Engineering, Planning and Zoning
City Hall, 209 S Main Street

Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7351
www.marysvilleohio.org

# LEGAL NOTICE

**Notice of Public Hearing for Planning Commission in the City of Marysville. The Public Hearing will be held on March 5, 2024 at 6:30 p.m., in the Council Chambers on the second floor located at 209 S. Main Street, Marysville, Ohio 43040.**

## NEW BUSINESS:

1. To hear a Conditional Use Application request for a 'Vehicle Service and Repair Facility' within the Suburban Commercial (SCD) zoning district located at Parcel 2900190080050 on West 5th Street.

2. To hear an application for a Planned Unit Development (PUD) Sketch Plan application for a development known as Water and Light within the Uptown Commercial (UC) and Neighborhood Commercial (NCD) zoning districts located at Parcels: 2900051660000, 2900051670000, 2900051680000, 2900050340010, 2900050340020, 2900051640000, 2900051650000, and 2900051580010 off of North Main Street.

Copies of the above application(s) are on file and may be viewed on the City's Website, Boards & Commissions, Planning Commission: https://www.marysvilleohio.org/155/Planning-Commission

If you have any questions, you may contact the Marysville Engineering Department at (937) 645-7361 or (937) 645-7328 or via email at agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

Engineering, Planning and Zoning
City Hall, 209 S. Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7351
www.marysvilleohio.org

**PLANNING COMMISSION AGENDA**
**Tuesday, March 5, 2024 6:30 p.m.**
**Council Chambers, 209 S. Main Street, 2nd Floor**

**CALL MEETING TO ORDER:**

Time In: _____

**Roll Call:**

Chad Wolniewicz

Lesley Verbus

Matthew Fisher

Michael Nickoson

Robert Stillion

Bret Ingle

Paige Laub

**APPROVAL OF MINUTES:**

December 5, 2023 Regular Meeting Minutes and December 20, 2023 Special Meeting Minutes

**SWEARING OF CITIZENS & APPLICANTS**: All applicants speaking before the Planning Commission tonight will have to stand and raise their right hand (if unable to stand, you may be seated). The designated chair for the Planning Commission will administer the swearing in statement.

**CITIZEN COMMENTS:** Citizen speaking is limited on comments to five (5) minutes, unless written permission prior to the meeting. (If the chair feels that they would like to authorize them to speak another five minutes later in the item, they may allow them to do so).

**REPORT OF ADMINISTRATION:**

**NEW BUSINESS:**

1. Vote on Chair, Vice Chair, and Rules and Procedure

2. Vote on the Community Reinvestment Area Housing Council Representative.

3. To hear a Conditional Use Application request for a 'Vehicle Service and Repair Facility' within the Suburban Commercial (SCD) zoning district located at Parcel 2900190080050 on West 5th Street.

4. To hear an application for a Planned Unit Development (PUD) Sketch Plan application for a development known as Water and Light within the Uptown Commercial (UC) and Neighborhood Commercial (NCD) zoning districts located at Parcels: 2900051660000, 2900051670000, 2900051680000, 2900050340010, 2900050340020, 2900051640000, 2900051650000, and 2900051580010 off of North Main Street.

**DISCUSSION ITEMS:**

**DESIGN REVIEW BOARD LIAISON REPORT:**

**COMMENTS OF INDIVIDUAL BOARD MEMBERS:**

Chad Wolniewicz

Lesley Verbus

Matthew Fisher

Michael Nickoson

Robert Stillion

Bret Ingle

Paige Laub

**ADJOURNMENT:**

Time Out: _____

City Hall, 209 S. Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7352
www.marysvilleohio.org

**PLANNING COMMISSION MEETING MINUTES**
**December 5, 2023 at 6:30 P.M.**
**Council Chambers – 209 S. Main Street – 2nd Floor**

Manager Gaver explained that the Marysville East Section 2 Development Plan application, which is supposed to be heard tonight, will be postponed for consideration due to a delay in the legal notice. In order to follow the correct procedural process for Planning Commission applications, legal notices are mailed to surrounding property owners of the parcel in consideration. Per the City's Zoning Code for a Planned Unit Development, it is required that legal notices are sent out ten days prior to the hearing date. For the applications being heard at the December meeting, the legal notice for the meeting was mailed eight days prior to the meeting, instead of the ten-day requirement. Therefore, tonight we are going to do an informal presentation. There will be no comments from the Planning Commission or Citizens. There will not be a vote by the Planning Commission either. We will allow the applicant to present information to the Commission and to residents in order for them to see the information. Will schedule another meeting, likely in the next two weeks. At that time, there will be comments from the Commission and from Citizens and a vote by the Planning Commission.

**PLANNING COMMISSION MEMBERS PRESENT:** Chad Wolniewicz, Lesley Verbus, Robert Stillion, Bret Ingle and Scott Hunter. Michael Nickoson and Matthew Fisher excused.

**CITY ADMINISTRATION PRESENT:** *Planning and Development Manager* Ashley Gaver and *Planning Officer* Jeff Beard.

**ADDITIONAL PERSONS PRESENT:** Jessica Ingram, Dick Roggencamp, Gail Jenkins, Wendy Lyons, Randy Lyons, Kriss Ross, Aaron Underhill, Fred Durant, Matt McQuade, Amber Sway, Danny Westlake, Keith Mohler, Deba Mohler, Chad Dinger, Michelle Nicodemus, Bob Bailey, Vera Spencer, Emily Hice, Steven Hice, Ann Aquillo, Colenn Miller and Betsy Jacoby.

1. **To hear an application for a Planned Unit Development (PUD) Development Plan application for a development known as Marysville East Section 2 located at Parcels with ID numbers of (2800170430000, 2800210050000, 1100120010000).** Mr. Barok provided a presentation as shown in Exhibit A. He said he is excited to announce that the industrial developer for the development, the New Albany Company. With him was Aaron Underhill, Partner Underhill and Hodges and Matt McQuade of McQuade Economic Growth Advisors who spoke on behalf of the New Albany Company. The industrial plans will now be expanded upon for the public.

**ADJOURN:** There being no further business to bring before the Commission, meeting adjourned at 7:02 p.m.

City Hall, 209 S. Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7352
www.marysvilleohio.org

**PLANNING COMMISSION MEETING MINUTES**
**December 20, 2023 at 6:30 P.M.**
**Council Chambers – 209 S. Main Street – 2nd Floor**

The meeting was called to order by Chairman Nickoson at 6:30 p.m.

**PLANNING COMMISSION MEMBERS PRESENT:** Michael Nickoson, Chad Wolniewicz, Scott Hunter, Lesley Verbus and Robert Stillion. Matthew Fisher and Bret Ingle excused.

**CITY ADMINISTRATION PRESENT:** *City Engineer* Kyle Hoyng and *Planning Officer* Jeff Beard.

**ADDITIONAL PERSONS PRESENT:** Aaron Underhill, Dick Roggenkamp, Doug Jenkins, Robert Cannode, Rocky Nelson, Gail Jenkins, Mark Clark, Deba Mohler, Keith Mohler, Tim Shier, Gregory Edwards, Michelle Nicodemus, Emily Hice, David Yoder, Vera Spencer, Kathy Young, Doug H., Dan Westlake, Ryan Lee and F. Durant.

**APPROVAL OF MINUTES:** Commissioner Stillion moved to approve the November 7, 2023 Planning Commission Meeting Minutes as presented; voice vote in favor was unanimous.

**SWEARING OF CITIZENS AND APPLICANTS:** Chairman Nickoson asked anyone who thinks they may be speaking during the meeting to stand and raise their right hand to be sworn into the meeting. The swearing in statement was made my Chairman Nickoson.

**CITIZEN COMMENTS:** None.

**REPORT OF ADMINISTRATION:** Engineer Hoyng provided a summary of the investment by the City in the Marysville East area. The City invested in a $15 million pump station and water lines to handle development in the area. It is the opinion of City Staff that the PUD to be heard tonight meets the intent of the Comprehensive Plan. Approval by the Planning Commission is recommended this evening.

**NEW BUSINESS:**

1. **To hear an application for a Planned Unit Development (PUD) Development Plan application for a development known as Marysville East Section 2 located at Parcels with ID numbers of (2800170430000, 2800210050000, 1100120010000):** Aaron Underhill, an Attorney at Underhill and Hodge, representing the applicant, the New Albany Company, spoke. He provided information as shown in Exhibit A. He explained that Ohio law dictates that annexation applications have to be brought in increments of 500 acres or less. That is why we presented Marysville East Section 1 and now Section 2. Section 1 was approved by Planning

Commission and was presented to Council for its Second Reading on December 18, 2023. The New Albany Company has completed projects on over 8,000 acres to date. Companies that choose to develop have included: Intel, Google, Facebook, and bio pharmaceutical companies, to name a few. It's about quality growth with sustainable companies that will be in the community for years to come. We also understand that housing is needed, which is also included. Current and future generations will live and work here, and will prosper. There has been discussion regarding set-backs. The set-backs of this PUD will exceed the City Code, the baseline is 50 feet and this PUD will be 100 feet. We have committed to bring a road to that will allow new traffic to bypass the neighborhood along Watkins Road. We have a track record of working with existing neighbors. We will continue to do that and will continue to have an open line of communication.

Commissioner Comments: Commission Stillion inquired about the process for adding roads. Mr. Underhill and Engineer Hoyng explained that it will be a process the that the City will be very involved in. Commissioner Hunter asked for more information regarding the setbacks, given the setback varies based on a building's location. Multiple numbers were reviewed from the City Code and from the PUD. Ultimately, it can be concluded that the Code has one-quarter of the setback requirement as to what is being proposed in this PUD. Commissioner Hunter also asked for clarification regarding the mounding's. Mr. Underhill explained that they will be 10-foot total, 6-foot mounding's and 4-foot plantings. Within four years, they need to have 80% opacity. Commissioner Hunter asked if there is a requirement by the City for mounding with regard to commercial properties. Officer Beard responded there is a screening requirement that can include mounding, but it is up to the applicant, and it depends on the parcel if it is required. Chairman Nickoson asked if there will be accessory structures that go along with these buildings. Mr. Underhill responded yes and there will be screening around them. Dick Roggencamp, of the New Albany Company, added that for their developments, accessory structures are typically screened from view of the public right-of-way. Also, with regard to mounding's, we do not just build mounds with a tree on top. There will be trees going up the slope. There will be a mixture of evergreen and deciduous trees that will be a barrier both visually and for noise.

Citizens: Regarding citizen comments, Chairman Nickoson explained that citizens have up to five minutes to speak. This is not a back and forth dialogue. Questions will be recorded and those that can be answered will be, following all citizen comments.

Gregory Edwards said that data centers require a lot of electricity. They have their own substations and are fed with overhead lines. That is a lot of ugly. He said he has worked on them personally and each time, he hasn't seen houses around them. They are loud, there is a constant hum. Substations are huge and transformers make noise, such as in New Albany and in Hilliard. A six-foot mound with trees won't do much to cover a 60-foot building. He said he is not against more housing or even doctors' offices, but he is against the type of development being proposed.

Mark Clark said he has lived in Buxton Meadows for three years and chose to move where he did for retirement. He is not against development and understands the need for additional housing, entertainment and things to do. He likes the small town feel of the Uptown and doesn't want that to go away. He doesn't want this type of development behind where he lives. According to the Comprehensive Plan, this area is intended to be housing. If the Comprehensive Plan is going to be updated, then this development should wait. He asked what independent studies have been done to show what Marysville truly needs. Housing was rejected on the west side. The community doesn't know how we are going to go

forward with all of the building going on and what were going to do with roads. There isn't a plan. The developer does have a good plan but doesn't belong where it is at.

Doug Jenkins said this development goes outside of the Comprehensive Plan and as a result, it could set a legal precedence for decisions in the future. He asked where the data center is envisioned to be placed.

Emily Hice said she loves the buffer ideas and asked if there will be any for the properties along Watkins Road, where she lives, which is not in Buxton Meadows.

David Yoder said as a neighborhood, those of us that live in Buxton Meadows are not opposed to development. We understand Marysville is in a prime location, that growth is inevitable and that it is a good thing. Our concern is the use of the land. Marysville already has an Innovation Park. We still haven't received an answer as to why we need another one when the first one is empty. If this PUD proposed more residential, he thinks there would be less push back in general.

Michelle Nickodemus spoke in opposition to data centers being allowed with this development. She said she is opposed to them near a residential area, with her main concern being noise. She went to a data center with a decibel reader and stood outside. She had readings ranging from the mid-60s to low 70s. For reference, 55 decibels is a residential street, 60 decibels is a normal conversation and 70 decibels is equal to a vacuum cleaner or a loud conversation. Imagine playing in the backyard with your kids or having a morning cup of coffee with the constant sound with that of a vacuum cleaner. She cited information from the Center for Disease Control that states noise not loud enough to cause hearing damage can still cause stress, anxiety and heart disease with continuous exposure. The World Health Organization has recognized low frequency noise as an environmental problem since 2000. She said she is asking Marysville to be proactive with regard to the potential noise problem related to a data center being near residential properties. The City Code states a PUD should provide amenities to sustain the quality of life and property values. She asked if a data center would do this. She asked Council to realize the consequences that a data center would have for her neighborhood or for a future one. This is the perfect example of an opportunity for the City to show the citizens of Marysville an example of responsible zoning.

Doug Hoy expressed concern with the stated setbacks and a data center being so close. He said he is not against development, but he is against irresponsible growth. He provided examples in the Columbus area where data centers are located without proximity to housing. He encouraged the City to do the right thing and have responsible zoning.

Danny Westlake, Dover Township Trustee, asked if a traffic study has been or will be completed. Engineer Hoyng responded that a traffic study will be required prior to each development. This is a land use planning document. We do not know what the final businesses will be. Data centers do not generate any traffic; however, others businesses could bring traffic. That is why a study will not be completed until we know the development. Mr. Westlake also said that drainage is a concern in this area, the water flows east and goes towards Mill Creek. Residents paid for a waterway in 2000 that was put on their tax bills. Lastly, he asked how the new roads will be maintained.

Aaron Underhill addressed many of the comments. He said the statements that there is no residential in New Albany near the Business Park is accurate. The Business Park has evolved over time and has grown exponentially. Residential properties did exist around the Business Park, but they were later acquired and

developed. That won't happen in this instance though, obviously. He spoke to other area around Google and a future data center site. There are instances where residential and commercial co-exist. In New Albany, the minimum setbacks are 100 feet and we are trying to do more here. Regarding noise, there will be a secondary review by the Design Review Board and he is certain the topic will be discussed then. A data center is likely to come, but keep in mind there are other uses too. There will be screening and sound buffering if there is a data center within close proximity to residential. The secondary review will make sure this is being addressed to ensure we are being good stewards. Comprehensive Plans can be tricky, in his experience they have been used to argue for and against development. The Comprehensive Plan is a recommendation and if it were anything more than that, then there would be no need for zoning. Comprehensive Plans are followed where it makes sense and are not followed when times have changed. Regarding residential buffering along Watkins Road, we don't know where new road will be. We will be committed to working with the person that asked, we will take her name to provide appropriate screening. We have made commitments, in some instances, to plant evergreens on private property when we had permission to do so. Mr. Roggencamp spoke to the comment made that there is a playbook for data centers to have property rezoned without disclosing the intention. That is not what we are doing. We are being open with what might go here. The Code currently has a use called "Data Processing." During preliminary planning, the suggestion was made internally that what could go in this PUD could fit within the "Data Processing" definition. Maybe we could have hid it under that use, but we wanted to make it was clear what we are anticipating. Regarding drainage, any engineering review will include drainage and we will work with City. When you develop farm land, you will create runoff from the impervious surface created. It will be our obligation to detain that water on site and release it at the same rate that it is being released now. New roadways will be maintained by the City. A new road would hopefully reduce traffic on an existing portion of Watkins Road. There is about 130 acres of land available in Innovation Park. That isn't a huge supply of land and it could be taken up in one or two transactions. That inventory is no where near sufficient for the future. Mr. Underhill said we do not know where a data center would be located. We need to get the zoning passed and then we can market the property and work with City Staff to determine which location options are appropriate once have interested parties. Lastly, Mr. Roggencamp said overhead transmission lines are expected and it is also expected that sub-stations will be above ground.

Commissioner Hunter said regarding the comments of financial motivation, Planning Commission is not able to elaborate because that is not our role. The Planning Commission is looking at this from a zoning perspective. Commissioner Hunter asked how the mounding around Buxton Meadows plays into the impacted drainage. Mr. Underhill said he cannot speak with certainty, but regulatory standards will have to be met. Engineer Hoyng said there will be a pre-application meeting, which will go through the process of reviewing stormwater plans. Adjustments will be made as necessary to make sure it makes sense. Commissioner Hunter said he knows the residents have a particular sensitivity to water, he walked in their backyards with them and understands that they have experienced flooding. Considerable discussion regarding roads and access points followed. At the end of the day, the City would maintain new roads within the City. The City would work with the County if a new City road exits onto a Township Road. Commissioner Hunter said there was information in the packet regarding the trail network and asked if the applicant would elaborate on those plans. Bart Barok, of Rockford Development Investments, said the trail network on Watkins Road will have trails on both sides. It will hook the trail system to Buxton Meadows. Additionally, all of the interior roads will have sidewalks. Commissioner Hunter said there were also comments about noise. Officer Beard said the Code bases noise levels according to decibels and to the time of day. The zoning also varies, based on residential, mixed-use or industrial. With Buxton Meadows

not being in the City, this is something that would have to be reviewed further in an effort to be good neighbors. Lastly, Commissioner Hunter spoke to the Comprehensive Plan. It is a general guide but it is not intended to draw actual boundary lines. It reflects how development might occur.

Commissioner Wolniewicz moved to approve the development plan and the question put, stood:

Mr. Stillion YES; Mr. Nickoson YES; Ms. Verbus YES; Mr. Wolniewicz YES;
Mr. Hunter YES.

**DISCUSSION ITEMS:** None.

**COMMENTS OF INDIVIDUAL BOARD MEMBERS:**

Commissioner Wolniewicz had no further comments for the evening.

Commissioner Stillion had no further comments for the evening.

Commissioner Verbus had no further comments for the evening.

Commissioner Hunter said this will be his last Planning Commission Meeting. He said he had the opportunity to attend the City Council meeting on Monday and meet his replacement. She seems kind and experienced. It has been a pleasure serving with the Planning Commission and he looks forward to continuing to do so while he is on Council. Lastly, he said he appreciates the comments from citizens.

Chairman Nickoson thanked Commissioner Hunter for his time on the Commission and wished him the best of luck on City Council. He also said he appreciates the comments from citizens, the concerns have been heard and we will continue to work on them.

**ADJOURN:** There being no further business to bring before the Commission, Commissioner Hunter moved to adjourn the meeting. Affirmative voice vote in favor was unanimous. The meeting adjourned at 7:21 p.m.

Engineering, Planning and Zoning
City Hall, 209 S. Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7351
www.marysvilleohio.org

# RULES OF PROCEDURE FOR THE CITY OF MARYSVILLE PLANNING COMMISSION

1. The day and hour of the Planning Commission meetings shall be the first Tuesday of each month at 6:30 pm. When a conflict occurs with the meeting date, it shall be adjusted to the first Wednesday of the month at 6:30 pm, and noted in the yearly calendar. If there are no applications submitted for 'old business' or 'new business', the meeting shall be postponed until the following month. Special meetings shall be publicly announced in the local newspaper and the city website at least 48 hours in advance.

2. The order of business for the Planning Commission meetings shall be:
    a. **Call Meeting to Order**
    b. **Roll Call**
    c. **Approval of Minutes**
    d. **Swearing in of Citizens & Applicants**
    e. **Comments of Citizens - Citizen Comments are limited to five (5) minutes, unless prior permission is granted by the designated Chairmen.**
    f. **Report of Administration**
    g. **Old Business**
    h. **New Business**
    i. **Discussion Items**
    j. **Boards and Committees Representative Report**
    k. **Individual Commissioners Comments**
    l. **Adjournment**

3. Each Commissioner and citizens, before speaking upon any subject, shall address the presiding officer and be recognized by him or her.

4. Unless a conflict(s) of interest is recognized, each member of the Commission shall be required to vote upon all questions before the Commission. When such conflict(s) are recognized the member shall refrain from any conversation or discussion on the issue. Commission members shall notify the Chairperson prior to any discussion on a subject where a conflict of interest may exist where the member's personal interests or concerns may affect his/her loyalty to the public interest. After notification the stated conflict of interest shall be made public by inclusion in the meeting minutes. The Commission Member shall then remove him/herself from the room and exclude him/herself from any discussion or vote on the subject. If the Chairperson has a conflict of interest, the same procedure shall be followed by notifying the next officer in succession.

