. The property to the southeast is an active agricultural field and the property to the northeast is the Hilliard Soccer Complex.

Comprehensive Plans

The City of Hilliard Comprehensive Plan, adopted in 2011 by the City of Hilliard includes an Existing Land Use Map that identifies the site as School/Public Use, but makes no recommendations for future use changes.

The Big Darby Accord Watershed Master Plan, adopted in 2006 includes a Conservation Strategy Tiers Map and a Proposed General Land Use Map. The site is identified as Tier 3 land, which is recommended for planned parks, open space corridors and buffers based on habitat sensitivity, connectivity and other planning considerations.

Staff notes that no new development is proposed and the church has been operating in its current configuration for over 25 years.

Staff Analysis

Existing zoning – Rural:

The Rural district is intended for agricultural and residential development in the County where the conservation of resources is important or where appropriate urban use of the land cannot be achieved because of the lack of urban services, most importantly centralized water and sanitary sewer. The principal permitted uses are agriculture, residential subdivisions and farm dwellings.

<u>Proposed zoning – Select Commercial Planned District:</u>

The Select Commercial Planned District (SCPD) is intended to provide for any use permitted in a straight commercial, restricted industrial, and limited industrial zoning district to locate in residential areas with development controls to ensure compatibility with the surrounding environment. Any deviation from the SCPD standards must be requested as a waiver and approved as part of the SCPD. Any change or modification to an approved development plan or change to the list of permitted uses must be approved as an amendment through the rezoning process.

Proposed uses include all permitted uses found in the Rural district, church and a child care business (SIC Code 73). No new development is proposed. The details of the child care business are as follows:

- Maximum number of children 30
 - o 6 weeks to 5 years old.
- Maximum number of employees 6
- 4 rooms dedicated for the use
 - o Room 1-450 sq. ft.
 - o Room 2 300 sq. ft.
 - o Room 3 375 sq. ft.
 - o Room 4 2025 sq. ft.
- Hours of operation Monday-Friday, 7a.m-6p.m.
- 1 play area

Access/Traffic:

The single existing access point to Alton Darby Creek Road will be utilized.

Parking:

A total of eight (8) parking spaces are required for the child care business and the Development Plan identifies 11 total parking spaces will be dedicated to the child care use.

A total of 36 parking spaces are required for the religious use and 88 total parking spaces will be provided.

Storm Water/Drainage:

Two (2) existing storm water catch basins and a 12 inch storm sewer will be maintained. The drainage system is located on the north side of the property, draining toward Alton Darby Road and connects to an 18 inch storm sewer located within the road right-of-way.

Sewage Disposal and Water Supply:

Existing on-site water and wastewater will be utilized.

Architectural Design:

Maintaining the current architectural design with no new development proposed.

Outside Storage:

One (1) existing shed is located to the south of the church and will be maintained in its current location.

Pollution:

No smoke or odor will be emitted or produced on the property and no noise will be emitted greater than 60 decibels.

Graphics and Signage:

One (1) existing sign is identified on the Development Plan.

Lighting:

The Development Text indicates that the existing lighting will be maintained.

Screening & Landscaping Plan:

Maintain the current screening and buffering as identified on the Development Plan.

Waiver Request:

Section 420.034(14) – The total size of a free standing sign shall not exceed 40 square feet unless otherwise approved as a part of the Development Plan.

• The existing sign is 50 square feet on each side and will be maintained in its current configuration.

Section 531.011(2) – Parking facilities must be constructed of a sealed surface. No motor vehicle parking shall be permitted on an unimproved surface consisting of grass, mulch, dirt, gravel, or combination thereof.

• The parking surface to be used by the existing religious use is made of gravel and will be maintained as shown on the Development Plan.

Technical Review Agencies

Franklin County Public Health

Approved the existing wastewater treatment system allowing the added child care business on November 25, 2019.

Franklin County Engineer's Office

- The existing sign is located within the Alton Darby Creek Road right-of-way. At the time Alton Darby Creek Road expands the existing sign must be relocated outside of the road right-of-way.
- Alton Darby Creek Rd requires 100 feet of total right-of-way, or 50 feet of half right-of-way. It
 appears that there is currently 40 feet of existing half right-of-way. 10 feet of additional right-ofway must be dedicated as highway easement to Franklin County prior to approval of the Zoning
 Compliance.
- Due to the site's proximity to the signalized intersection of Alton Darby Creek Rd at the Davis Road intersection, northbound queuing analysis and turn lane warrants will need to be completed prior to the approval of the Zoning Compliance.