5. An agenda as well as administration comments for each meeting shall be delivered to the Commission seven (7) days prior to the regularly scheduled meeting.

6. The meeting agenda shall be delivered to all applicants for items on the agenda seven (7) days prior to the regularly scheduled meeting. A copy of the meeting minutes or a decision letter outlining all decisions of the application shall be mailed to the applicant(s) no later than two (2) weeks after the meeting occurred.

7. Any item not on the agenda may be considered with the majority consent of the members present. This shall not include any item requiring a deadline as specified in Chapter 1100 of the Planning & Zoning Code.

8. Prior to any official application updates/changes associated with the Planning Commission along with all zoning and sign permits, staff shall present the updates to the Commission during a regularly scheduled meeting for review and approval.

9. Chairperson and Vice-Chairperson shall be elected at the first meeting of the calendar year. In the absence of both, the members present shall select an interim chair to serve as Chairperson until the return of the Chairperson and/or Vice Chairperson. If the Chairperson position becomes vacant after being elected then the Vice Chairperson will become Chair for the remainder of the year. If the Vice Chairperson position becomes vacant during the year then the board shall elect a new Vice Chairperson.

10. A Majority of all members of the Commission shall be considered a quorum for the conducting of business. A lesser number may meet to adjourn to a later date and time. A majority vote of all members is necessary for the passage of matters for sketch plan, preliminary and final plats, density bonus, conditional uses, and zoning amendments (including, rezoning, zoning code amendments and PUD) and matters that directly affect an applicant's property rights. A majority vote of all members present is required for all other matters put to motion.

11. Motions do not require a second.

12. The Planning Commission Chairperson may appoint Ad Hoc Committees as necessary to deal with matters needing attention. These committees shall then report their findings back to the Planning Commission as a whole. After the matter has been addressed, the committee may be dissolved by a majority vote from the Commission. Committee meetings must be advertised at least 48 hours prior to the meeting. Minutes for the committee will be completed by a member of the committee and a copy given to the Chairperson.

13. Per Rules of Council, the Chairperson or appointee will provide Planning Commission updates at the second City Council meeting of each month when applicable.

14. These Rules of Procedure shall be available for public inspection. These rules may be amended by majority consent of all the members of the Commission.

# MARYSVILLE COMMUNITY REINVESTMENT AREA PROGRAM

UNION COUNTY MARYSVILLE
ECONOMIC DEVELOPMENT

**Purpose**
In 2002, the Marysville City Council approved the continuance of a Community Reinvestment Area (CRA) in the Uptown District and surrounding residential areas. The main purpose of the program is to encourage development, redevelopment, and revitalization in the older areas of the community so as to improve economic stability, maintain real property values, and create new employment opportunities. Please refer to the back page of this document for a map of the CRA boundaries.

The CRA program's main mechanism is the use of tax incentives granted to property owners for real property improvements to their buildings which meet the goals, objectives and requirements listed in this document. The abatement reduces the increase of property taxes that occur as a result of the completion of renovations or new construction. It does not reduce existing property taxes. The real property improvements include building and structural modifications such as a new addition, new windows, new façade, new storefront, new awnings and major structural repair.

**Eligibility**
Residential (no more than two units in building), commercial, and/or industrial property owners in the CRA designated zone who plan to make structural improvements may qualify. Commercial buildings with residential units on the upper levels will be considered as commercial buildings.

**Benefits & Requirements**
Qualifying residential properties may receive a 75%, seven (7) year real property tax abatement for new improvements for which the cost of remodeling is at least $7,500. Said residential buildings shall not have more than two residential units, shall be owner occupied, and shall not have commercial on the first floor. The review and approval of the Housing Officer is required.

Qualifying commercial and industrial properties may receive up to a 100%, ten (10) year real property tax abatement for new improvements for which the cost of the remodeling is at least $10,000. Approval is on a case-by-case basis and is determined by the amount of investment and number of jobs created or retained.

Qualifying commercial and industrial properties may receive up to a 100%, fifteen (15) year tax abatement for new building construction for which the cost of the new construction is at least $350,000. Approval is on a case-by-case basis and is determined by the amount of investment and number of jobs created or retained.

**Criteria for Approval**

The City shall consider the following when reviewing each application:

- Residential building is less than two units and is owner occupied;
- Use of building shall meet zoning and building regulations;
- Shall encourage private investment that will repair, construct, or improve a building;
- Commercial and industrial projects that create new employment, restore historical significance, or promote revitalization of the Uptown area are preferred. Non-residential projects should comply with the Union County Economic Development Incentive Policy, a copy of which can be obtained by contacting the Economic Development Office.

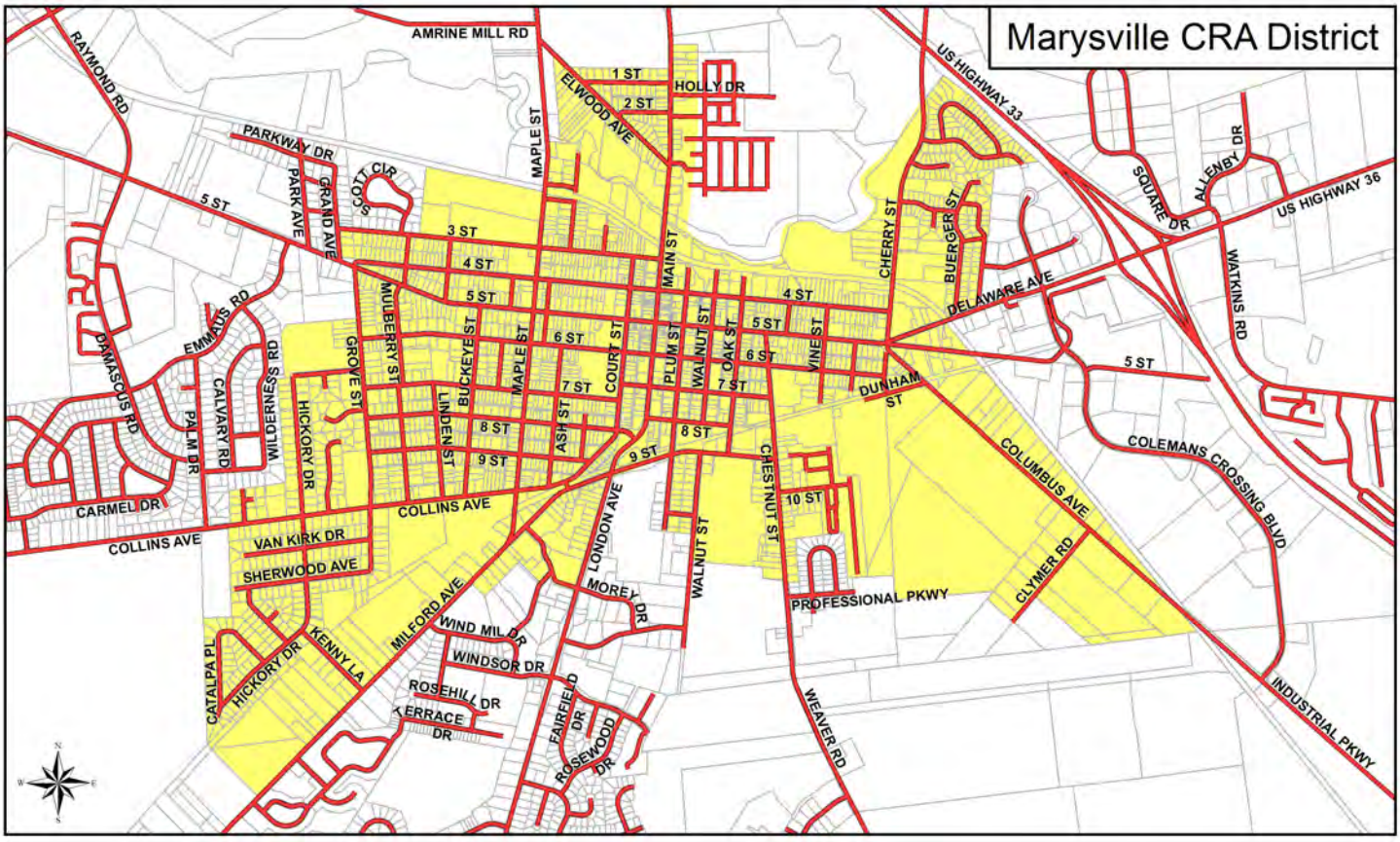
**Compliance**
Every project that receives a tax abatement is reviewed annually by the City of Marysville Housing Council. The Housing Council is comprised of business owners, citizens, and City officials.

If a property owner does not comply with the terms and conditions of the approved CRA Application, the tax abatement may be removed by action of the Housing Council. Therefore, it is important that the property owner is realistic and plans to satisfy the pledged construction values, jobs created, and the project's impact when he/she completes the CRA Application.

**Process**

- Property owner contacts the Economic Development Office at 937.642.6279 to discuss the program.
- Once compliance is determined, property owner submits CRA Application for review.
- The City reviews and determines whether the application meets guidelines; application is approved.
- Prior to construction, property owner submits and receives zoning approval. Design Review Board approval may also be required. Please contact the City Zoning Administrator at 937.645.7361.
- Prior to construction, property owner submits and receives an approved Building Permit. Please contact the Union County Building Department by calling 937.645.7359.
- After construction is complete, the Union County Auditor determines the value of improvement and formally institutes the abatement.

**CRA Boundary**



Engineering, Planning and Zoning
City Hall, 209 South Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7351
www.marysvilleohio.org

March 5, 2024

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
Planning and Development Manager

**RE: Conditional Use Permit - 'Vehicle Service and Repair Facility'**

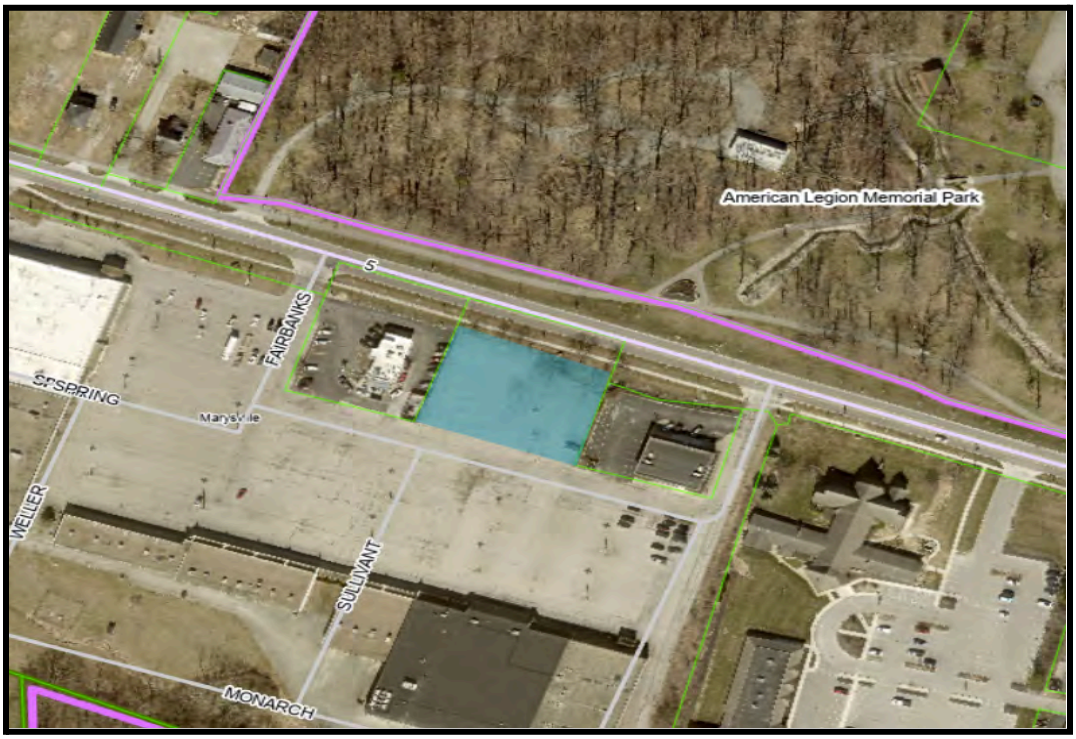
**Application:** To hear a Conditional Use Application request for a 'Vehicle Service and Repair Facility' within the Suburban Commercial (SCD) zoning district located at Parcel 2900190080050 on West 5th Street.

**Applicant:** Commercial Site Acquisitions, Inc. dba CASTO
Dan Leathery
250 Civic Center Drive Suite 500
Columbus, OH 43215

**Owner:** Blue Filly LLC
3300 Riverside Drive Suite 100
Upper Arlington, OH 43221

**Location:** The conditional use request would be located within the Suburban Commercial District, on West 5th Street between 1055 W 5th St (Marysville Dental Associates) and 1105 W 5th St (Wendys) (Parcel: 2900190080050).

## Aerial (location is in blue)




Uses in the Suburban Commercial District are as follows:

## Permitted Uses for Suburban Commercial District (SCD)

- Artisan Studio
- Bank of Financial Institution (w/ drive-thru, see supplemental regulations Chapter 1123.28)
- Club
- Commercial recreation, Indoor, excluding Adult Entertainment
- Cultural Institution
- Funeral Home
- Grocery Store or Supermarket
- Institutional/Government Offices
- Medical or Dental Office or Clinic
- Meeting Facility
- Personal Services
- Professional Offices
- Religious Places of Worship
- Residential Care Facility, Assisted Living
- Restaurant (w/ drive-thru - see supplemental regulations Chapter 1123.28)
- Retail, Sales & Service
- Single-Family Home (attached)
- Veterinarian Animal Hospital and/or Animal Clinic (no outside kennels)

**Conditional Uses for Suburban Commercial District (SCD):** (Permitted upon approval of a Conditional Use Permit by the Planning Commission)

- Child Day-Care Center
- Commercial Recreation, Outdoor, excluding Adult Entertainment
- Emergency Care Facility
- Essential Public Services and Utilities
- Multi-Family
- Congregate Care Facility, Assisted Living
- Congregate Care Facility, Nursing Home
- School (K-12)
- Senior Living, Independent Living
- Vehicle Fuel Sales
- Vehicle Fuel Sales when Accessory to Permitted Use
- **Vehicle Service and Repair Facility (this is the use requested)**
- Vehicle, Sales, Rental and Lease Excluding Body Work
- Veterinarian Animal Hospital and/or Animal Clinic (outside kennels)
- Warehousing, Personal Storage/Mini

Below are the applicant's responses to the questions from (a)-(h) of Section 1141.24 along with staff responses in green if warranted:

***1141.24 GENERAL STANDARDS APPLICATION TO ALL CONDITIONAL USES.***

**(a) Is in fact a conditional use as established under the provisions of Chapter 1121 and appears in Chapter 1121 for the applicable zoning district or overlay;**

> Applicant Response: The proposed use, a Valvoline Instant Oil Change, falls under the Vehicle Service and Repair Facility definition of the City of Marysville Code of Ordinances, and is established as a conditional use under the Suburban Commercial District in Chapter 1121. The site is currently zoned in the Suburban Commercial District today.

**(b) Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City's Comprehensive Plan and/or the Planning and Zoning Ordinance;**

> Applicant Response: The proposed use will be harmonious with and in accordance with the general objectives of the City's Comprehensive Plan and the Planning and Zoning Ordinance. The City's Comprehensive Plan's Future Land Use Map highlights this site as Neighborhood Mixed Use. Currently, the 14.72-acre former shopping center site is being repurposed with a mix of uses, including +/- 12.5 acres of residential development, with +/- 2.2-acres remaining for new commercial development (consisting of two parcels, one being +/- 0.60 acres and the other being +/- 1.6 acres) along West Fifth Street.

Staff Response:

1. Within the Marysville Zoning Code for the Suburban Commercial District it states, “The purpose of the Suburban Commercial District (SCD) is to promote a mix of uses in close proximity to residential forms of suburban development. The SCD allows for the establishment of commercial and institutional uses that support suburban development.” Based on the Commercial Building Typology description within the SCD, the intent of commercial development is to be “oriented toward suburban commercial corridors that are adjacent to suburban residential development, providing convenient retail options to residents in the surrounding area.” As described, the Applicant’s request for a use categorized as ‘Vehicular Service and Repair Facility’ does not meet the intent of the Commercial Building Typology.

2. Per the Comprehensive Plan, “Critical to the success of the Neighborhood Mixed Use District is well-integrated, neighborhood retail options.The district should prioritize these options, such as cafes, restaurants, and other service-oriented retail that caters to local residents first.” The comprehensive plan outlines key features for each district; Neighborhood Mixed Use District’s are listed below:
    - Pedestrian-friendly streets with high quality streetscapes
    - Smaller retail and office users that support local residents and provide experiences such as cafes, restaurants, and retail
    - Public spaces for communal gathering with seating, lighting, and landscaping

    The requested use does not align with the Comprehensive Plan’s description related to creating a successful district through neighborhood retail options.

**(c) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;**

Applicant Response: The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

Immediately adjacent to the site are a Wendy’s with a drive through window and a dentist's office. In close proximity to the subject site along the West Fifth Street corridor are two fuel stations (a Marathon gas station and Kroger fuel center) as well as a McDonalds, Kroger grocery store, Donatos Pizza, CVS (all of which have drive through/pick up windows) along with varying commercial/retail uses typically found in a commercial corridor servicing the surrounding community and traveling public. Valvoline Instant Oil Change is a best-in-class operator often located in similar corridors. Additionally, with no direct access to West Fifth Street, the proposed use will not have a detrimental traffic impact. Lastly, the proposed use and conceptual site plan will reduce the impervious area that currently exists on the site.

Staff Response:

1. In general, based on staff's research of other Valvoline Instant Oil Change locations in the region, the businesses are typically surrounded by commercial and office uses and not abutting to residential as the proposed use will be at the Vision Development outparcel.

2. The proposed use is also directly across the street from a highly utilized and desirable City park, American Legion Memorial Park, that has walking trails, picnic shelters and even an amphitheater which hosts weddings. At the rear of the site of the proposed use, there is a new multi-family development currently under construction, which will be pedestrian friendly and promote walkability throughout the neighborhood and vicinity. These existing amenities enhance the quality of life within the City, and align with the intent of the Neighborhood Mixed Use District outlined in the City's Comprehensive Plan, which states, "The Neighborhood Mixed Use District includes a well-integrated mix of housing, neighborhood oriented retail, and parks and public space, all connected by a network of comfortable, pedestrian friendly streets."

3. As well, the requested use of 'Vehicular Service and Repair' is not categorized as a suggested use per the City's Comprehensive Plan. The suggested uses outlined in the Comprehensive Plan will help to promote the desired development character of the Neighborhood Mixed Use District, which include:
    - Duplex/Quad-plex
    - Multi-family
    - Neighborhood retail
    - Neighborhood office
    - Dense single-family
    - Schools

**(d) Will not be hazardous or disturbing to existing or future neighboring uses;**

Applicant Response: The proposed use will not be hazardous or disturbing to existing or future neighboring uses. A successful Valvoline store typically services approximately 50-cars in a day. This is a much less intensive traffic generating tenant than other surrounding commercial uses such as fast-food restaurants or fuel stations. Further, customer traffic will access the site through internal shared drives already approved by the City of Marysville and will not have any direct or newly created access onto West Fifth Street.

Staff Response:

1. The noise created from the proposed use will be disturbing to the future residents who will be utilizing the multiple outdoor gathering places located around the Vision Development property, as well as residents that are enjoying the American Legion Memorial Park directly across W. 5th Street..

As stated previously, research of other Valvoline Instant Oil Change locations in the region are surrounded by commercial or office uses and not abutting to residential.

**(e) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;**

Applicant Response: The proposed use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools. The applicant will work with the persons or agencies responsible for the establishment of the proposed use to confirm the ability to adequately provide any such services.

**(f) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;**

Applicant Response: The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

**(g) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors;**

Applicant Response: The proposed use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors. Valvoline is a best-in-class, quick-service oil change operator. Valvoline does not store oil in underground tanks, they recycle 100% of materials generated from primary services and they do not complete work that would generate smoke, fumes, or odors (i.e. exhaust or paint services).

Staff Response:

1. The noise created from the proposed use will be disturbing to the future residents who will be utilizing the multiple outdoor residential gathering places located around the Vision Development property, as well as residents that are enjoying the American Legion Memorial Park directly across W. 5th Street from this location.