Franklin County Economic Development and Planning Department

- The applicant should be aware that a deed restriction is in place that does not allow any signs to be erected on the property except for a sign for the existing church.
- Section 541.03(1(A(1))) The front leading edge of a sign and its supporting structure must be set back at least 15 feet from the existing adjacent highway right-of-way.
 - o The existing right-of-way is 80 feet, or 40 feet half right-of-way measured from the street centerline.
 - The existing sign is setback 33 +/- feet from the street centerline.

Staff Review

The request would allow for a compatible use to be added to the existing church. However, not all applicable development standards have been met. Provided Staff's comments are addressed this rezoning

would allow for improved parking areas, site aesthetics, bring the existing sign into conformance and provide a service for local residents.

Big Darby Accord Advisory Panel Recommendation

On December 10, 2019, the Big Darby Accord Advisory Panel recommended approval of the request to rezone from the Rural district to the Select Commercial Planned District (SCPD).

Planning Commission Recommendation

On December 11, 2019, the Franklin County Planning Commission recommended *conditional approval* of the request to rezone from the Rural district to the Select Commercial Planned District (SCPD). The conditions are as follows:

- 1. The Standard Industrial Classification (SIC) Code must be updated in the Development Text to 8351.
- 2. If there is existing or proposed lighting on the site it must be shown on the Development Plan.
- 3. An elevation of the existing sign must be submitted clearly showing the dimension of the sign.
- 4. At the time Alton Darby Creek Road expands the existing sign must be relocated outside of the right-of-way and meet all applicable sign requirements.
- 5. The main drive aisle leading from the main entry point at Alton Darby Creek Road to the entrance to the child day care measuring 20 feet wide, and all dedicated child day care parking spaces must be constructed with an approved sealed surface.
- 6. Eight (8) parking spaces must be dedicated to the child day care use and identified on the Development Plan.
- 7. A waiver to Section 531.011 must be requested to allow for parking areas to remain a gravel, unsealed surface or all parking facilities must be constructed of a sealed surface.
- 8. The applicant must apply for and receive approval of a Certificate of Zoning Compliance with the Franklin County Economic Development and Planning Department.
- 9. 10 feet of additional right-of-way along Alton Darby Creek Road must be dedicated as highway easement to Franklin County prior to approval of the Zoning Compliance.
- 10. Northbound queuing analysis and turn lane warrants must be approved by the Franklin County Engineer's office prior to the approval of the Zoning Compliance.

Staff Recommendation

Staff recommends <u>conditional approval</u> of the request to rezone from the Rural district to the Select Commercial Planned District (SCPD). The conditions are as follows:

- 1. At the time Alton Darby Creek Road expands the existing sign must be relocated outside of the right-of-way and meet all applicable sign requirements.
- 2. The main drive aisle leading from the main entry point at Alton Darby Creek Road to the entrance to the child day care measuring 20 feet wide, and all dedicated child day care parking spaces must be constructed with an approved sealed surface.
- 3. The applicant must apply for and receive approval of a Certificate of Zoning Compliance with the Franklin County Economic Development and Planning Department.
- 4. 10 feet of additional right-of-way along Alton Darby Creek Road must be dedicated as highway easement to Franklin County prior to approval of the Zoning Compliance.
- 5. Northbound queuing analysis and turn lane warrants must be approved by the Franklin County Engineer's office prior to the approval of the Zoning Compliance.

Rural Zoning Commission Recommendation

On March 19, 2020 the Franklin County Rural Zoning Commission recommended *conditional approval* of the request to rezone from the Rural district to the Select Commercial Planned District (SCPD). The conditions are as follows:

- 1. At the time Alton Darby Creek Road expands the existing sign must be relocated outside of the right-of-way and meet all applicable sign requirements.
- 2. The main drive aisle leading from the main entry point at Alton Darby Creek Road to the entrance to the child day care measuring 20 feet wide, and all dedicated child day care parking spaces must be constructed with an approved sealed surface.
- 3. The applicant must apply for and receive approval of a Certificate of Zoning Compliance with the Franklin County Economic Development and Planning Department.
- 4. 10 feet of additional right-of-way along Alton Darby Creek Road must be dedicated as highway easement to Franklin County prior to approval of the Zoning Compliance.
- 5. Northbound queuing analysis and turn lane warrants must be approved by the Franklin County Engineer's office prior to the approval of the Zoning Compliance.