**(h) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.**

Applicant Response: The vehicular approaches to the proposed use for the property are designed as not to create an interference with traffic on surrounding public

thoroughfares. Recognizing the fact that Valvoline is an extremely low traffic generating use and will not have direct access to West Fifth Street, there will not be interference or negative impacts to adjacent public thoroughfares. Traffic will access the site through internal shared drives which have been studied and designed to accommodate traffic for the adjacent properties. There will be no new access points created along West Fifth Street as part of this proposed application.

## PLANNING & ZONING ANALYSIS

### Staff Comments:

1. The board shall discuss the responses to the Zoning Code Section 1141.24 in detail with the applicant.
2. It is the position of the Planning and Zoning staff that many of the factors outlined in Zoning Code Section 1141.24 are not able to be met by the proposed use for this particular location.
3. It is the position of the Planning and Zoning staff that the requested conditional use does not align with the intent of the City's Comprehensive Plan and Zoning Code for the Suburban Commercial District.

*If you have any questions about the aforementioned items, please contact Planning and Zoning Department at (937)645-7361 or (937)645-7328, or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.*

CASTO
250 Civic Center Drive, Suite 500 | Columbus, Ohio 43215
614.228.5331 | www.castoinfo.com

February 13, 2024

Jeff Beard
Planning & Zoning
City of Marysville
209 S. Main Street,
Marysville, Ohio 43040

Re Planning Commission Request for Conditional Use

Dear Jeff,

Attached is our request for Conditional Use from the Planning Commission for 0 West Fifth Street, Marysville, OH (0.60-acre Future Parcel # 2900190080050). Along with the attached signed Application, also included is a copy of the Site Plan, a written statement answering the facts and circumstances listed in Section 1141.24 of the Planning and Zoning Code, and a set of mailing labels containing the names and addresses of the property owners contiguous to or directly across the street from the property. Should you have any questions on the attached application, please feel free to contact us.

Sincerely,
**Commercial Site Acquisitions, Inc. dba CASTO**

Eric Leibowitz
Authorized Representative

Enclosure

cc via email:

Eric Leibowitz, Casto
Dan Leathery, Casto
Brent Myers, Casto

Inspired Ideas since 1926

Received (stamp):

209 S. Main Street • Marysville, Ohio 43040
Phone: (937) 645-7350 • Fax: (937) 645-7351 • www.marysvilleohio.org

# PLANNING COMMISSION
# REQUEST FOR CONDITIONAL USE

***** IMPORTANT INFORMATION ~ Please read before completing the application*****

- **Required – Submission of a complete application, including all of the items listed in the application checklist.**
- **Applications and applicable fees shall be submitted by no later than 5:00 p.m. on the application deadline date.**
- **Submitted applications and all checklist items shall be reviewed by City staff for completeness. Submittals found to be incomplete will be rejected and the application will not be placed on the Board agenda. If an application is found to be incomplete, the applicant may submit the missing materials by the application deadline date to complete the application.**
- **No late submittals or additional information will be accepted after the application deadline.**
- **Any construction and/or occupancy of the site for which the conditional use is being requested for shall not commence until approval is granted by the Planning Commission and all appropriate approved permits are obtained by the Division of Engineering and the Union County Building Department.**

**Project Site Information** *(Please print clearly)*

Project Street Address: 0 West Fifth Street, Marysville, OH (Address not yet assigned) Property Zoning District: SCD

Company / Business Name: Valvoline Instant Oil Change

An appeal is requested in the manner of the following (please describe in detail; attach a separate sheet if necessary):

Application for Conditional Use Permit.

Owner of Property: BLUE FILLY LLC

Owner's Address (Street): 3300 Riverside Dr, Suite 100

City, State and Zip Code: Upper Arlington, OH 43221

Owner's Telephone Number: 614-255-3388

**Applicant Information** *(Please print clearly)*

Applicant: Commercial Site Acquistions, Inc. dba CASTO ☐ Owner ☒ Agent ☐ Representative ☐ Other

Company: Commercial Site Acquisitions, Inc. dba CASTO

Address (street): 250 Civic Center Drive, Suite 500

City, State, and Zip Code: Columbus, OH 43215

Telephone Number: 614-744-2218

E-mail Address: DLeathery@castoinfo.com

***Please contact the Division of Engineering prior to making your application submittal. Division of Engineering are available to assist you in reviewing all application requirements to ensure your application is complete.***

***For staff Use***

| ***Yes*** | ***No*** | ***Application Requirements*** |
|---|---|---|
| | | **REQUIRED FOR ALL SUBMITTALS:** |
| | | One (1) original signed application |
| | | One (1) copy of the Site Plan drawn at a suitable scale at 11 x 17 inches or 24 x 36 inches in size (unless staff grants an alternative size) |
| | | One (1) copy of a written statement answering the facts and circumstances listed in Section 1141.24 of the Planning and Zoning Code. *The facts and circumstances can be found on page 4 of this application. Please be sure you answer all of the questions as these are the questions that the Board reviews when making a determination on the application* |
| | | One (1) set of mailing labels or a printed word template (5160 in size) containing the names and addresses of the property owner(s) contiguous to or directly across the street from the property. *Please refer to the County website http://www.co.union.oh.us/ to get this information and please make sure you go to the link for tax mailing address* |
| | | **DIGITAL SUBMITTAL REQUIRED:** |
| | | All applications require a digital (.pdf) submittal (applications, plans, renderings, text etc.) to be included with the completed application. Any application that does not include a digital submittal will be considered incomplete. |
| | | |
| | | **SITE PLAN DRAWING:** ***(Shall include the following information)*** |
| | | Location of all adjoining properties |
| | | Lot size |
| | | Location and setbacks of existing and proposed structures |
| | | Location and setbacks of all existing and proposed off-street parking and loading areas |
| | | Location of all existing and proposed traffic access and circulation areas |
| | | Location of all existing and proposed open spaces |
| | | Location of all existing and proposed landscape areas |
| | | Location of all existing and proposed refuse and service areas |
| | | Location of all existing and proposed utility lines |
| | | Location and size of all existing and proposed signage |

**I hereby attest to the truth and exactness of all information supplied on and with this application.**

Applicant's Signature: Eric Deibert Authorized Representative Date: 2/12/24

Owner's Signature: POA for P. Brent Wrightsel Date: 2/12/24

---

**FOR OFFICE USE ONLY**

**Paid (stamp):** **Fee: $250** _____

**The application has been reviewed and is found to be complete.**

Jeff Beard 2/14/24

City Staff Date

**DECISION OF THE PLANNING COMMISSION**

☐ Approved

☐ Disapproved

☐ Approved with conditions (provided below)

Specific Stipulated Conditions for Approval:

_____

_____

_____

_____ _____

Chairperson, Planning Commission Date

**A conditional use permit shall be deemed to authorize only one particular conditional use and such permit shall automatically expire if, for any reason, the conditional use shall cease for more than two (2) years.**

1141.23 APPLICATION FOR CONDITIONAL USE.
Applications for review by the Planning Commission for conditional uses:

(a) Shall be f led in accordance with the procedures in this Chapter 1141;

(b) Shall be f led with the City on forms provided by the City;

(c) Shall include all required supplemental information;

(d) Shall be submitted by the application deadline as established by the City;

(e) Shall be signed by the applicant and owner attesting to the truth and exactness of all information supplied on the application.

1141.24 GENERAL STANDARDS APPLICATION TO ALL CONDITIONAL USES.
The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

(a) Is in fact a conditional use as established under the provisions of Chapter 1121 and appears in Chapter 1121 for the applicable zoning district or overlay;

(b) Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City's Comprehensive Plan and/or the Planning and Zoning Ordinance;

(c) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

(d) Will not be hazardous or disturbing to existing or future neighboring uses;

(e) Will be served adequately by essential public facilities and services such as highways, streets, police and f re protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

(f) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

(g) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors;

(h) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

**PC Conditional Use Application**

1141.24 GENERAL STANDARDS APPLICATION TO ALL CONDITIONAL USES.

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

(a) Is in fact a conditional use as established under the provisions of Chapter 1121 and appears in Chapter 1121 for the applicable zoning district or overlay;

**The proposed use, a Valvoline Instant Oil Change, falls under the Vehicle Service and Repair Facility definition of the City of Marysville Code of Ordinances, and is established as a conditional use under the Suburban Commercial District in Chapter 1121. The site is currently zoned in the Suburban Commercial District today.**

(b) Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City's Comprehensive Plan and/or the Planning and Zoning Ordinance;

**The proposed use will be harmonious with and in accordance with the general objectives of the City's Comprehensive Plan and the Planning and Zoning Ordinance. The City's Comprehensive Plan's Future Land Use Map highlights this site as Neighborhood Mixed Use. Currently, the 14.72-acre former shopping center site is being repurposed with a mix of uses, including +/- 12.5 acres of residential development, with +/- 2.2-acres remaining for new commercial development (consisting of two parcels, one being +/- 0.60 acres and the other being +/- 1.6 acres) along West Fifth Street.**

(c) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

**The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.**

**Immediately adjacent to the site are a Wendy's with a drive through window and a dentist's office. In close proximity to the subject site along the West Fifth Street corridor are two fuel stations (a Marathon gas station and Kroger fuel center) as well as a McDonalds, Kroger grocery store, Donatos Pizza, CVS (all of which have drive through/pick up windows) along with varying commercial/retail uses typically found in a commercial corridor servicing the surrounding community and traveling public. Valvoline Instant Oil Change is a best-in-class operator often located in similar corridors. Additionally, with no direct access to West Fifth Street, the proposed use will not have a detrimental traffic impact. Lastly, the proposed use and conceptual site plan will reduce the impervious area that currently exists on the site.**

(d) Will not be hazardous or disturbing to existing or future neighboring uses;

**The proposed use will not be hazardous or disturbing to existing or future neighboring uses. A successful Valvoline store typically services approximately 50-cars in a day. This is a much less intensive traffic generating tenant than other surrounding commercial uses such as fast-food**

**restaurants or fuel stations. Further, customer traffic will access the site through internal shared drives already approved by the City of Marysville and will not have any direct or newly created access onto West Fifth Street.**

(e) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

**The proposed use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools. The applicant will work with the persons or agencies responsible for the establishment of the proposed use to confirm the ability to adequately provide any such services.**

(f) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

**The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.**

(g) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors;

**The proposed use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors. Valvoline is a best-in-class, quick-service oil change operator. Valvoline does not store oil in underground tanks, they recycle 100% of materials generated from primary services and they do not complete work that would generate smoke, fumes, or odors (i.e. exhaust or paint services).**

(h) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

**The vehicular approaches to the proposed use for the property are designed as not to create an interference with traffic on surrounding public thoroughfares. Recognizing the fact that Valvoline is an extremely low traffic generating use and will not have direct access to West Fifth Street, there will not be interference or negative impacts to adjacent public thoroughfares. Traffic will access the site through internal shared drives which have been studied and designed to accommodate traffic for the adjacent properties. There will be no new access points created along West Fifth Street as part of this proposed application.**

**Location of all adjoining properties:**



**PROPERTY OWNER/APPLICANT**

COMMERCIAL SITE ACQUISITIONS
0 W 5TH ST (address not yet assigned)
MARYSVILLE, OH 43040

**AGENT**

DAN LEATHERY
CASTO
250 CIVIC CENTER DRIVE, STE 500
COLUMBUS, OH 43215

**SURROUNDING PROPERTY OWNERS**

BLB LAND COMPANY LLC
C/O JAM RESTAURANTS LLC
WENDYS PROPERTY TAX DEPT
1 DAVE THOMAS BLVD
DUBLIN, OH 43017

GENCO WORLDWIDE LLC
1055 W 5TH ST
MARYSVILLE, OH 43040

RED MONARCH LLC
3300 RIVERSIDE DR 100
COLUMBUS, OH 43221

DAYTON POWER AND LIGHT CO
ATTN: TAX DEPT
1 MONUMENT CIR
INDIANAPOLIS, IN 43204-3025

MCAULIFFE BROS INC
1299 W 5TH ST
MARYSVILLE, OH 43040-1160

GRIFFIN JAMES A BISHOP
1033 5TH ST
MARYSVILLE, OH 43040-8989

CITY OF MARYSVILLE
125 E 6TH ST
MARYSVILLE, OH 43040-1601

LAKESIDE AT MARYSVILLE LLC
179 EMMAUS RD
MARYSVILLE, OH 43040

CITY OF MARYSVILLE/TR
125 EAST 6TH ST
MARYSVILLE, OH 43040-1601

W. FIFTH AVE. (R/W VARIES)

EX 12" STM
EX 15" STM
EX 16" WM
EX 6" SAN SERVICE
EX 15" STM
GAS EASEMENT
D.B. 204, PG. 678
PARCEL 104
HIGHWAY EASEMENT
STATE OF OHIO
D.B. 205, PG. 170
EX GAS
EX OH ELECTRIC POLE
PID: 2900190080020
VISION ACQUISITIONS LLC
1095 W 5TH ST
0.263 AC.
P/L R/W
PROP PYLON / MONUMENT SIGN
R/W
EX 60" STM
DOMESTIC WATER SERVICE
UG ELECTRIC
UG TELECOM
25' FRONT SETBACK
43.21'
25'
R27'
GAS
STM
ROOF DRAIN
RD
EX CATCH BASIN (TBR)
9'
9'
9'
R12'
R5'
R10'
49.65'
25'
19'
VAN
2
18'
W
CO
E
T
5.5'
4'
PROP UG DETENTION
9' (TYP)
EX 24" STM (TBR)
R10'
10
PROP 2-BAY
AUTO SERVICE
BUILDING
4" SAN SERVICE
SS
5.33'
29.33'
6.62'
PID: 2900190080050
BLUE FILLY, LLC
0.600 AC.
EX 24" STM (DND)
10' SIDE SETBACK
EX 8" STM
EX 4" STM
PID: 2900190560000
GENCO WORLDWIDE LLC
0.684 AC.
PID: 2900190560000
S LAND COMPANY, LLC
0.720 AC.
EX DRIVE
EASEMENT
D.B. 287, PG. 21
EX 8" SAN
6'
WENDY'S DUMPSTER
DUMPSTER ENCLOSURE
EX LIGHT POLE (TBR)
ELECTRIC EASEMENT
THE DAYTON POWER AND LIGHT COMPANY
D.B. 308, PG. 115
20' REAR SETBACK
R50'
R25'
37.21'
EX DUMPSTER FENCE
R15'
EX 40' STORM
EASEMENT
NOT RECORDED
R5'
25' DRIVE ENTRANCE
2A
10
EX 8" SAN
PID: 29-0019080.0000
RED MONARCH, LLC
1095 W 5TH ST
12.193 AC.
EX 60" STM
1
27
EX 18" STM
EX 24" STM
EX 15" STM

## SITE DATA

ZONING:

| | |
|---|---|
| PROPERTY OWNER: | BLUE FILLY, LLC |
| PARCEL ID: | 2900190080050 |
| PROPOSED USE: | VEHICLE SERVICE AND REPAIR FACILITY |
| SITE ACREAGE: | 0.60 AC. |
| ZONING: | SUBURBAN COMMERCIAL DISTRICT (SCD) |
| FEMA FLOODPLAIN: | ZONE X, PANEL 39159C0332E, EFF. 09/21/2023 |

SITE LAYOUT DATA:

| | |
|---|---|
| MINIMUM DRIVE AISLE WIDTH: | 25' |
| STANDARD PARKING STALL: | 19'X9' |
| ADA PARKING STALL: | 18'X9' |
| BUILDING SETBACK/BUFFER: | |
| | 25' FRONT SETBACK |
| | 10' SIDE SETBACK |
| | 20' REAR SETBACK |

BUILDING DATA:

| | |
|---|---|
| TOTAL AREA: | 1,685 SF |
| MAXIMUM BUILDING HEIGHT: | 40' |

PARKING DATA:

| | |
|---|---|
| REQUIRED: | 9 SPACES (1,685 SF / 400 SF) + (2 SPACES * 2 BAYS) |
| PROVIDED: | 12 TOTAL SPACES |
| | 10 STANDARD SPACES |
| | 2 ADA SPACES (1 VAN ACCESSIBLE) |

LANDSCAPE DATA:

| | |
|---|---|
| EXISTING IMPERVIOUS AREA: | 0.58 AC. |
| PROPOSED IMPERVIOUS AREA: | 0.42 AC. |
| GREENSPACE: | 0.18 AC. |
| LOT COVERAGE: | 70% |

HORZ 1"=10' 0 10 20

CASTO

AMERICAN STRUCTUREPOINT INC.
2550 Corporate Exchange Dr, Ste 300 | Columbus, Ohio 43231
TEL 614.901.2235 | FAX 614.901.2236
www.structurepoint.com

SITE PLAN
FOR
# MARYSVILLE VALVOLINE
CITY OF MARYSVILLE, UNION COUNTY, OHIO

| REVISIONS | DATE | SHEET NO. | DESCRIPTION |
|---|---|---|---|
| | | | |

**APPROVAL PENDING NOT FOR CONSTRUCTION**
IN SUBMITTING BIDS IN RELIANCE ON THESE PLANS THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS IN THE COURSE OF COMPLETING THE FINAL DESIGN.

| | |
|---|---|
| DATE: | 2/9/2024 |
| DRAWN BY: | EJH |
| CHECKED BY: | BDS |
| JOB NUMBER: | 2024.00102 |

C100

PLOT SCALE: 1:1 EDIT DATE: 2/9/24 - 5:14 PM EDITED BY: EHOFFMAN DRAWING FILE: O:\2024\00102\D. DRAWINGS\CIVIL\EXHIBITS\2024-02-06 MARYSVILLE VALVOLINE - SITE PLAN.DWG

Engineering, Planning and Zoning
City Hall, 209 South Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7351
www.marysvilleohio.org

March 5, 2024

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
Planning and Development Manager

**RE: Planned Unit Development (PUD) Sketch Plan Review – Water and Light**

**Application:** The applicant would like to develop the properties located at Parcels with ID numbers of 2900051660000, 2900051670000, 2900051680000, 2900050340010, 2900050340020, 2900051640000, 2900051650000, and 2900051580010 for a Planned Unit Development known as Water and Light.