Requesting to rezone from the Rural district to the Select Commercial Planned District (SCPD) to allow for a church and child care center.

Acres: 5.0

Township: Norwich

3912 Alton Darby Creek Rd

Streets

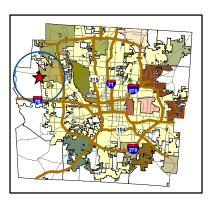
Parcels

Floodway

Floodway Fringe

Hilliard

Stream

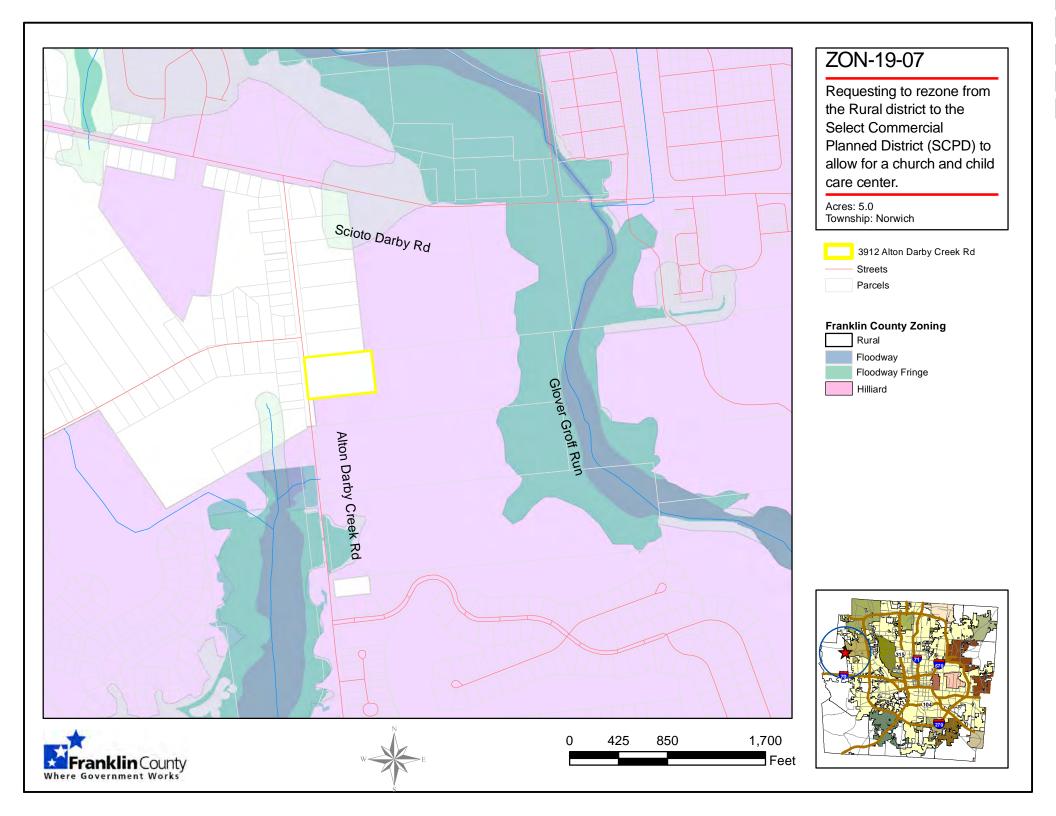


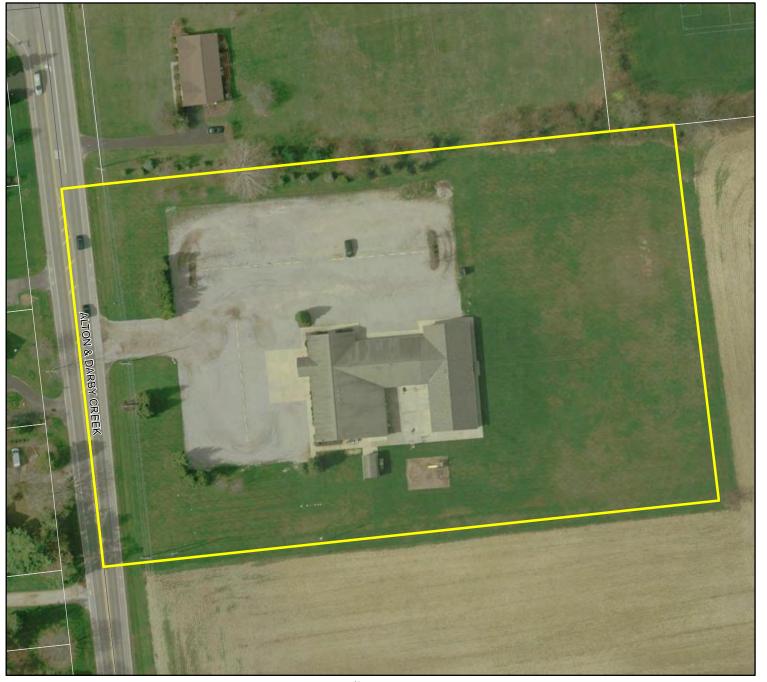




425 850 1,700

Feet





Requesting to rezone from the Rural district to the Select Commercial Planned District (SCPD) to allow for a church and child care center.

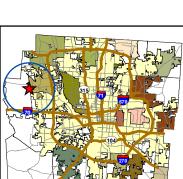
Acres: 5.0

Township: Norwich



3912 Alton Darby Creek Rd