**Applicant:** Connect Realty
Bob Lamb
577 W Nationwide Blvd. Suite 600
Columbus, Ohio 43215

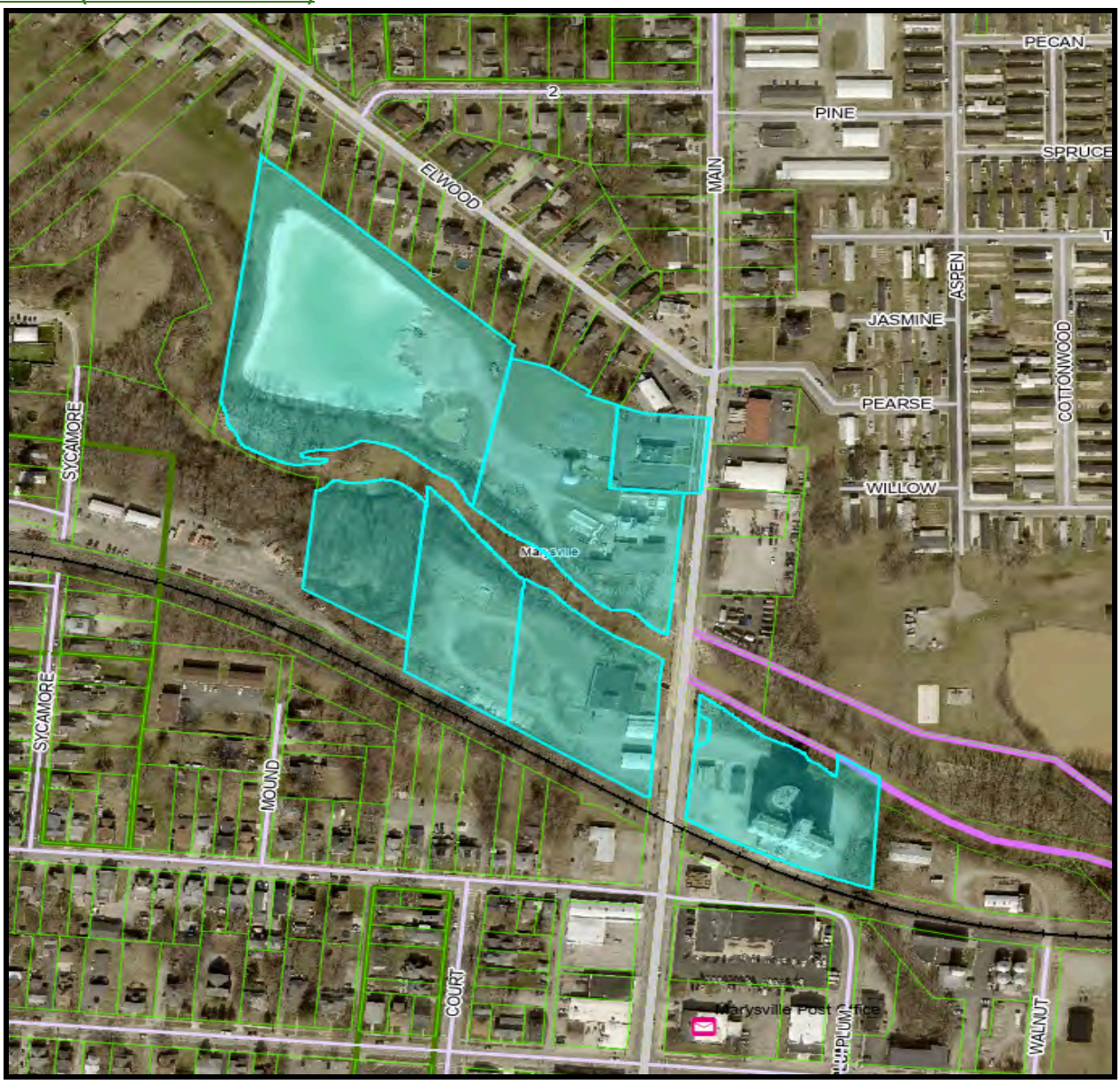
**Owners:** **Parcels 2900051660000, 2900051670000, 2900051680000, 2900050340010, 2900050340020, 2900051640000, 2900051650000**
City of Marysville (Pending Development Agreement - Connect Realty)
209 S. Main Street
Marysville, Ohio 43040

**Parcel 2900051580010**
Gold Kirin Property Management LLC
465 N Main Street
Marysville, Ohio 43040

**Location:** The applicant is requesting a zoning amendment to rezone +/-16.15 acres located on the east and west side of North Main Street between the railroad tracks and Elwood Avenue to allow for mixed-used development as a Planned Unit Development (PUD). Existing property surrounding the subject property are as followed:

North: Village Residential District (VRD)
East: Uptown Commercial District (UC)
South: Village Residential District (VRD) and Uptown Commercial District (UC)
West: Village Residential District (VRD) and Neighborhood Commercial District (NCD)

## Aerial (location is in blue)




## Relationship to the Comprehensive Plan:

In June 2018, the City of Marysville approved an updated Comprehensive Plan with its focus being on land use and population growth. The Comprehensive Plan should be used by the Commission as a guide in determining if the proposed zoning request meets the goals of the Plan and if it is suitable for the subject and adjacent properties.

*The future land use map within the comprehensive plan locates the subject properties in multiple zoning districts. The districts that incorporate these properties are Medium-Density Residential and Uptown District.*

On Page 55 of the Comprehensive Plan it states, future development in Medium Density Residential Districts should complement the existing character of the district, which includes single-family homes, while allowing for more compact development. Two-unit and four-unit buildings are encouraged where appropriate. Street network connections between Medium Density Residential Districts and adjacent areas should be a top priority to allow continued and

cohesive development throughout the City of Marysville. Walkable streets and connections should be prioritized between Medium Density Residential Districts and the Uptown District, encouraging mobility for residents and visitors. Neighborhood commercial nodes can be appropriate in this district, scaled to accommodate the immediate neighborhood needs, and not regional marketplace demands. Suggested uses in the Comprehensive plan for the Medium Density District include Single-Family Detached, Duplexes, Quad-plexes, Multi-Family, Neighborhood Retail and Schools.

On Page 62 of the Comprehensive Plan it states, Future development in Uptown should complement and strengthen the historic character of the District. Historic buildings, facades, and public spaces should be maintained in accordance with best practices for historic preservation. Interesting and stimulating pedestrian environments should be a primary feature of the District. Sidewalk cafe seating is encouraged, ground-floor retail with large windows should be promoted whenever possible, and the pedestrian should feel safe and comfortable on the streets and sidewalks of the Uptown District. Residential redevelopment of underutilized second floor spaces, in addition to new residential development, is highly encouraged to help bolster and support the vibrancy of the Uptown District. Suggested uses in the Comprehensive plan for the Uptown District include Office, Retail, Civic, Apartments (above retail or office), Multi-Family, Dense Single-Family, Duplexes/Townhomes.

The Comprehensive plan also discusses population growth and potential population growth projections over the next 10-20 years. Marysville has experienced a population increase over the last several decades. Looking forward, population projections all point to a continued growth rate requiring additional and diverse housing options to accommodate the increase in population.

Allowing for a mixture of housing types ranging from traditional single family housing subdivisions, to low density multi-family duplexes and high density multi-family complexes are important for sustainable growth in the City of Marysville. The Comprehensive Plan discusses the development trends in each housing type which also focuses on quality design layouts, open spaces opportunities and high quality building materials.

**PUD Zoning Code Requirements:**

The existing parcels are zoned as Neighborhood Commercial District (NCD) and Uptown Commercial District (UC), which currently are a mix of an existing commercial use, parcels with vacant buildings and parcels of vacant land. Main access points to the proposed site will be off of North Main Street. The following is the City's Zoning Code requirements for Planning Commission review related to the proposed Planned Unit Development.

The Board shall take the following Zoning Code Sections 1135.01 and 1135.06 into consideration when reviewing the PUD-Sketch Plan Application:

***1135.01 OBJECTIVES FOR A PLANNED UNIT DEVELOPMENT (PUD).***

***(Please see pages 7-9 of the application for the Applicant's Responses)***

***A. General Objective.*** *A planned unit development (PUD) shall be classified as a unique zoning district or combination of districts that is subject to the provisions of this chapter. The purpose is to encourage and allow more creative and imaginative design of land development than is possible under standard zoning district regulations. A PUD is intended to allow flexibility in planning and design and overall benefits to the City. A PUD also*

*permits the establishment of a variety of uses brought together as parts of a compatible and unified plan. This flexibility should result in a development that has unique characteristics and features that are not found in a development produced in accordance with standard zoning district and subdivision regulations.*

***B. Specific Objectives.***

*1. To encourage unified projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet is consistent with all applicable plans including but not limited to the Comprehensive Plan, Thoroughfare Plan and the intent of the Ordinance.*

*2. Allow the creation of development standards that respect the unique characteristics, natural quality and beauty of the site and the immediate vicinity and protect the community's natural resources by avoiding development on and destruction of sensitive environmental areas.*

*3. Promote economical and efficient use of land and reduce infrastructure cost through unified development.*

*4. To provide amenities and enhancements that will sustain the quality of life and property values within the development as well as the properties surrounding the proposed PUD.*

*5. Assure compatibility between proposed land uses within and around the PUD through appropriate development controls.*

*6. Where appropriate, provide for community facilities, open space and recreational areas.*

*7. To provide a maximum choice of business and living environments by allowing for a variety of housing, building types and imaginative architectural design.*

*8. To provide an opportunity for a mix of complementary uses otherwise not permitted within the standard zoning classifications.*

*9. To develop land in an orderly, coordinated and comprehensive manner that is consistent with accepted land planning, landscape architecture practices and engineering principles.*

*(Ord. No. 054-2020 , Passed 11-23-2020.)*

***1135.06 COMMON OPEN SPACE***

*The intent of the common open space is to provide space between or among buildings/structures for recreational purposes and/or aesthetic amenities.*

*Public utility and similar easements and rights-of-way for water courses and other similar channels and detention and retention ponds are not acceptable for common open space unless such land or right-of-way is usable as a trail or other similar purpose and approved by the Planning Commission. The Planning Commission may require additional open space or amenities, recreational improvements or a combination thereof.*

*The amount of common open space required shall be determined by (a) or (b) below, whichever is greater.*

*(a) Type of development.*

*(1) Residential development of 40 acres or more- a minimum of 10% of the land developed in any residential area of a PUD shall be reserved for common open space.*

*(2) Residential development of less than 40 acres- less than 10% of open space may be considered, based on the parcel's potential to meet the intent.*

*(3) Commercial/Industrial development- a minimum of 5% of the land developed in any commercial/industrial area of a PUD shall be reserved for common space.*

*(4) Mixed use developments- common open space shall be calculated using the requirements in numbers (1)—(3), based on the use of each sub area.*

*(b) Or by using the calculations set forth in Section 1107.16, Public Sites, Open Space, and Natural Features.*

***The applicant states in the written developer text that a key feature will be public spaces with attractive landscaping, public art, and pedestrian access. However the sketch plan does not indicate these areas. The applicant shall confirm the public open space locations.***

## PLANNING & ZONING ANALYSIS

### Site Plan

The proposed sketch plan provides two (2) subareas on +/-16.15 acres consisting of a multi-family residential, townhomes,hospitality, commercial, and office uses. The plan includes the following acreage per sub-area:

- Sub-Area 1: North of Millcreek incorporates +/-8.63 Acres with Density of 20.97 per acre
- Sub-Area 2: South of Millcreek incorporates +/-7.52 Acres with Density of 12.76 per acre

### Open Space

The preliminary development text does not state an open space requirement for the individual developments within the PUD.

***The applicant shall confirm if there will be open space requirements for each development within the PUD and if so, what percentage would be required, if it deviates from the City's code requirement.***

After review of the submitted PUD Sketch Plan application materials, staff has the following comments:

### Engineering Comments

1. An approved Traffic Impact Study (TIS) for the Water and Light Planned Unit Development (PUD) will be required prior to engineering approval.
2. Final access points along N. Main Street to the proposed Water and Light PUD will be determined during the Development Plan and engineering review.
3. A ten (10) foot wide shared use path will be required along Mill Creek, connecting North Main Street to the western property limits of the Water and Light PUD.
4. Coordination with the City of Marysville's Fire Division will need to take place to ensure the Fire Division's safety requirements are met.
5. The following items will need to be addressed during the final engineering approval process:
    a. Utility Design / Alignment, including easements (water and wastewater)

b. Stormwater Management (Stormwater Management Report), including stormwater report, calculations and drainage easements.
c. Grading and Sediment and Erosion Control
d. Roadway
    i. Intersection sight distance exhibits/drawings will be required.
e. Pedestrian Connectivity
    i. Streetscape, sidewalks, shared use paths and traffic calming devices
f. Permits
    i. All Ohio EPA permits (NOI, PTIs, etc.), Army Corp., and any additional environmental permits will be required prior to construction.
    ii. All necessary environmental assessments shall be provided to the City prior to engineering approval.

## Planning and Zoning Sketch Plan Comments

1. The applicant shall provide all eight (8) parcel numbers of land that will be part of the PUD as there are only six (6) listed in the application.
2. The applicant shall provide an exhibit showing the public open space locations.
3. The applicant shall confirm if there will be open space requirements for each development within the PUD and if so, what percentage would be required, if it deviates from the City's code requirement.
4. The applicant shall provide the total number of acres for each subarea on the sketch plan exhibit (North of Mill Creek and South of Mill Creek)
5. The applicant shall provide an exhibit of all wooded areas, tree lines, hedge rows, natural areas and other features and indicate if they will remain or will be removed.

## Planning and Zoning Preliminary Development Plan Comments

*Staff performed a brief review of the submitted plans as it relates to the Development Plan Application standards, which will be the next step in the PUD process.* ***The comments below are for preliminary discussion only and should not affect the Planning Commission's decision for the Sketch Plan Application.***

1. It is recommended that the applicant include a description within the PUD text to clarify that the City's Zoning Code will be applied to those standards which are not outlined within the PUD text.
2. The applicant shall provide character images and permitted building materials of the proposed development, unless the architectural standards from Zoning Code Section 1131 and 1133 will be used for review.
3. The applicant has provided the proposed density within the sketch plan exhibit, but the requested density is in conflict with the PUD Text description for a maximum unit count. The applicant shall revise the density described in the PUD text to provide the maximum number of units and density allowed for the whole development.
4. The applicant shall provide more detail and description of the requested deviation from the City's tree replacement requirement section.
5. The applicant shall provide the proposed signage standards such as square footage display area, size, height, materials and illumination if they vary from the City's code.
6. If the City's standard streetscape elements (street trees, sidewalks) will not be included with the development, the proposed standards shall be outlined within the development text.

7. The applicant shall provide parking standards if the proposed PUD as it is currently not meeting the City Zoning Code requirements.
8. The applicant shall evaluate all permitted uses to determine if they are desired for this planned unit development, and determine if any conditional uses will be included within the proposed PUD.
9. The applicant shall provide a description in the development text relating to any setback requirements from Mill Creek as required by the EPA or Army Corps. This setback shall be shown in the typology charts.
10. Staff has provided additional comments on the attached PDF of the Development Text. The applicant shall review the comments to consider incorporating these for the Development Plan Application at Planning Commission.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

# PUD Text With Staff Comments

**MAIN STREET + MILL CREEK DEVELOPMENT – PLANNED UNIT DEVELOPMENT DISTRICT**

## I. Purpose and Intent

The purpose and intent of the Main Street + Mill Creek Planned Unit Development District ("PUD") is to establish a district that facilitates a more creative and imaginative design of land development than is possible under any standard zoning district regulations.

As part of its PUD application, Connect Real Estate ("Applicant"), provides this preliminary description of the unique zoning requirements demanded by the Main Street + Mill Street Development ("Project"). Zoning regulations that provide flexibility for planning, construction, and design will allow the Project to provide a maximum benefit to the City of Marysville and its residents. The following proposed preliminary PUD requirements provide for a variety of uses and standards that, put together, facilitate the an aesthetically and functionally cohesive Project that can be completed in a timely manner.

## II. Project Overview

The Project site consists of eight parcels totaling approximately 16 acres that border either side of Mill Creek. The desired development pattern in the PUD is a cohesive mix of residential and nonresidential buildings, streetscapes, parking areas, and related infrastructure that significantly enhance the functionality and aesthetic of the area, all while remaining faithful to Marysville's vision for the future.

The Project accommodates continued residential and nonresidential development in the City while permitting commercial, residential, retail, mixed-use, and institutional uses. The Project consists of new construction as well as converting existing buildings. As detailed in the site plan submitted as part of the PUD application, the Applicant intends to develop townhomes, apartments, high-end hospitality and co-working spaces, entertainment spaces, and corporate housing. The Project may also include a hotel and dwelling units available as short-term rentals.

## III. Preliminary Description of the PUD Zoning Requirements

**A.** *General Description*. To meet the Project goals, several permissible uses governed by a standard set of rules is required; this Project is best approached as one, cohesive unit. However, the Project does contain four loosely-defined subareas. Two of the subareas consist primarily of residential townhomes, apartments, and dwelling units. Another is to be developed primarily with co-working and high-end hospitality spaces to service the residential areas. Yet another subarea is to be primarily developed with hospitality and entertainment as the central focus. Despite the general division of contemplated uses, all subareas should be subject to a single set of standardized, flexible zoning rules to ensure cohesion throughout the 16 acre area.

**B.** *Project Acreage and Parcels*. The Project is located around Main Street and Mill Creek, east of State Route 31, and consists of eight parcels with the following approximate acreages:

- Parcel ID: 2900051650000 – 6.00 acres
- Parcel ID: 2900051640000 – 3.18 acres
- Parcel ID: 2900050340010 – 2.20 acres
- Parcel ID: 2900051660000 – 2.20 acres
- Parcel ID: 2900051670000 – 1.63 acres
- Parcel ID: 2900050340020 – 0.30 acres

**C.** *Future Development Plans*. The Applicant shall put forth development plans as needed as the Project progresses. Governmental approvals of such development plans must not be unreasonably withheld. Parcels that are contiguous to the Parcels listed in Section B, and that are not zoned for single family use, may be incorporated into this project with this PUD zoning. This approach allows the Project flexibility to progress in a sensible and efficient manner while considering the many variables at play with a Project of this scale.

**D.** *Existing Development Agreement*. The Applicant is party to the Development Agreement by and among Connect Realty, the City of Marysville, the Union County Port Authority, and the Marysville CIC ("Development Agreement"). The Development Agreement generally governs the transfer of the real property underlying the Project, the terms of the underlying CRA and TIF, directs the infrastructure improvements of the Project, the timeline for Project, and other general Project requirements. If there is or appears to be a conflict between the terms of the Development Agreement and the final PUD standards or regulations, the Development Agreement shall control.

**E.** *Density*. The Applicant intends for roughly up to300 dwelling units to be constructed in the Project area.

**F.** *No Tree Replacement*. Because of the topography of the Project area, existing conditions on the site, and the goals of the Project, the Project shall be exempted from any tree or vegetation replacement rules in the City Code.

**G.** *Signage.* Applicant will submit signage plans at time of construction plan submittal for each building in the Project. Approval of signage plans by governmental authorities shall not be unreasonably withheld. The Applicant shall have the right to use the silo buildings for digital signage, projections, and marketing purposes.

**H.** *Utilities*. Developer will be subject to the standard utility requirements and regulations of the City in manner consistent with the terms of the Development Agreement.

**I.** *Streetscape*. The streetscape, sidewalks, lighting, walkways, paths, and landscaping will generally comply with the aesthetic goals of the Uptown Transitional District (Code Section 1121.21) and be developed and constructed in a manner consistent with the Development Agreement.

**J.** *Lighting*. Applicant will submit lighting plans at time of construction plan submittal for each building. Approval of lighting plans by governmental authorities shall not be unreasonably withheld.

**K.** *Conflicts*. All general non-district regulations/standards in the City Code will apply to the PUD unless such regulations/standards conflict with the text of the PUD or the Development Agreement. In such case, the regulations/standards in this PUD or the Development Agreement will take precedence.

**L.** *Parking*: Applicant will submit parking plans at time of construction plan submittal for each building. The Development Agreement states that there will be public parking on the site that is subject to the control of the Development and will be provided at the discretion of the Development. The public parking be used to address parking needs of the Development.