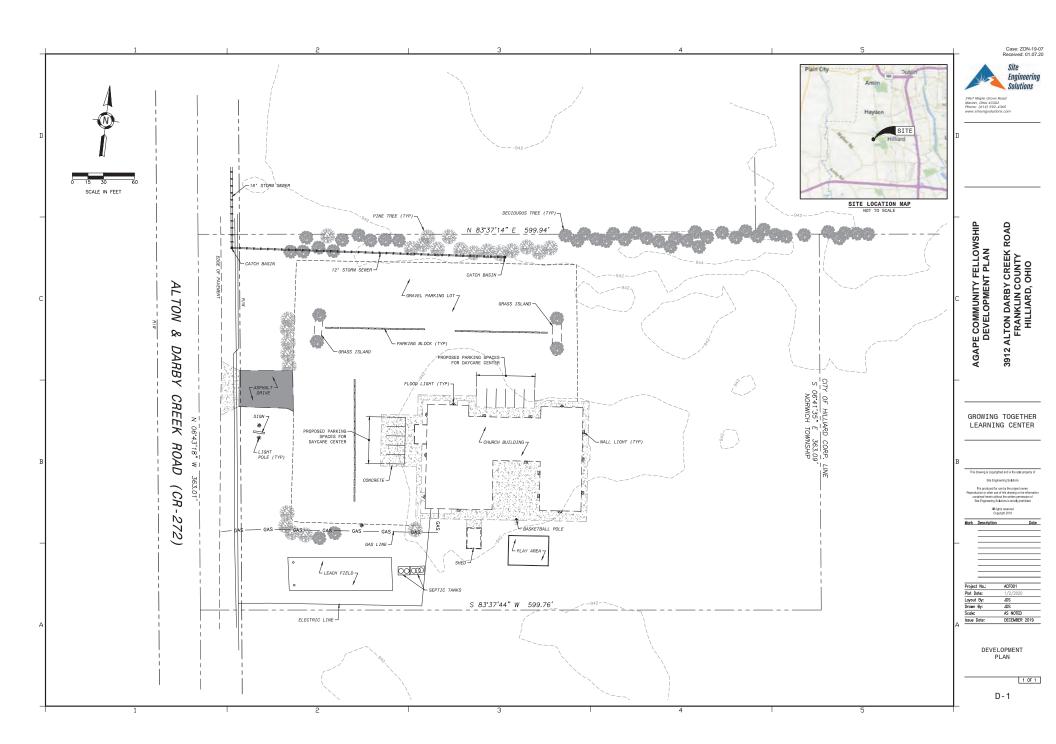
Streets
Parcels







0 50 100 200 Feet



SELECT COMMERCIAL PLANNED DISTRICT (SCPD) NORWICH TOWNSHIP 3912 ALTON DARBY CREEK ROAD AGAPE COMMUNITY FELLOWSHIP

ZON No. _____

BACKGROUND:

The subject property is located on the east side of Alton Darby Creek Road. The property is currently a 5.000± acre lot zoned Rural. The property has agricultural lands zoned Rural to the east and south in the City of Hilliard, to the west is a single family home across Alton Darby Creek Road in Norwich Township to the north is a rurally zoned property with a single family home in Norwich Township.

PERMITTED USES:

The property shall be used for Rural District Permitted Uses and Child Care Business Use as allowed in Franklin County Zoning Resolution Section 322.022(73) and SIC Code 8351.

There are no proposed developments.

DEVELOPMENT STANDARDS:

Unless otherwise indicated in the submitted development plan or in the written text, the applicable standards for the site shall be those standards contained in Section 322.04 Suburban Office and Institutional District (SO) of the Franklin County Zoning Code.

LIGHTING:

The subject property shall maintain the current lighting as identified on the development plan.

SIGNAGE AND GRAPHICS:

The subject property shall maintain the current signage as identified on the development plan.

ENVIRONMENTAL TREATMENT:

The premises shall be maintained as it is currently with respect to the evergreens and deciduous trees depicted on the development plan.

SITE PLAN:

- A. The property shall be used in accordance with the submitted development plan. The attached development plan illustrates where the existing building(s) and parking areas are located.
- B. We are requesting a waiver of 531.011 regarding parking facilities. Parking requirements shall conform as submitted in the development plan.

ARCHITECTURAL DESIGN:

The subject property shall maintain the current architectural designs as identified on the development plan.

STORMWATER DRAINAGE:

The subject property shall maintain the current stormwater drainage as identified on the development plan.

SEWAGE DISPOSAL AND WATER SUPPLY:

The sewage disposal and water supply currently used on the subject property will be properly maintained and operational in accordance with pertinent state and local regulations.

POLLUTION:

- A. Smoke: No smoke shall be emitted from any structure in the SCPD.
- B. Odor: No odorous gases or other odorous matter shall be permitted at any point beyond the SCPD boundary.
- C. Nose: The noise level shall be no greater than sixty (60) decibels at the lot line.

OUTSIDE STORAGE:

Outside storage shall consist of a shed as established and depicted on the SCPD. No rubbish or debris of any kind shall be placed or permitted to accumulate any portion of the parcel except in any enclosed dumpster or enclosed storage area.

TRAFFIC & CIRCULATION:

The proposed use addition shall incur no dramatic increase in traffic as a result of childcare services being provided throughout the week.

SCREENING AND BUFFERING:

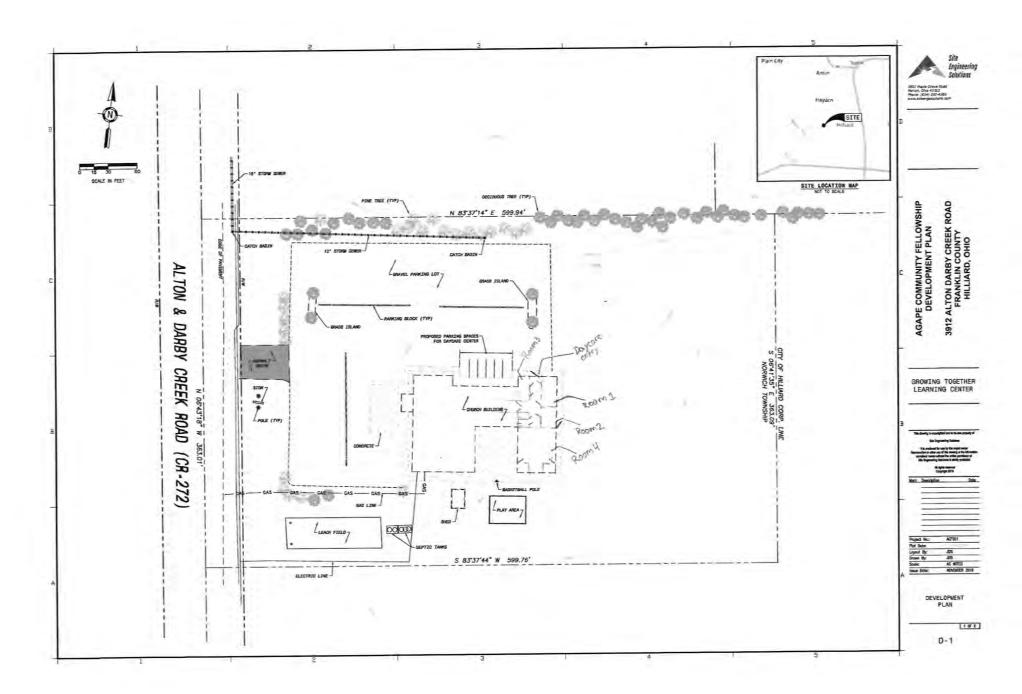
We are requesting a waiver/exemption of screening and buffering required when adjacent to a less intense residential district under 521.07 (2). The subject property shall maintain the current screening and buffering as identified on the development plan.