**M.** *Permitted Uses in the PUD.*

| **PUD USES** | |
|---|---|
| PERMITTED USES: | • Artisan Studio |
| | • Club |
| | • Community Center |
| | • Cultural Institution |
| | • Funeral Home |
| | • Institutional/Government Offices |
| | • Medical or Dental Office or Clinic |
| | • Meeting Facility |
| | • Neighborhood Market |
| | • Personal Services |
| | • Professional office |
| | • Public Safety Facility |
| | • Religious, Places of Worship |
| | • Restaurant (Sit Down) and/or Bar |
| | • Retail Sales & Service |
| | • School (K-12) |
| | • Single-Family |
| | • Specialty Food and/or Beverage Facility |

| | |
|---|---|
| | • Bank or Financial Institution (w/ drive-thru, see supplemental regulations Chapter 1123.28) |
| | • Child Care Day-Care Center |
| | • Essential Public Services and Utilities |
| | • General Retail (50+ Employees) |
| | • Kennel |
| | • Multi-Family<br>• Hotel, temporary lodging |
| | • Restaurant (w/ Drive-Thru) (See supplemental regulations under 1123.28) |
| | • Senior Living, Independent Living<br>• Single-Family |
| | • Vehicle Fuel Sales |
| | • Vehicle Sales, Rental and Lease (excluding body work) |
| | • Vehicle Service and Repair Facility |
| | • Veterinary Animal Hospital and/or Animal Clinic |

### N. Development Typologies

The Project requires the flexibility to construct all the following:

» **Commercial Building Typology**

» **Institutional Flex Building Typology**

» **Mixed-Use Building Typology**

» **Multi-Family Building Typology**

» **Single-Family Building Typology**

## COMMERCIAL BUILDING TYPOLOGY

The Commercial Building Typology within the PUD allows for commercial development on a pedestrian scale. The placement of this development typology is oriented toward commercial streets but maintains a pedestrian scale.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |

| | | |
|---|---|---|
| | MAX LOT COVERAGE | None |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | TBD |
| | PERMITTED FRONTAGES | All |
| | FACADE ARTICULATION | None |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | All |
| | ACCESSORY STRUCTURE LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not Chain-link), Vinyl (See 1123.20) |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |

**INSTITUTIONAL FLEX BUILDING TYPOLOGY**

The Institutional Flex Building Typology within the PUD allows for the location of community-oriented uses along neighborhood commercial corridors.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |
| | MAX LOT COVERAGE | None |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum. |
| | BUILDING ORIENTATION | Any |
| | PERMITTED FRONTAGES | Any |
| | FACADE ARTICULATION | None |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | ACCESSORY STRUCTURE LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum. |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Stone, Iron, Metal (not chain-link), Vinyl (See 1123.20) |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria |

| | | |
|---|---|---|
| | | conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **Supplemental Regulations** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

**MIXED-USE BUILDING TYPOLOGY**

The Mixed-Use Building Typology within the PUD allows for mixed-use residential and commercial development on a neighborhood scale.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MAX. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |
| | MAX LOT COVERAGE | No maximum lot coverage |
| **PRINCIPAL STRUCTURE REGULATIONS** | DENSITY | None. |
| | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | Any |
| | PERMITTED FRONTAGES | Any |
| | FACADE ARTICULATION | None |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | ACCESSORY STRUCTURE LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not chain-link), Vinyl (See 1123.20) |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |

| | | |
|---|---|---|
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

**SINGLE-FAMILY BUILDING TYPOLOGY**

The Single-Family Building Typology within the PUD promotes additional density within the existing development pattern and complements the proposed commercial and other development.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | The front setback shall be consistent with the current Uptown Single-Family District rules (Code Section 1121.20). |
| | SIDE SETBACK | The side setback shall be consistent with the current Uptown Single-Family District rules (Code Section 1121.20). |
| | REAR SETBACK | The rear setback shall be consistent with the current Uptown Single-Family District rules (Code Section 1121.20). |
| | MAX. LOT COVERAGE | None. |
| | DENSITY | None. |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | Any |
| | MIN. FLOOR AREA PER UNIT | None |
| | FACADE ARTICULATION | None |
| | PERMITTED FRONTAGES | Any |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | Any |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |

| | | |
|---|---|---|
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not chain-link), and PVC vinyl- coated chain-link (4 ft. max Side Yard and Rear Yard), Vinyl |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

## MULTI-FAMILY BUILDING TYPOLOGY

The Multi-Family Building Typology within the PUD allows for density in close proximity to the desired mixed-use and retail development patterns.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |
| | MAX. LOT COVERAGE | None |
| | DENSITY | Any |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | Any |
| | MIN. FLOOR AREA PER UNIT | None |
| | FACADE ARTICULATION | None |
| | PERMITTED FRONTAGES | Any |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not chain-link), Vinyl |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |

| | | |
|---|---|---|
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

Received (stamp):

209 S. Main Street • Marysville, Ohio 43040
Phone: (937) 645-7350 • Fax: (937) 645-7351 • www.marysvilleohio.org

# APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD) – SKETCH PLAN

***** IMPORTANT INFORMATION ~ Please read before completing the application*****

- **Required – Submission of a complete application, including all of the items listed in the application checklist.**
- **Applications and applicable fees shall be submitted by no later than 5:00 p.m. on the application deadline date.**
- **Submitted applications and all checklist items shall be reviewed by the Division of Engineering for completeness. Submittals found to be incomplete will be rejected and the application will not be placed on the Commission agenda. If an application is found to be incomplete, the applicant may submit the missing materials by the application deadline date to complete the application.**
- **No late submittals or additional information will be accepted after the application deadline.**
- **Any construction and/or occupancy of the site for which the sketch plan is being requested for shall not commence until all appropriate approved permits are obtained by the City and the County Building Department.**

**Project Site Information** *(Please print clearly)*

Address of land to be rezoned: 409 N Main St, 327 N Main St, 0 Sycamore St, 324 N Main St, 0 N Main 0 N Plum

Present Zoning District: NCD + UC Present Use of the Land: vacant and restaurant

Proposed Zoning District: PUD Proposed Use of the Land: Mixed-Use

Owner of Property: Connect Realty (Pending Dev. agreement)

Owner's Address (Street): 577 W Nationwide Blvd suite 600

City, State and Zip Code: Columbus, Ohio, 43215

Owner's Telephone Number: 614-306-1020

**Applicant Information** *(Please print clearly)*

Applicant: Bob Lamb ☐ Owner ☐ Agent ☑ Representative ☐ Other

Company: Connect Realty

Address (street): 577 W Nationwide Blvd Suite 600

City, State, and Zip Code: Columbus, Ohio, 43215

Telephone Number: 614-306-1020

E-mail Address: bob@connect-ohio.com

***Please contact the Division of Engineering prior to making your application submittal. The Division of Engineering is available to assist you in reviewing all application requirements to ensure your application is complete.***

| *For staff Use* Yes | No | *Application Requirements* |
|---|---|---|
| | | **REQUIRED FOR ALL SUBMITTALS:** |
| | | One (1) original signed application |
| | | Two (2) copies of the Sketch Plan Drawing *(see below)* for the entire area of the proposed development, drawn at a suitable scale and 24 x 36 inches in size (unless staff grants an alternative size) |
| | | Two (2) copies of the Supplemental Map *(see below)* |
| | | Two (2) copies of the Application Information *(see below)* |
| | | Two (2) sets of mailing labels or a printed word template (5160 in size) containing the names and addresses of the property owner(s) contiguous to or directly across the street from the parcel(s) to be rezoned. You may also include the names and addresses of others that may have a substantial interest in the proposed rezoning. *Please refer to the County website http://www.co.union.oh.us/ to get this information and please make sure you go to the link for tax mailing address.* |
| | | 11 x 17 Sketch Plan Map for each mailing label. |
| | | **DIGITAL SUBMITTAL REQUIRED:** |
| | | All applications require a digital (.pdf) submittal (applications, plans, renderings, text etc.) to be included with the completed application. Any application that does not include a digital submittal will be considered incomplete. |
| | | |
| | | **SKETCH PLAN DRAWING: *(Shall include the following information)*** |
| | | The proposed name of the PUD, which shall not duplicate or closely approximate the name of any other PUD or subdivision in the City of County. |
| | | Property owner's name and address |
| | | Location by Virginia Military Survey (VMS) |
| | | North arrow |
| | | Vicinity map |
| | | Boundaries of the PUD/subdivision and its acreage |
| | | General location of proposed streets and right-of-way |
| | | Existing natural and manmade features such as wetlands, rivers, streams, ponds, lakes and other water courses. |
| | | Location of all wooded areas, tree lines, hedge rows, natural areas and other features and indicate if they are remain or will be removed. |
| | | Current zoning classification of the tract(s) of land and properties within 500 feet of the development. |
| | | The proposed location and size of each subarea and their intended general uses. |
| | | General location of proposed bike paths and other trail systems. |
| | | Identify any existing buildings or structures to be removed or demolished |

| *For staff Use* Yes | No | *Application Requirements* |
|---|---|---|
| | | **SUPPLEMENTAL MAP:** |
| | | Map showing the design of the proposed development along with all properties that are located within 500 ft. and how all of the developments relate. |
| | | **APPLICATION INFORMATION** ***(submitted bound or in ringed binders)*** |
| | | A reduced copy of the map to be 11 by 17 inches in size |
| | | Preliminary description of the zoning requirements for the PUD and each subarea within the PUD, which at a minimum shall include: |
| | | General list of permitted and conditional uses |
| | | General lot size requirements |
| | | Density of the entire development and each individual subarea(s) |
| | | Written presentation by the developer setting forth the following: |
| | | How the development meets the proposed and specific objectives set for in Section 1145.01 of the Planning & Zoning Code |
| | | How the proposed development impacts public services and facilities, including but not limited to, schools, water, sewer and traffic. |
| | | How the proposed development conforms to the City's Comprehensive Plan |

**I hereby attest to the truth and exactness of all information supplied on and with this application.**

Signature of Applicant: _____ Date: 2-12-24

Signature of Owner: _____ Date: 2/13/24

**FOR OFFICE USE ONLY**

**Paid (stamp):** **Fees:** $500

**The application has been reviewed and is found to be complete.**

_____ 2/14/24

City Staff Date

# Water and Light

Written Presentation by the developer setting forth the following:

The proposed development will redevelop approximately 16 acres located adjacent to the Uptown Commercial District (UC) in the heart of Marysville. The project meets the proposed and specific objections of Section 1145.01 by embracing the concepts and desires established in 1121.18. The project will include multi-family, townhomes, hospitality, commercial and office uses. Further, the project preserves historic buildings while bringing aesthetically complimentary development to the area. These items can be seen by a review of the PUD, the submitted plans and the Uptown language provided below.

## 1121.18 - UPTOWN COMMERCIAL DISTRICT (UC).

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONSEMAIL SECTIONCOMPARE VERSIONS

**I. Purpose and Intent**

A.

The purpose of this walkable district is to maintain and protect the character and charm of the commercial core within the Historic Uptown Marysville Design Review District.

**II. Existing Development Pattern**

A.

The existing development pattern in this district is varied commercial and residential development with high character, quality and charm reflected in the existing architecture.

**III. Desired Development Pattern**

A.

This district is positioned for historic preservation as well as new growth and redevelopment for uses such as retail, personal services, office, restaurants, and housing. New development shall compliment and/or maintain the historic architecture and urban form while also promoting walkability.

## IV. Development Typologies

A.

All new development and substantial modifications to existing structures in the Uptown Commercial District shall require review and approval by the Design Review Board in accordance with Chapter 1133.

How the proposed development impacts public services and facilities:

The proposed development will impact public services and facilities in a variety of ways. These ways are addressed in the development agreement and the proposed PUD zoning. The development has proposed additional agreements with the City and the School District to finance public improvements and site improvements. These improvements will include but not be limited to: enhanced streetscape along the project, expansion of existing utility services in the area for the project, potential traffic improvements as defined by the development agreement, connection of multi-use trails, creation of pedestrian bridges and improved outdoor/commercial spaces along the waterfront.

How the proposed development conforms to the City's Comprehensive Plan:

The proposed development follows the direction of the City's Comprehensive Plan by focusing on encouraging redevelopment in the core downtown area. The proposed development does so by focusing on the following key components for the Uptown features of the Comprehensive Plan

Key Features:

• Identifiable character, branding, and signage (Please see renderings)

• Walkable streets with sidewalks, short blocks, and a high quality streetscape (Please see development agreement)

Public spaces with attractive landscaping, public art, and pedestrian access (Please see development agreement, renderings and site sketches)

Integration of retail, office, and residential uses in a true mixed-use approach (Please see development agreement and site sketches)

These agreements and materials highlight the fact that the project will support the City's Comprehensive Plan.

**1135.01 - OBJECTIVES FOR A PLANNED UNIT DEVELOPMENT (PUD)**

*Code Requirement*

Connect Response

*(a)* ***General Objective.*** *A planned unit development (PUD) shall be classified as a unique zoning district or combination of districts that is subject to the provisions of this chapter. The purpose is to encourage and allow more creative and imaginative design of land development than is possible under standard zoning district regulations. A PUD is intended to allow flexibility in planning and design and overall benefits to the City. A PUD also permits the establishment of a variety of uses brought together as parts of a compatible and unified plan. This flexibility should result in a development that has unique characteristics and features that are not found in a development produced in accordance with standard zoning district and subdivision regulations.*

The Light and Water Development will bring a variety of great uses together to create a unique development in the City of Marysville. The mixture of commercial, residential, office, restaurants, recreational, and hospitality uses establishes an environment and sense of place that can not be secured through a traditional zoning policy, including neighborhood and downtown zoning. Further, the incorporation of outdoor areas that enhance the creek and create water-oriented experiences need to be incorporated into hospitality and commercial residential uses in a specific and purposeful manner that requires a specific development/zoning code. Finally, the design of the commercial buildings will need to be done in a manner that compliments the historic buildings in the development. This will require a mixture of materials and design concepts that are not found in standard developments.

***(b) Specific Objectives***

*(1) To encourage unified projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet is consistent with all applicable plans including but not limited to the Comprehensive Plan, Thoroughfare Plan and the intent of the Ordinance.*

The proposed development will be incorporating a variety of uses, including outdoor activities and office uses, while leveraging the existing attributes of the site to create a sense of place, such as the historic buildings and the waterway. This type of converging of needs cannot be properly addressed with a standard zoning policy. A unique and specific zoning standard is needed in order to make sure that the full benefit of the site is maximized and can be achieved for the community.

*(2) Allow the creation of development standards that respect the unique characteristics, natural quality and beauty of the site and the immediate vicinity and protect the community's natural resources by avoiding development on and destruction of sensitive environmental areas.*

The only way that this project is successful is by leveraging the unique location of the site. The site is adjacent to a creek located in the heart of the downtown. The development needs to respect the greenery and waterway located in the project, while developing new buildings in a manner that will draw residents, visitors and customers to the location. This can only be done through the use of a unique zoning code.

*(3) Promote economical and efficient use of land and reduce infrastructure cost through unified development.*

This is the nature of mixed-use development. By placing commercial residential, office, hospitality, restaurants, and other uses in the site, we will be establishing a place that people can live, work, and play. Further, the incorporation and construction of a multi-use trail will diminish the demand for vehicular oriented infrastructure.

*(4) To provide amenities and enhancements that will sustain the quality of life and property values within the development as well as the properties surrounding the proposed PUD.*

The development will include unique amenities that cannot be found in other locations in Marysville. These include a rock-climbing component to the hospitality/restaurant project, outdoor trail and waterway amenities, community light display, and unique housing options that are not available at other locations.

*(5) Assure compatibility between proposed land uses within and around the PUD through appropriate development controls.*

The project is located in the downtown and will help to expand the commercial portion of the downtown by several blocks. Further, the project will extend the streetscape components that currently exist in the downtown. The development on the North side has proposed set backs not found in the rest of the development to assure that the neighborhood to the north is not negatively affected by the development.

*(6) Where appropriate, provide for community facilities, open space and recreational areas.*

The project is incorporating open space along the waterfront that will serve the residents of the community, a pedestrian bridge to establish a unique connection between the north and south side of the development, a multi-use trail extension that will complete the City loop, and a fitness facility on the site.

*(7) To provide a maximum choice of business and living environments by allowing for a variety of housing, building types and imaginative architectural design.*

The project will be incorporating apartment units, townhomes, Airbnb, and has a hotel component (still being worked on by the developer). The design on each of these buildings will be done in a manner that enhances the historical nature of the site while bringing a unique feel to the development.

*(8) To provide an opportunity for a mix of complementary uses otherwise not permitted within the standard zoning classifications.*

This project is proposing a variety of uses that are not normally found in one location or adjacent to each other. The variety of commercial residential, the unique office location,

the hospitality/restaurant uses, the hotel concept, outdoor open space, community parking, and the fitness center could not be achieved without a unique zoning policy.

*(9) To develop land in an orderly, coordinated and comprehensive manner that is consistent with accepted land planning, landscape architecture practices and engineering principles.*

The developer has brought together a team of professionals in order to make sure that the development of the site is done in a coordinated and comprehensive manner that will enhance the community while following accepted and cutting-edge architecture practices. Please see the rendering of the Silo building as an example of the work that is being proposed for the site.

**MAIN STREET + MILL CREEK DEVELOPMENT – PLANNED UNIT DEVELOPMENT DISTRICT**

## I. Purpose and Intent

The purpose and intent of the Main Street + Mill Creek Planned Unit Development District ("PUD") is to establish a district that facilitates a more creative and imaginative design of land development than is possible under any standard zoning district regulations.

As part of its PUD application, Connect Real Estate ("Applicant"), provides this preliminary description of the unique zoning requirements demanded by the Main Street + Mill Street Development ("Project"). Zoning regulations that provide flexibility for planning, construction, and design will allow the Project to provide a maximum benefit to the City of Marysville and its residents. The following proposed preliminary PUD requirements provide for a variety of uses and standards that, put together, facilitate the an aesthetically and functionally cohesive Project that can be completed in a timely manner.

## II. Project Overview

The Project site consists of eight parcels totaling approximately 16 acres that border either side of Mill Creek. The desired development pattern in the PUD is a cohesive mix of residential and nonresidential buildings, streetscapes, parking areas, and related infrastructure that significantly enhance the functionality and aesthetic of the area, all while remaining faithful to Marysville's vision for the future.

The Project accommodates continued residential and nonresidential development in the City while permitting commercial, residential, retail, mixed-use, and institutional uses. The Project consists of new construction as well as converting existing buildings. As detailed in the site plan submitted as part of the PUD application, the Applicant intends to develop townhomes, apartments, high-end hospitality and co-working spaces, entertainment spaces, and corporate housing. The Project may also include a hotel and dwelling units available as short-term rentals.

## III. Preliminary Description of the PUD Zoning Requirements

**A.** *General Description*. To meet the Project goals, several permissible uses governed by a standard set of rules is required; this Project is best approached as one, cohesive unit. However, the Project does contain four loosely-defined subareas. Two of the subareas consist primarily of residential townhomes, apartments, and dwelling units. Another is to be developed primarily with co-working and high-end hospitality spaces to service the residential areas. Yet another subarea is to be primarily developed with hospitality and entertainment as the central focus. Despite the general division of contemplated uses, all subareas should be subject to a single set of standardized, flexible zoning rules to ensure cohesion throughout the 16 acre area.

**B.** *Project Acreage and Parcels*. The Project is located around Main Street and Mill Creek, east of State Route 31, and consists of eight parcels with the following approximate acreages:

- Parcel ID: 2900051650000 – 6.00 acres
- Parcel ID: 2900051640000 – 3.18 acres
- Parcel ID: 2900050340010 – 2.20 acres
- Parcel ID: 2900051660000 – 2.20 acres
- Parcel ID: 2900051670000 – 1.63 acres
- Parcel ID: 2900050340020 – 0.30 acres

**C.** *Future Development Plans*. The Applicant shall put forth development plans as needed as the Project progresses. Governmental approvals of such development plans must not be unreasonably withheld. Parcels that are contiguous to the Parcels listed in Section B, and that are not zoned for single family use, may be incorporated into this project with this PUD zoning. This approach allows the Project flexibility to progress in a sensible and efficient manner while considering the many variables at play with a Project of this scale.

**D.** *Existing Development Agreement*. The Applicant is party to the Development Agreement by and among Connect Realty, the City of Marysville, the Union County Port Authority, and the Marysville CIC ("Development Agreement"). The Development Agreement generally governs the transfer of the real property underlying the Project, the terms of the underlying CRA and TIF, directs the infrastructure improvements of the Project, the timeline for Project, and other general Project requirements. If there is or appears to be a conflict between the terms of the Development Agreement and the final PUD standards or regulations, the Development Agreement shall control.

**E.** *Density*. The Applicant intends for roughly up to300 dwelling units to be constructed in the Project area.

**F.** *No Tree Replacement*. Because of the topography of the Project area, existing conditions on the site, and the goals of the Project, the Project shall be exempted from any tree or vegetation replacement rules in the City Code.

**G.** *Signage.* Applicant will submit signage plans at time of construction plan submittal for each building in the Project. Approval of signage plans by governmental authorities shall not be unreasonably withheld. The Applicant shall have the right to use the silo buildings for digital signage, projections, and marketing purposes.

**H.** *Utilities*. Developer will be subject to the standard utility requirements and regulations of the City in manner consistent with the terms of the Development Agreement.

**I.** *Streetscape*. The streetscape, sidewalks, lighting, walkways, paths, and landscaping will generally comply with the aesthetic goals of the Uptown Transitional District (Code Section 1121.21) and be developed and constructed in a manner consistent with the Development Agreement.

**J.** *Lighting*. Applicant will submit lighting plans at time of construction plan submittal for each building. Approval of lighting plans by governmental authorities shall not be unreasonably withheld.

**K.** *Conflicts*. All general non-district regulations/standards in the City Code will apply to the PUD unless such regulations/standards conflict with the text of the PUD or the Development Agreement. In such case, the regulations/standards in this PUD or the Development Agreement will take precedence.

**L.** *Parking*: Applicant will submit parking plans at time of construction plan submittal for each building. The Development Agreement states that there will be public parking on the site that is subject to the control of the Development and will be provided at the discretion of the Development. The public parking be used to address parking needs of the Development.

**M.** *Permitted Uses in the PUD.*

| **PUD USES** | |
|---|---|
| PERMITTED USES: | • Artisan Studio |
| | • Club |
| | • Community Center |
| | • Cultural Institution |
| | • Funeral Home |
| | • Institutional/Government Offices |
| | • Medical or Dental Office or Clinic |
| | • Meeting Facility |
| | • Neighborhood Market |
| | • Personal Services |
| | • Professional office |
| | • Public Safety Facility |
| | • Religious, Places of Worship |
| | • Restaurant (Sit Down) and/or Bar |
| | • Retail Sales & Service |
| | • School (K-12) |
| | • Single-Family |
| | • Specialty Food and/or Beverage Facility |

| | |
|---|---|
| | • Bank or Financial Institution (w/ drive-thru, see supplemental regulations Chapter 1123.28) |
| | • Child Care Day-Care Center |
| | • Essential Public Services and Utilities |
| | • General Retail (50+ Employees) |
| | • Kennel |
| | • Multi-Family<br>• Hotel, temporary lodging |
| | • Restaurant (w/ Drive-Thru) (See supplemental regulations under 1123.28) |
| | • Senior Living, Independent Living<br>• Single-Family |
| | • Vehicle Fuel Sales |
| | • Vehicle Sales, Rental and Lease (excluding body work) |
| | • Vehicle Service and Repair Facility |
| | • Veterinary Animal Hospital and/or Animal Clinic |

**N. <u>Development Typologies</u>**

The Project requires the flexibility to construct all the following:

» **Commercial Building Typology**

» **Institutional Flex Building Typology**

» **Mixed-Use Building Typology**

» **Multi-Family Building Typology**

» **Single-Family Building Typology**

**<u>COMMERCIAL BUILDING TYPOLOGY</u>**

The Commercial Building Typology within the PUD allows for commercial development on a pedestrian scale. The placement of this development typology is oriented toward commercial streets but maintains a pedestrian scale.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |

| | | |
|---|---|---|
| | MAX LOT COVERAGE | None |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | TBD |
| | PERMITTED FRONTAGES | All |
| | FACADE ARTICULATION | None |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | All |
| | ACCESSORY STRUCTURE LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not Chain-link), Vinyl (See 1123.20) |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |

**INSTITUTIONAL FLEX BUILDING TYPOLOGY**

The Institutional Flex Building Typology within the PUD allows for the location of community-oriented uses along neighborhood commercial corridors.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |
| | MAX LOT COVERAGE | None |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum. |
| | BUILDING ORIENTATION | Any |
| | PERMITTED FRONTAGES | Any |
| | FACADE ARTICULATION | None |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | ACCESSORY STRUCTURE LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum. |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Stone, Iron, Metal (not chain-link), Vinyl (See 1123.20) |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria |

| | | |
|---|---|---|
| | | conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **Supplemental Regulations** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

**MIXED-USE BUILDING TYPOLOGY**

The Mixed-Use Building Typology within the PUD allows for mixed-use residential and commercial development on a neighborhood scale.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MAX. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |
| | MAX LOT COVERAGE | No maximum lot coverage |
| **PRINCIPAL STRUCTURE REGULATIONS** | DENSITY | None. |
| | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | Any |
| | PERMITTED FRONTAGES | Any |
| | FACADE ARTICULATION | None |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | ACCESSORY STRUCTURE LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not chain-link), Vinyl (See 1123.20) |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |

| | | |
|---|---|---|
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

**SINGLE-FAMILY BUILDING TYPOLOGY**

The Single-Family Building Typology within the PUD promotes additional density within the existing development pattern and complements the proposed commercial and other development.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | The front setback shall be consistent with the current Uptown Single-Family District rules (Code Section 1121.20). |
| | SIDE SETBACK | The side setback shall be consistent with the current Uptown Single-Family District rules (Code Section 1121.20). |
| | REAR SETBACK | The rear setback shall be consistent with the current Uptown Single-Family District rules (Code Section 1121.20). |
| | MAX. LOT COVERAGE | None. |
| | DENSITY | None. |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | Any |
| | MIN. FLOOR AREA PER UNIT | None |
| | FACADE ARTICULATION | None |
| | PERMITTED FRONTAGES | Any |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | Any |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |

| | | |
|---|---|---|
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not chain-link), and PVC vinyl- coated chain-link (4 ft. max Side Yard and Rear Yard), Vinyl |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

**MULTI-FAMILY BUILDING TYPOLOGY**

The Multi-Family Building Typology within the PUD allows for density in close proximity to the desired mixed-use and retail development patterns.

| | | |
|---|---|---|
| **LOT DIMENSIONS** | MIN. LOT SIZE | None |
| | MIN. LOT WIDTH | None |
| | FRONT SETBACK | None |
| | SIDE SETBACK | None |
| | REAR SETBACK | None |
| | MAX. LOT COVERAGE | None |
| | DENSITY | Any |
| **PRINCIPAL STRUCTURE REGULATIONS** | PRINCIPAL STRUCTURE HEIGHT | 60-foot maximum |
| | BUILDING ORIENTATION | Any |
| | MIN. FLOOR AREA PER UNIT | None |
| | FACADE ARTICULATION | None |
| | PERMITTED FRONTAGES | Any |
| **ACCESSORY STRUCTURE REGULATIONS** | PERMITTED ACCESSORY STRUCTURES | Any |
| | LOCATION | Any |
| | ACCESSORY STRUCTURE SETBACKS | None |
| | ACCESSORY STRUCTURE HEIGHT | 60-foot maximum |
| **FENCE REGULATIONS** | FENCE MATERIALS | Wood, Brick, Iron, Stone, Metal (not chain-link), Vinyl |
| | FENCE LOCATION | Any |
| **SIGN REGULATIONS** | PERMITTED SIGN TYPES | Any |
| **PARKING REGULATIONS** | PARKING LOCATION | Any |
| | PARKING TYPE | Any |

| | | |
|---|---|---|
| **DEVELOPMENT REVIEW** | REQUIREMENT | Design Review as contemplated in the City Zoning Code unless such review procedures or criteria conflict with the PUD; governmental approval shall not be unreasonably withheld. |
| **SUPPLEMENTAL REGULATIONS** | REQUIREMENT | If a building is constructed or modified for this use type under the Project, then such building shall be subject to a 10-foot setback, *but only if it borders a single family residence.* |

Table - 1 | **Existing Information**

- Open Space / Park
- Water / Hydrology
- Buildings to be Demolished
- Buildings to Remain
- Buildings to Reused

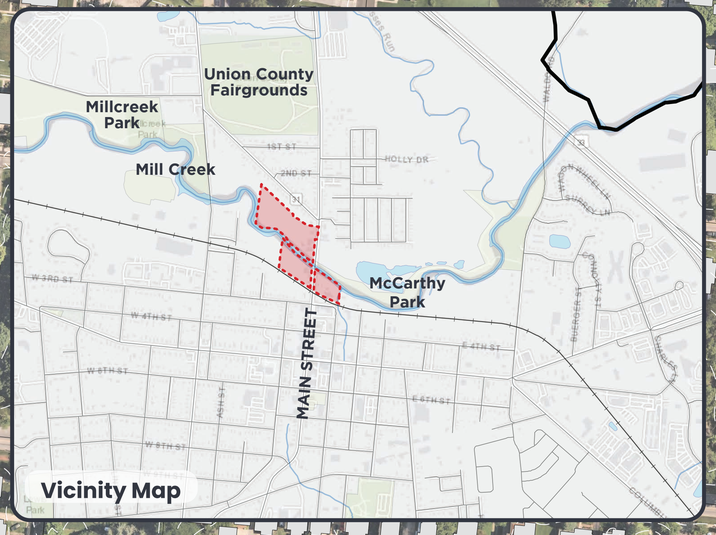
- Existing Trail
- Site Area (~16.15 Acres)

PROJECT SITE AREA
(~16.15 ACRES)

Mill
Creek

MAIN STREET

MCCARTHY PARK




**Silo at Water & Light** - Existing Conditions

0' 100' 200' 300'

SCHWARTZKOPF PARK

Mill Creek

MAIN STREET

MCCARTHY PARK

Table - 2 | **Zoning Information**

- Village Residential District (VCD)
- Single Family Residential (USF)
- Neighborhood Commercial District (NCD)
- Uptown Commercial (UC)
- Uptown Transitional (UT)
- Government / Civic (Gov)
- Open Space

Site Area (~16.15 Acres)

**Silo at Water & Light** - Existing Zoning

0' 100' 200' 300'

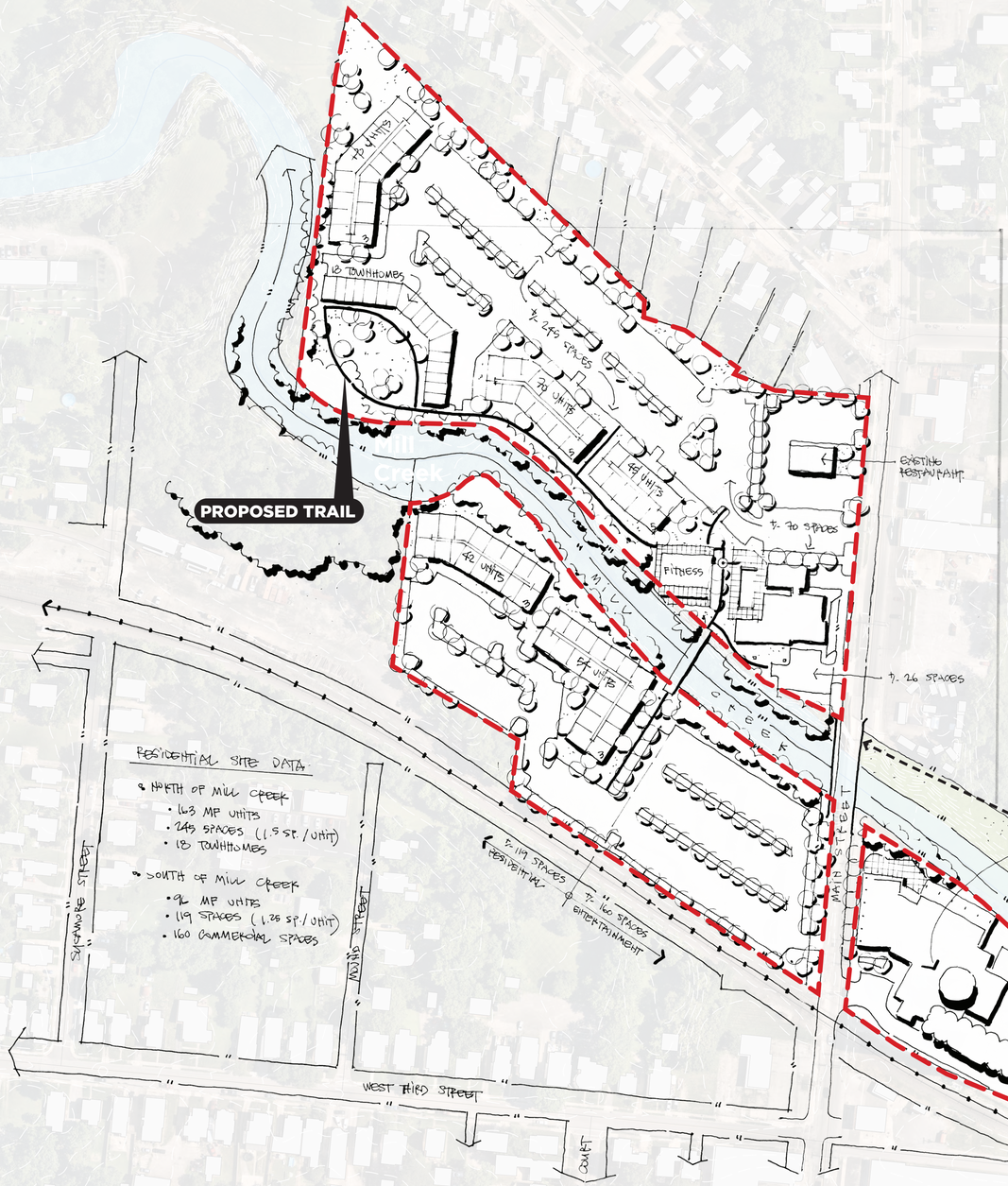



Table - 3 | **Development Data**

17.15 UNITS/ACRE TOTAL

NORTH OF MILL CREEK

- 163 Multifamily Units
- 245 Spaces (1.5 sp. / unit)
- 18 Townhomes
- 20.97 Units/Acre North

- Adaptive Reuse - 15k SF

SOUTH OF MILL CREEK

- 96 Multifamily Units
- 119 Spaces (1.25 sp. / unit)
- 160 Commercial Spaces
- 12.76 Units/Acre South

- Adaptive Reuse - 150k SF
  (new adjoining building = 26k SF)

← → Existing Trail
Site Area (~16.15 Acres)

**Silo at Water & Light** - Proposed Development Plan

0' 100' 200' 300'