DETAILS OF CHILD CARE OPERATION:

- A. Number of children in care: 30 maximum
- B. Age of children in care
 - a. 6 weeks to 5 years of age
- C. Number of employees: 6 employees maximum
- D. Room size/square footage
 - a. Room 1: ~450 sq/ft
 - b. Room 2: ~300 sq/ft
 - c. Room 3: ~375 sq/ft
 - d. Room 4: ~2025 sq/ft
- E. Days/hours of operation
 - a. Monday through Friday 7a.m.-6p.m.
- F. Outside recreation areas will be of shared use.
- G. Food provided will be licensed as require by the Department of Public Health.
- H. Operations shall be licensed and by the Ohio Department of Job and Family Services (ODJFS) to be a fully licensed facility and will go through regulatory approval of not only ODJFS but the local fire department (Norwich Township), Ohio Department of Commerce (Division of Industrial Compliance for Change of Use/Building Occupancy), Franklin County Public Health, and any other regulatory agencies deemed necessary by ODJFS.

WAIVERS REQUESTED:

- A. We are requesting a waiver of 531.011 regarding parking facilities. Parking requirements shall conform as submitted in the development plan.
- B. We are requesting a waiver to Section 420.034(14) which limits the total size of the free-standing sign to 40 sq. ft. The current existing sign is 50 sq. ft. and would be maintained as it is currently.





STAFF REPORT

Board of County Commissioners April 14, 2020

Case: ZON-19-08
Prepared by: Brad Fisher

Owner: Al Rahma Mosque
Applicant: Abdulahi Warsame
Township: Clinton Township

Site: 2995 Parkwood Avenue (PID #130-001579), Parkway Avenue (PID

#130-001602), Mecca Road (PID #130-011912)

Acreage: 0.42-acres
Zoning: Rural

Utilities: Public water and sewer

Request: Requesting to rezone from the Rural District to the Suburban Office and

Institutional (SO) District.

Summary

The applicant is requesting a rezoning from the Rural district to the Suburban Office and Institutional (SO) District. The request is consistent with recommendations of the Clinton-Mifflin Land Use Plan. Staff recommends *conditional approval*.

Request

The subject site is located on the north side of Mecca Road east of Westerville Road in Clinton Township. The site is currently vacant and zoned Rural. The applicant is requesting to rezone the property to the Suburban Office and Institutional (SO) district. If the rezoning request is approved the applicant intends to combined the three (3) properties with parcel number 130-004347 to the south, which provides access to Mecca Road. The total combined acreage would be 0.67-acres.

History

The parcel that the subject site is proposed to be combined with was successfully rezoned from the Rural district to the Suburban Office and Institutional (SO) district on March 8, 2016. No development has occurred on the site since that time.

Surrounding Land Use/Zoning

The surrounding area is a mix of land uses and zoning districts in both Clinton Township and the city of Columbus. Land uses include single-family, multi-family, commercial, industrial and religious uses.

Comprehensive Plans

The Clinton-Mifflin Land Use Plan, adopted in 2009, recommends this property for office and residential uses. Corresponding zoning districts include the Suburban Office and Institutional (SO), Restricted Urban Residential (R-8), Urban Residential (R-12) and Suburban Apartment Residential (R-24) Districts.