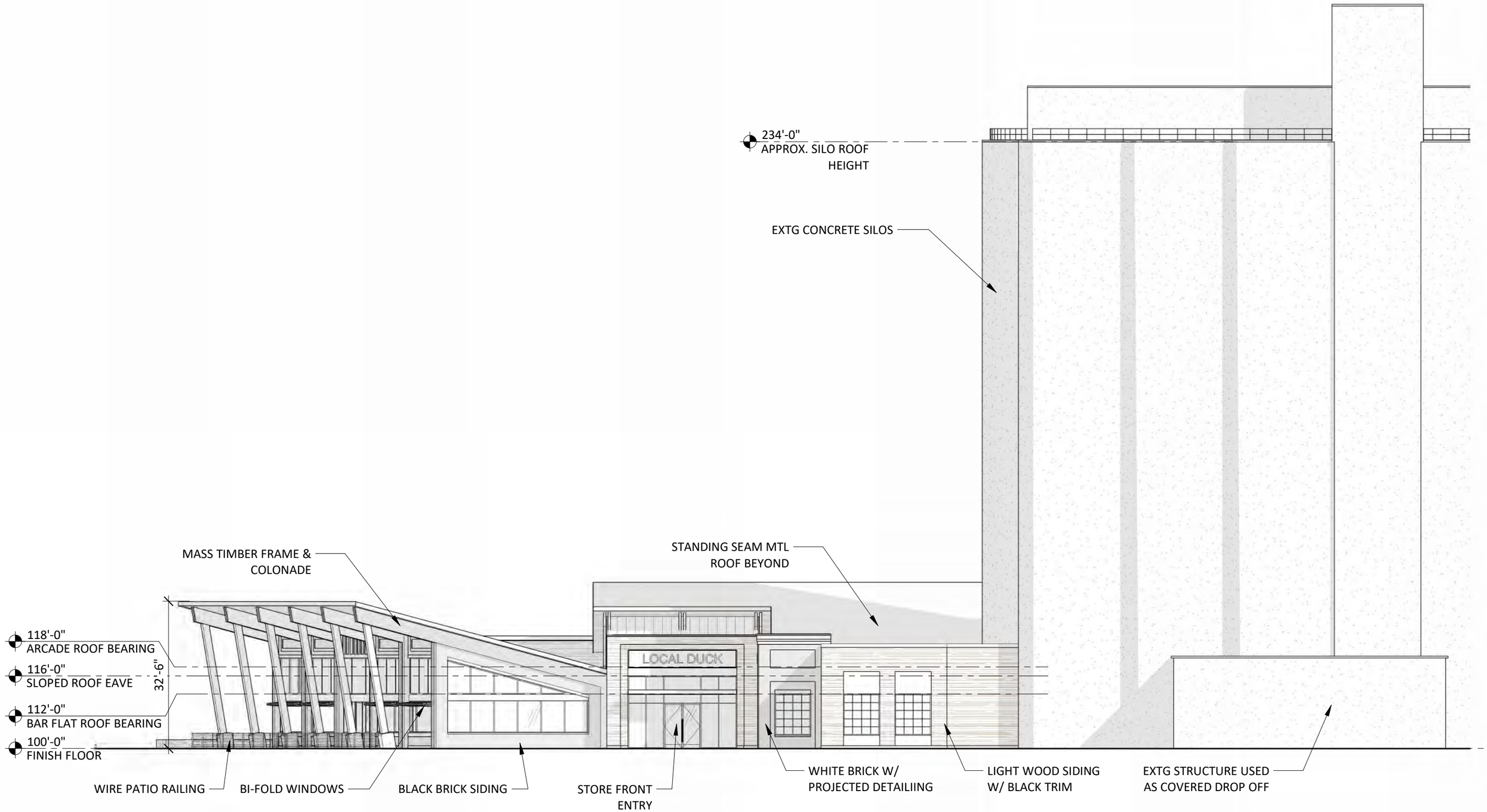



LOCAL DUCK
SILO AT WATER AND LIGHT

# WATER AND LIGHT
# SILO

## INITIAL DRAFT

Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

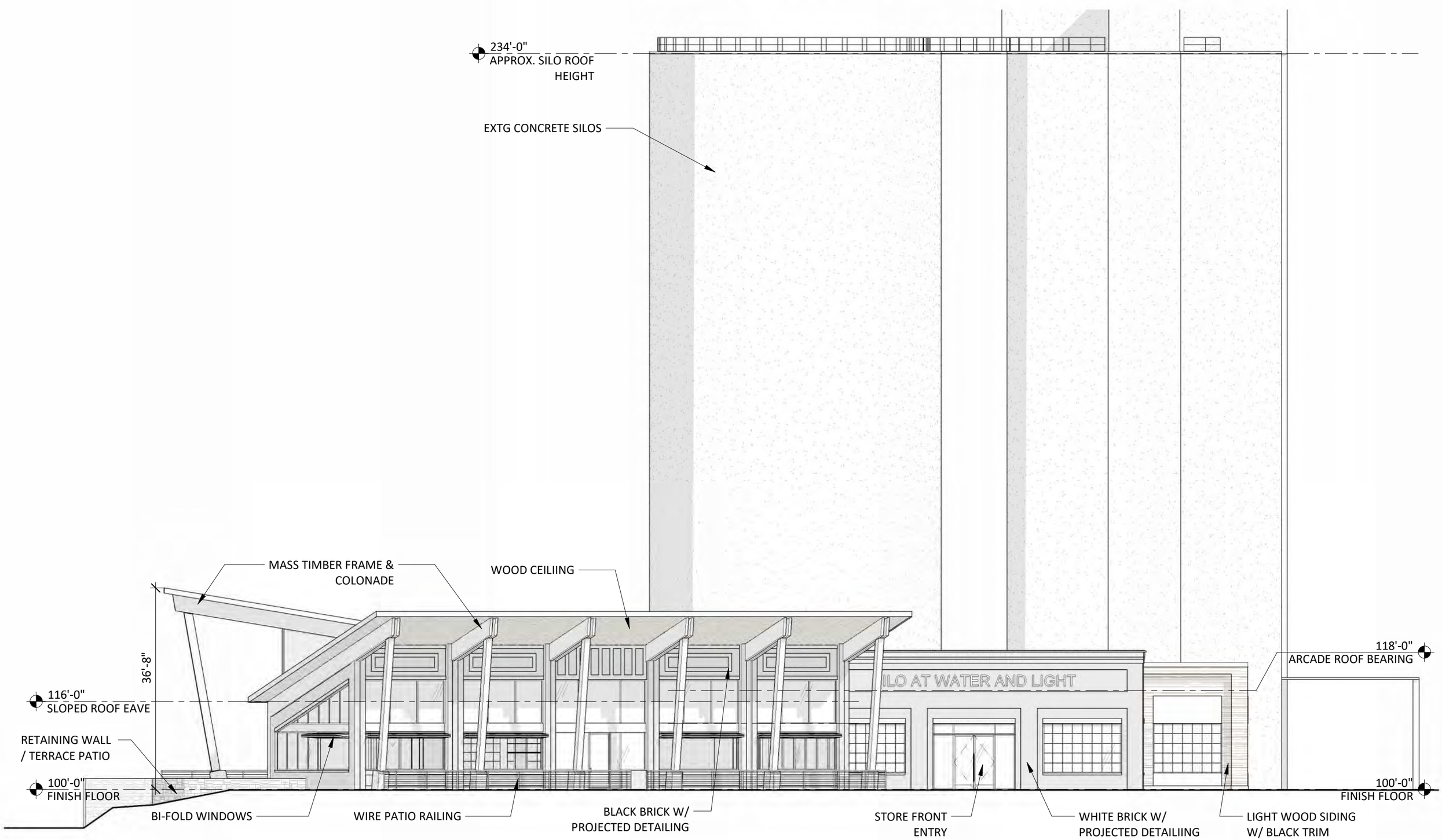



SILO SOUTH ELEVATION

Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

SD2.0
PROJECT #: CNT023
02/09/24

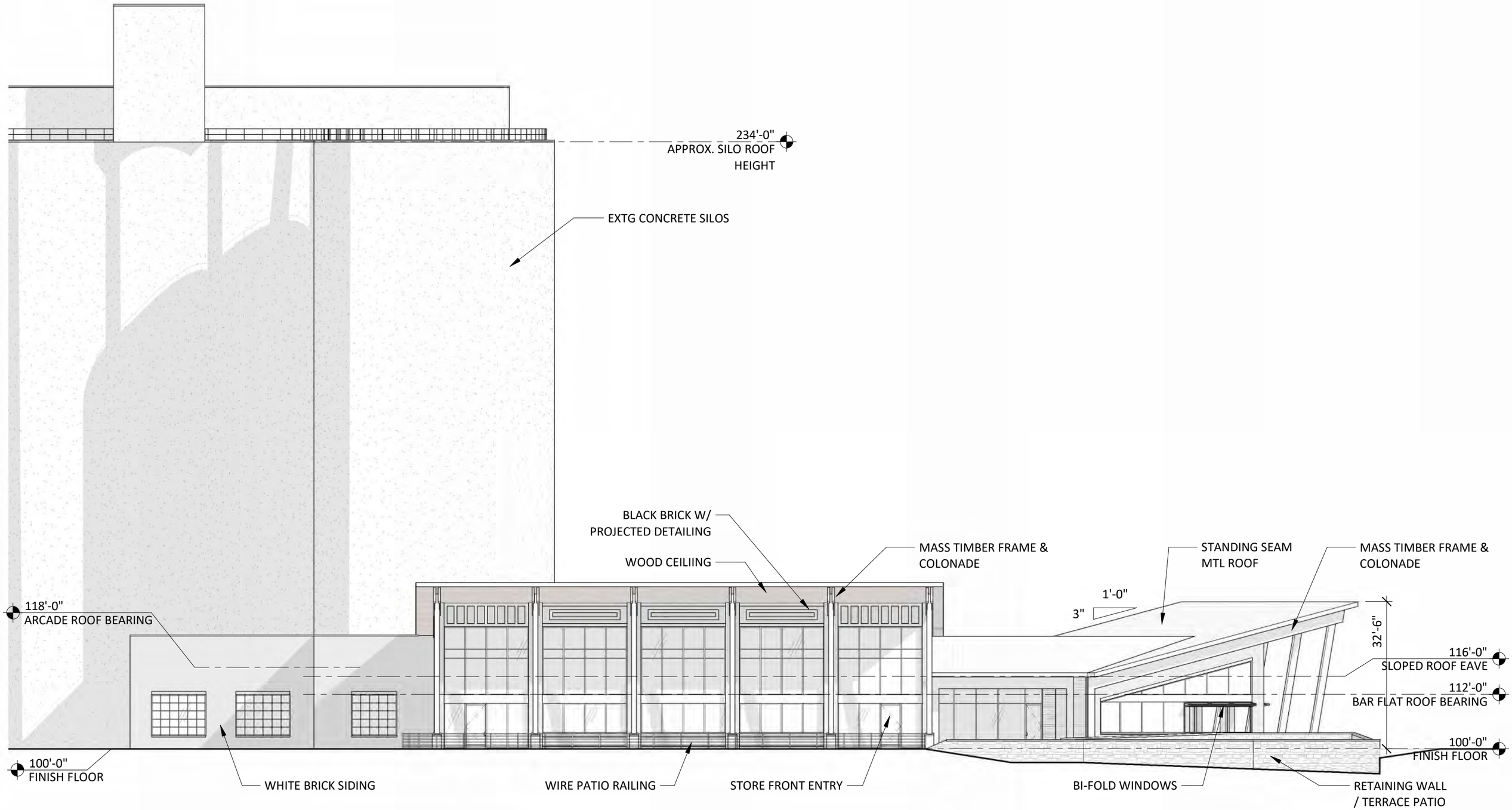



SILO WEST ELEVAITON

Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

SD2.1
PROJECT #: CNT023
02/09/24

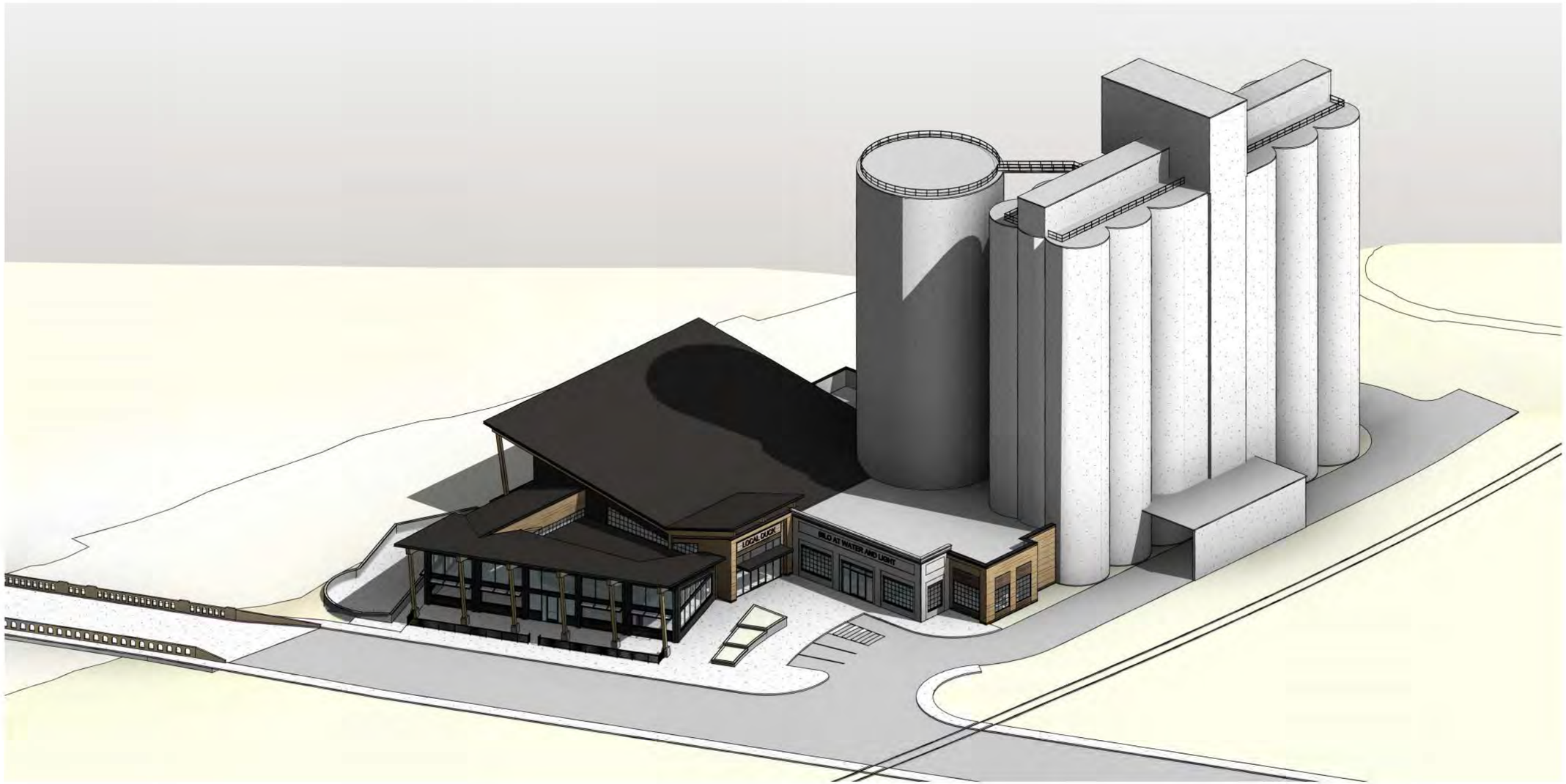



SILO NORTH ELEVAITON

Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

SD2.2
PROJECT #: CNT023
02/09/24




Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

SD3.0
PROJECT #: CNT023
02/09/24






Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

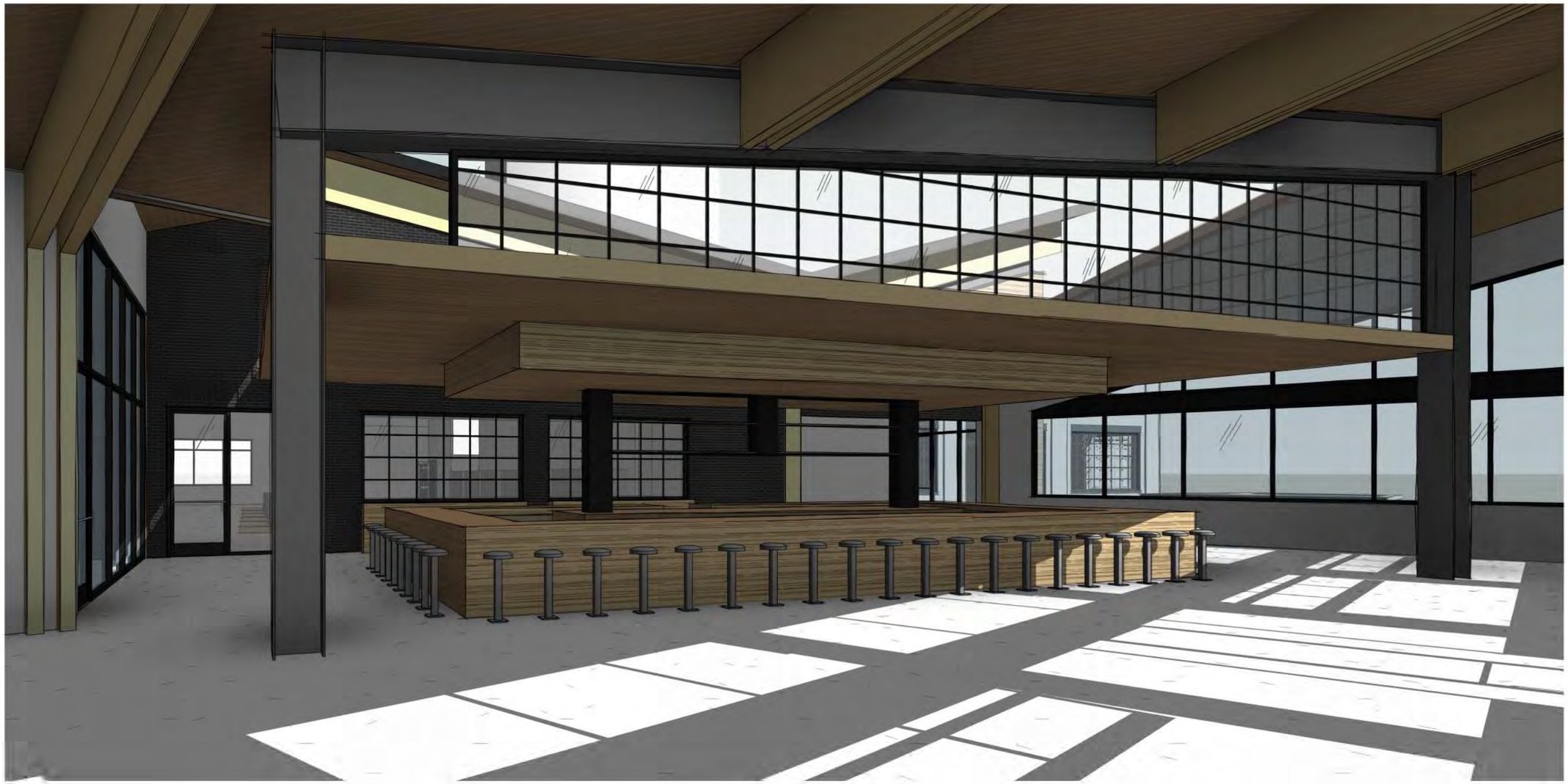
SD3.1
PROJECT #: CNT023
02/09/24




Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

SD3.2
PROJECT #: CNT023
02/09/24



Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

SD3.3
PROJECT #: CNT023
02/05/24



Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

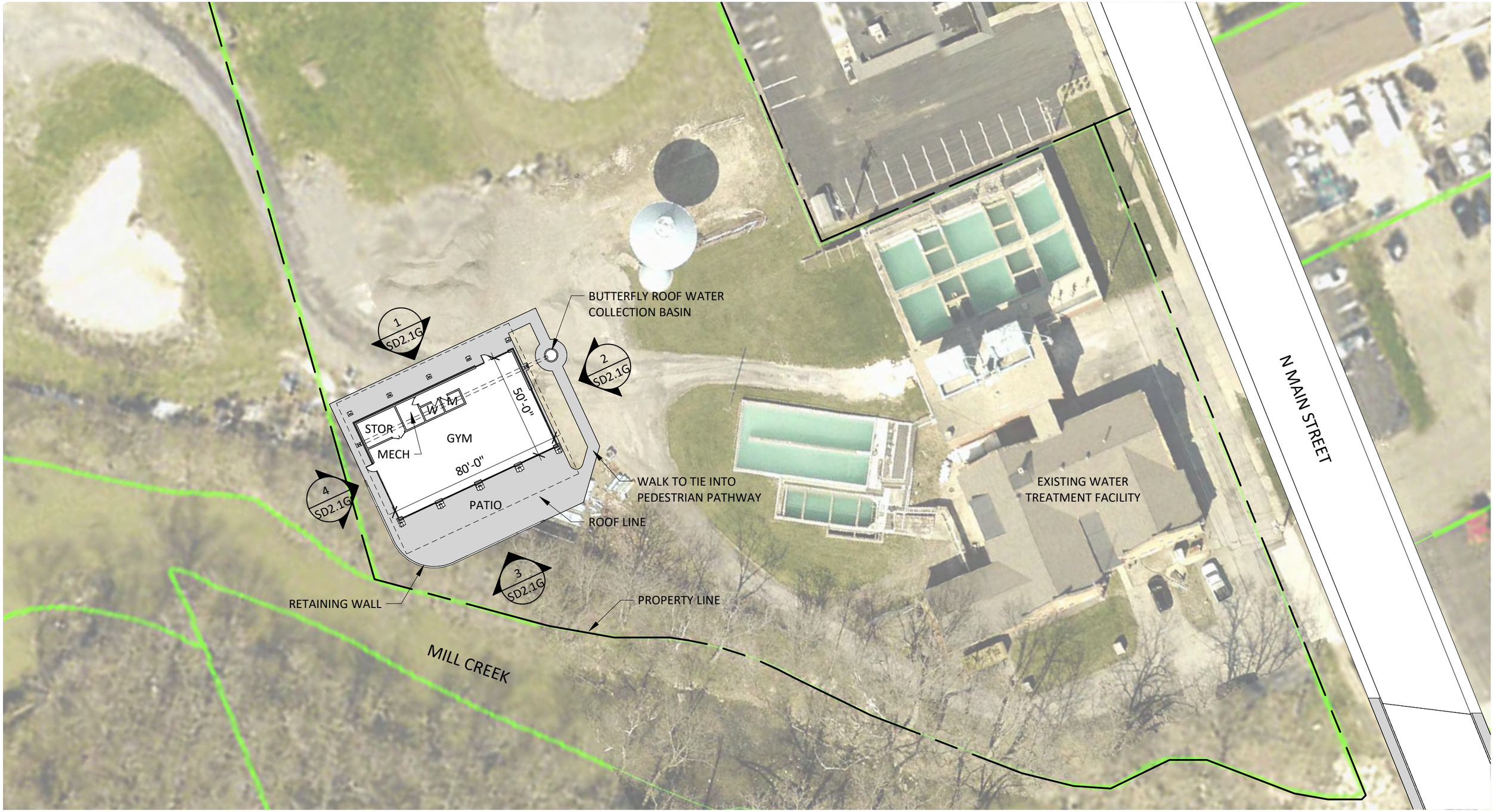
WATER & LIGHT
324 NORTH MAIN STREET
MARYSVILLE, OH 43040

SD3.4
PROJECT #: CNT023
02/09/24

# WATER AND LIGHT
# GYM

## INITIAL DRAFT

Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

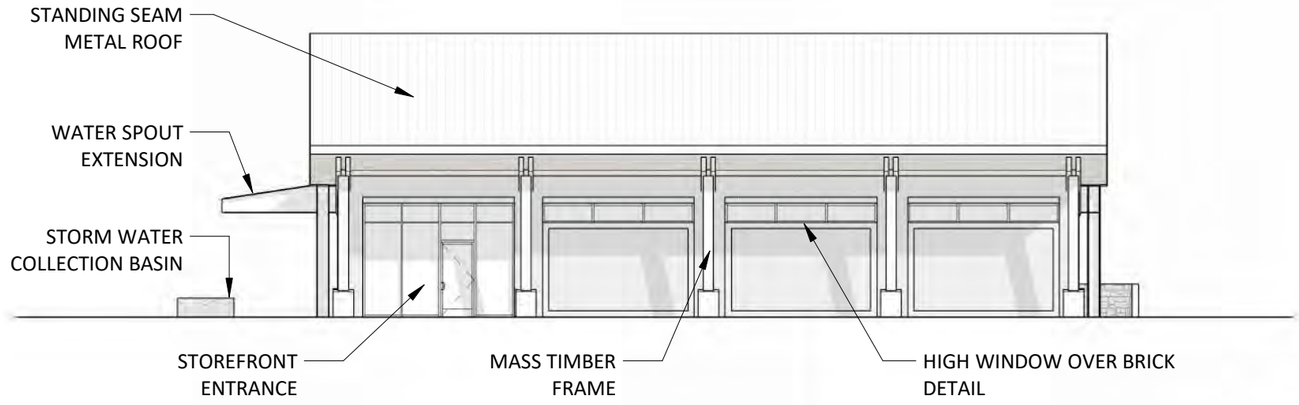



GENERAL BUILDING & SITE LOCATION
PLAN OF THE GYM BUILDING

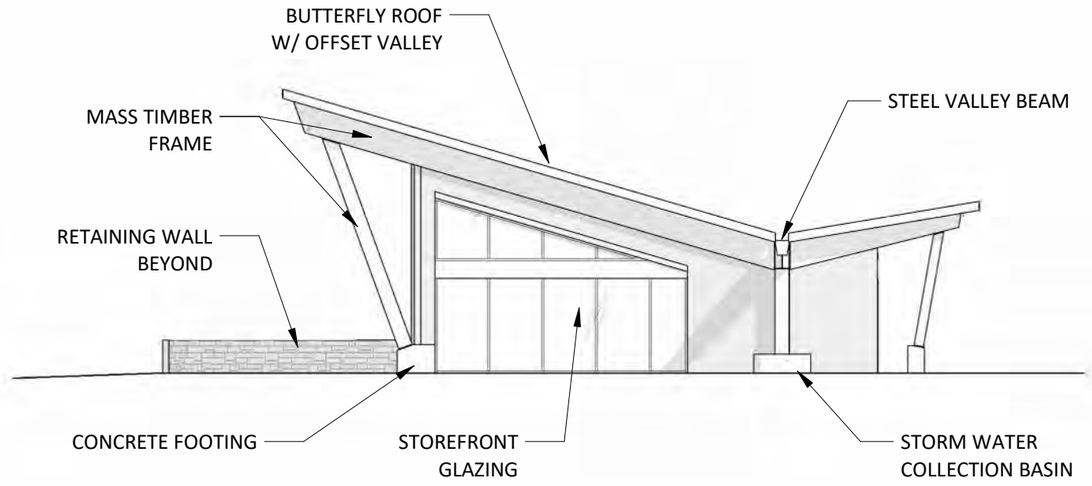
Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
NORTH MAIN STREET
MARYSVILLE, OH 43040