The requested zoning district is consistent with the future land use recommendation of the Plan.

Staff Analysis

Suburban Office and Institutional (SO) District:

The Suburban Office and Institutional (SO) district is intended for offices and institutions that may locate independently or in small clusters and that desire buildings or groups of buildings surrounded by landscaped open areas adjacent to, but separated from the concentrations of people and traffic of retail, wholesale and industrial areas in the community. This district also allows for administrative, professional, institutional and business offices. The following are examples of permitted uses:

•	Veterinary Services	•	Dance Studios	•	Museums/Galleries
•	Travel Agencies	•	Business Services	•	Membership
•	Insurance Carriers	•	Health Services		Organizations
•	Real Estate	•	Legal Services	•	Religious Organizations
•	Investment Companies	•	Educational Services		

There is no minimum lot size or minimum lot width requirement in the SO district, however all development must comply with development standards including lot coverage, side yards setback, rear yard setback, front building setback, green belt and maximum building height.

Social Services

Technical Agency Review:

Franklin Soil & Water Conservation District, Franklin County Engineer's office, and Franklin County Drainage Engineer's Office

Expressed no concerns with the proposed rezoning.

Franklin County Sanitary Engineer's Office

Motion Picture Theaters

Confirmed availability of public water and sewer at the site.

Clinton Township

No comments were submitted to Staff, however at the January 8 Planning Commission meeting the Clinton Township Administrator expressed concerns regarding increased traffic and pedestrian safety along Albert Road.

Staff Review

The proposed rezoning keeps with the land use recommendation of the adopted comprehensive plan. In addition, the location proposed for rezoning meets the intent of the Suburban Office and Institutional (SO) district to group office and institutional uses and buildings in areas adjacent to, but separate from higher activity uses such as retail, wholesale and industrial uses. Staff believes that the proposed rezoning advances the general health, safety and welfare of the public by encouraging appropriate use and development of the land affected and the overall development of the surrounding area.

Staff Recommendation

Staff recommends <u>conditional approval</u> of the request to rezone from the Rural district to the Suburban Office and Institutional (SO) district. The condition of approval is that the parcel's to be rezoned must be combined with parcel number 130-004347 prior to receiving approval of a Zoning Compliance.

Planning Commission Recommendation

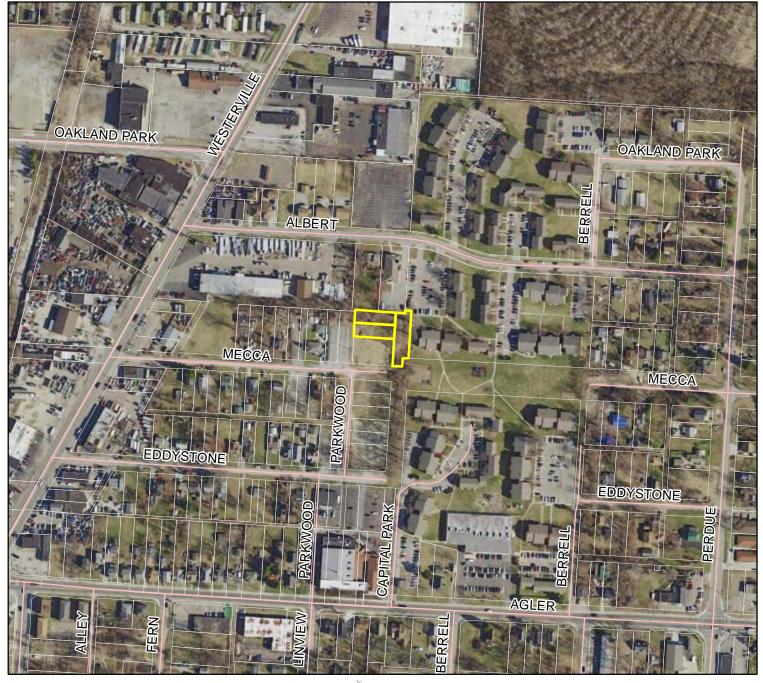
On January 8, 2020, the Franklin County Planning Commission recommended *conditional approval* of the request to rezone from the Rural district to the Suburban Office and Institutional (SO) District. The conditions are as follows:

- 1. The parcel's to be rezoned must be combined with parcel number 130-004347 prior to receiving approval of a Zoning Compliance.
- 2. Any proposed development on the site must provide a pedestrian connection to the existing sidewalk on Albert Avenue.