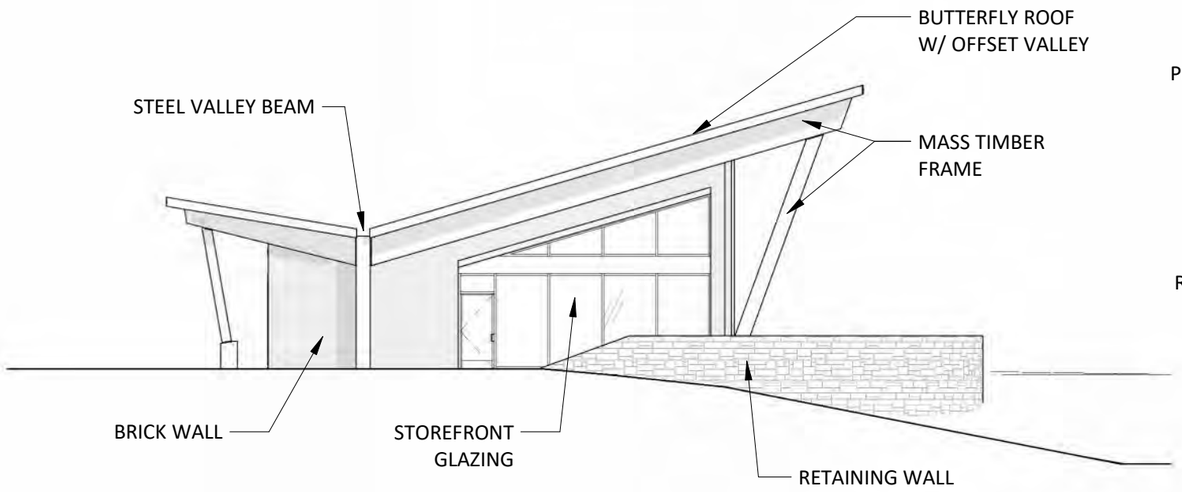
SD1.0G
PROJECT #: CNT024
02/12/24



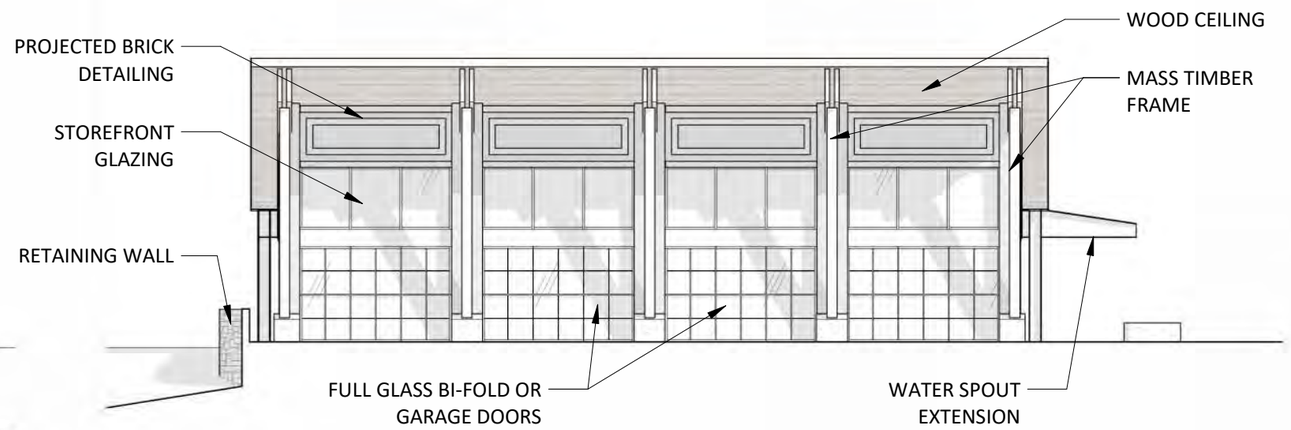

NORTH ELEVAITON




EAST ELEVAITON




WEST ELEVAITON

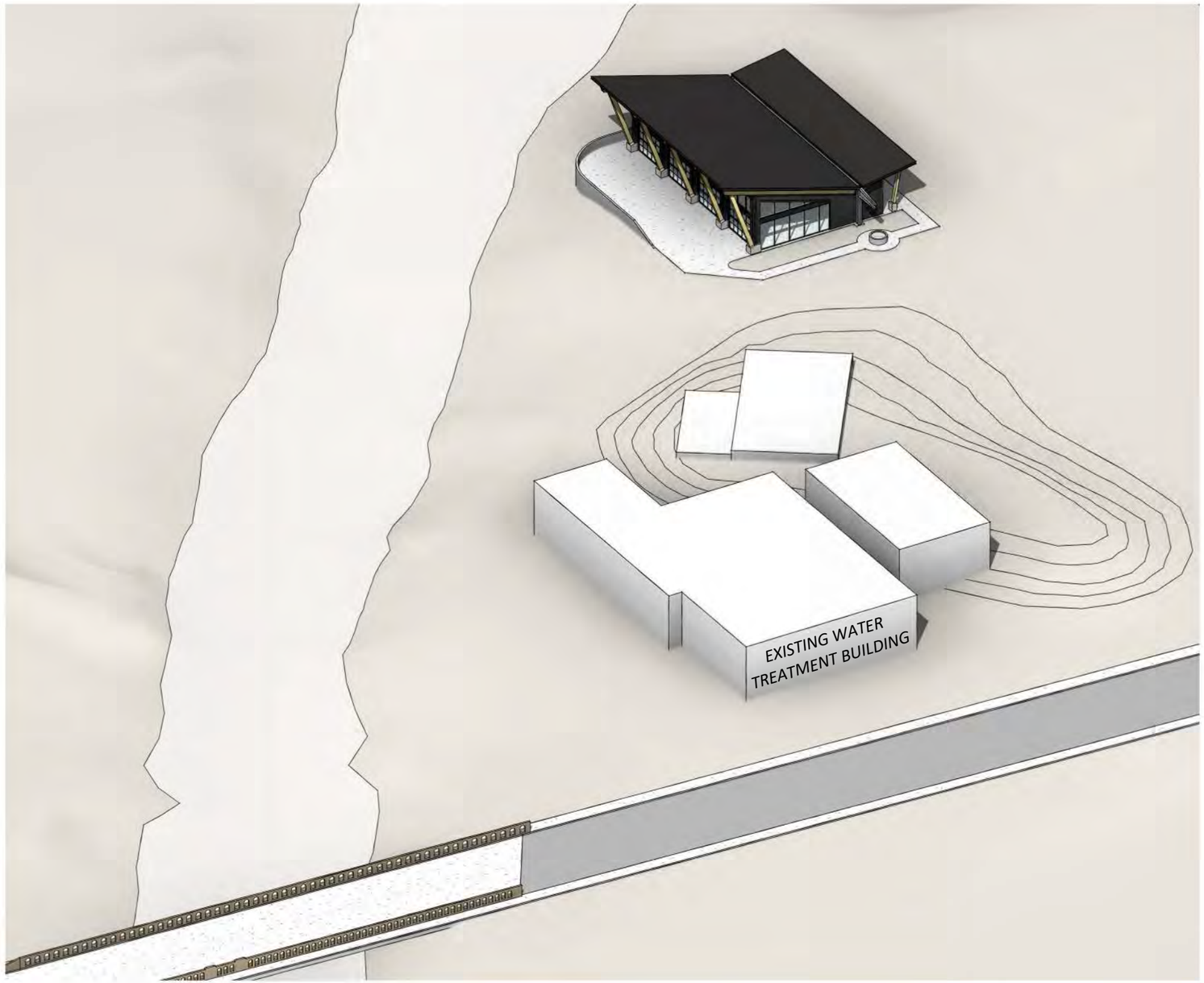



SOUTH ELEVAITON

Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
NORTH MAIN STREET
MARYSVILLE, OH 43040

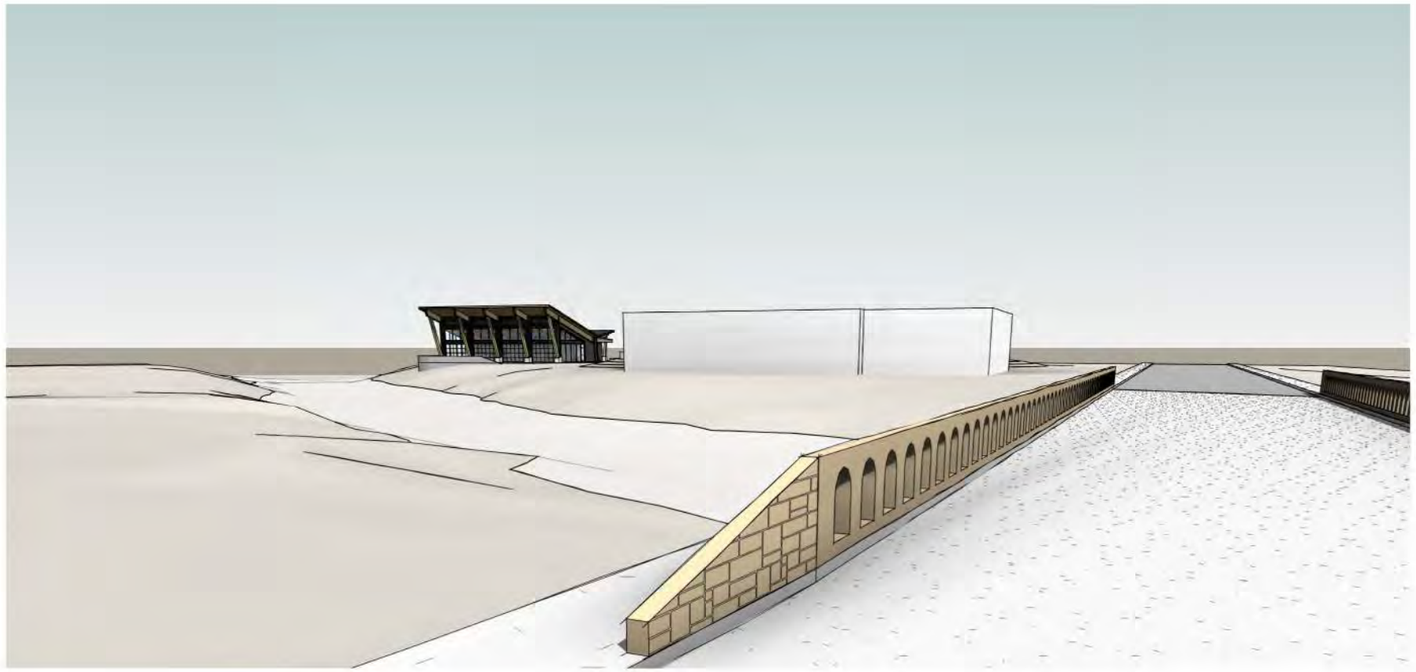
SD2.1G
PROJECT #: CNT024
02/12/24

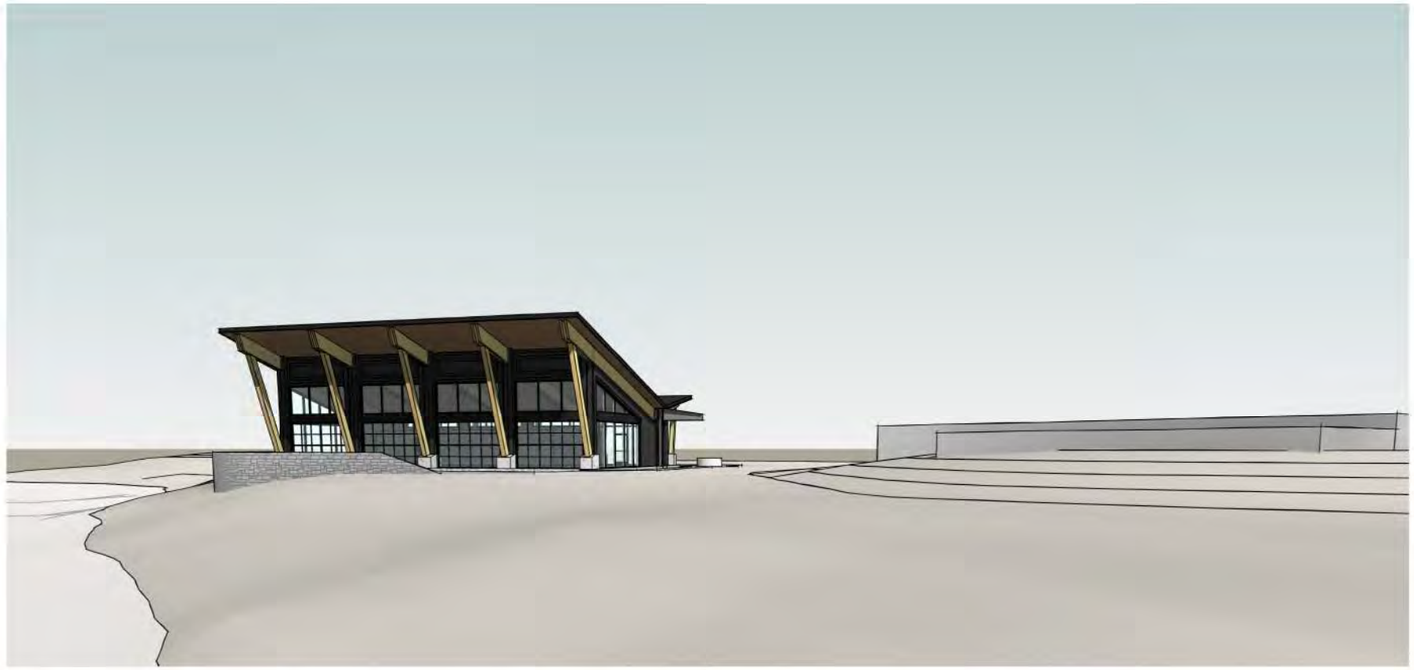



Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
NORTH MAIN STREET
MARYSVILLE, OH 43040

SD3.0G
PROJECT #: CNT024
02/12/24

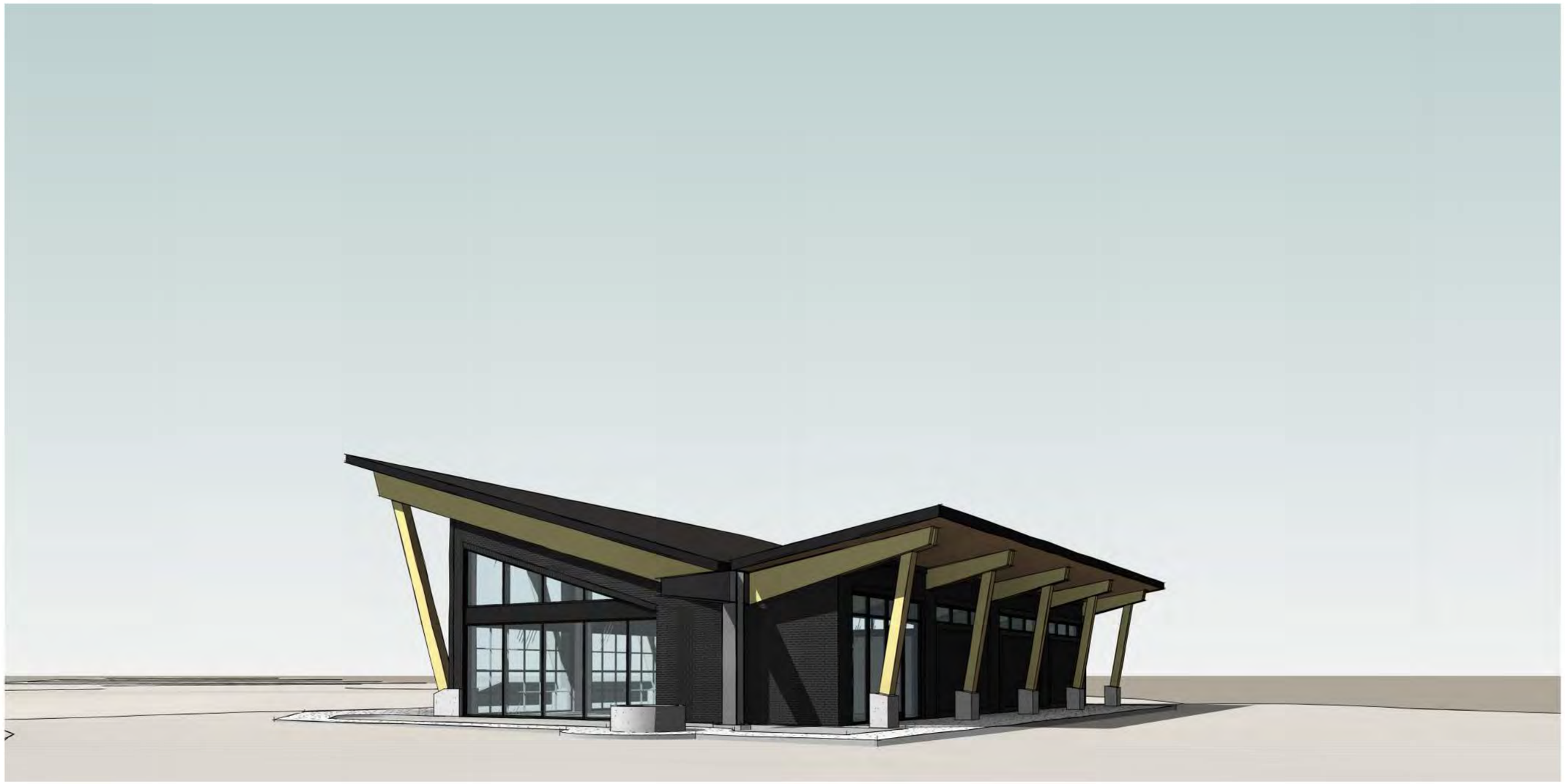




Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
NORTH MAIN STREET
MARYSVILLE, OH 43040

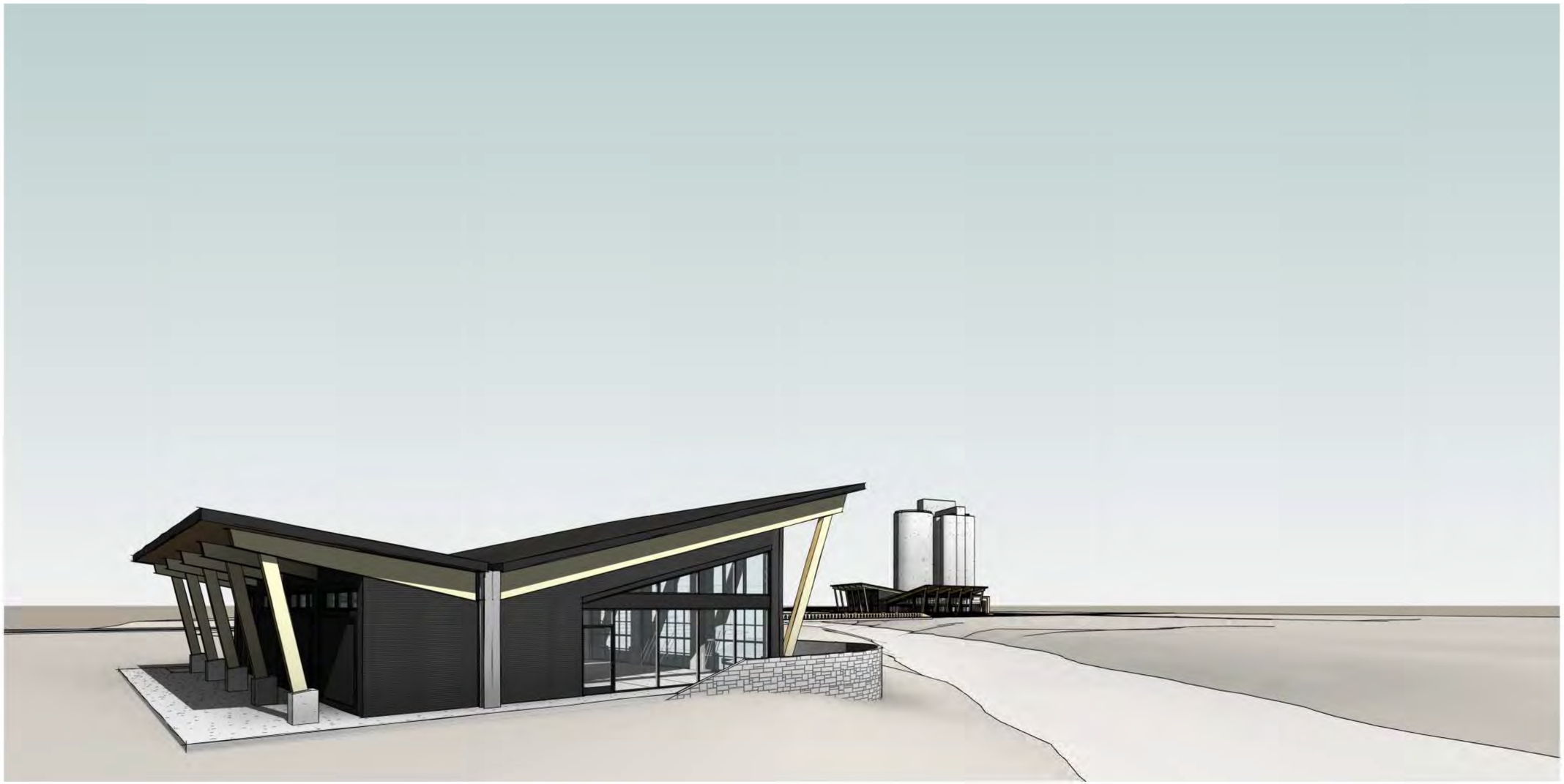
SD3.1G
PROJECT #: CNT024
02/12/24



Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
NORTH MAIN STREET
MARYSVILLE, OH 43040

SD3.2G
PROJECT #: CNT024
02/12/24



Red/Architecture
589 W. NATIONWIDE BLVD. SUITE B. COLUMBUS, OHIO 43215
REDARCHITECTURE.COM (614) 487-8770

WATER & LIGHT
NORTH MAIN STREET
MARYSVILLE, OH 43040

SD3.3G
PROJECT #: CNT024
02/12/24