Rural Zoning Commission Recommendation

On March 19, 2020, the Franklin County Rural Zoning Commission *conditionally approved* the request to rezone from the Rural district to the Suburban Office and Institutional (SO) district. The conditions are as follows:

- 1. The parcel's to be rezoned must be combined with parcel number 130-004347 prior to receiving approval of a Zoning Compliance.
- 2. Any proposed development on the site must provide a pedestrian connection to the existing sidewalk on Albert Avenue.



Requesting to rezone from the Rural District to the Suburban Office and Institutional (SO) District.

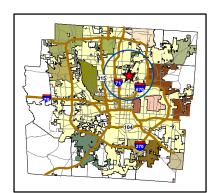
Acres: 0.42 acres

Township: Clinton Township

Subject Site

Streets

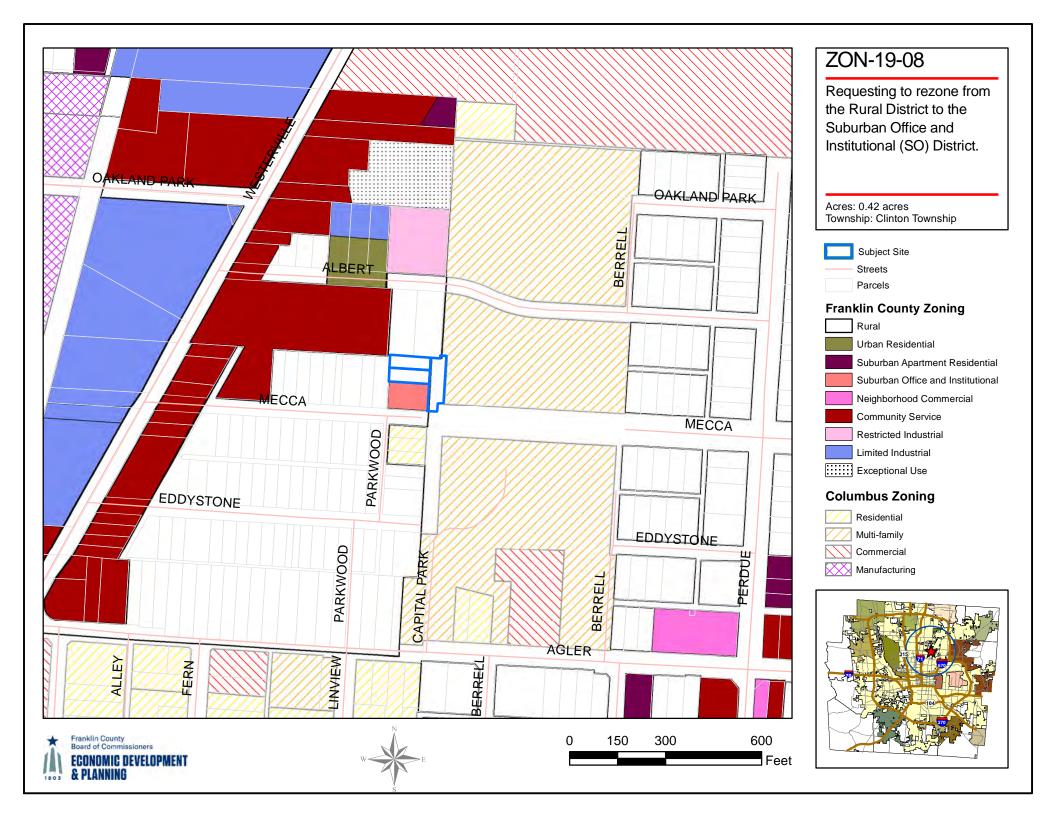
Parcels







0 150 300 600 Feet





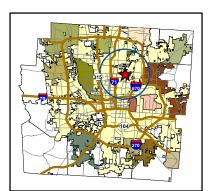
Requesting to rezone from the Rural District to the Suburban Office and Institutional (SO) District.

Acres: 0.42 acres Township: Clinton Township

Subject Site

Streets

Parcels





Franklin County Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING



