

VILLAGE OF OBETZ  
RECORD OF ORDINANCES



ORDINANCE: 49 – 18

PASSED: October 22, 2018

**AN ORDINANCE TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN AND DEVELOPMENT TEXT FOR PARCEL NUMBER 186-000010**

**WHEREAS**, Parcel 186-000010 is zoned Planned Commercial District (PCD); and,

**WHEREAS**, a Preliminary Development Plan and Development Text are required as a part of a PID; and,

**WHEREAS**, the Planning and Zoning Commission recommended approval of the Preliminary Development Plan and Development Text at its September 12, 2018 meeting; and,

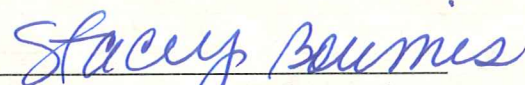
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:**

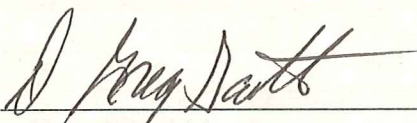
Section 1. The Preliminary Development Plan and Development Text for Parcel 186-000010, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved.

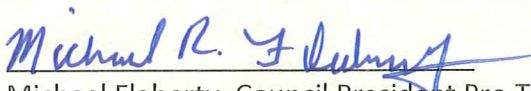
Section 2. This Ordinance is shall take effect at the earliest time permitted by law.

Passed this 22 day of October, 2018.

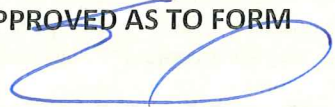
**ATTESTS:**

  
Stacey Boumis, Clerk of Council

  
D. Greg Scott, Mayor

  
Michael Flaherty, Council President Pro Tem

**APPROVED AS TO FORM**

  
Stephen J. Smith, Esq., Law Director

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**CERTIFICATION OF PUBLICATION**

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 49-18 was duly posted at 11:00 AM (time) on the 23 day of October, 2018, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center, as well as on the Obetz website.



Stacey Boumis  
Stacey Boumis, Clerk

10/23/18  
Date

## EXHIBIT A

### WAFFLE HOUSE - DEVELOPMENT PLAN TEXT

#### Introduction:

Intent: The proposed Waffle House will be a 24 hour, 7 days a week, 365 days a year, sit down restaurant owned and operated by Midwest Waffles Inc., a wholly owned subsidiary of Waffle House Inc. Waffle House Inc., has over 1900 restaurants in 23 states and has been in business since 1955.

Location: The proposed Waffle House will be located within the boundaries of the Village of Obetz along the eastern side of Alum Creek Drive on a 0.691acre parcel of land between the Subway restaurant at 4424 Alum Creek Drive and the warehouse building at 4370 Alum Creek Drive. The restaurant will be located on Parcel Number 186-000010.

Zoning: Planned Commercial District ("PCD")

Definitions: Unless otherwise defined within this Development Text definitions shall have the same meaning as set forth in the Codified Ordinances of Obetz (in its existing form as of September 1, 2016).

Development Text and Development Plan Applicability: The Development Text contained herein applies to the entire parcel of land. The Development Plan requires the approval of both the Planning & Zoning Commission and Council.

#### Land Uses:

Permitted Uses: Sit down restaurant

Prohibited Uses: All uses not listed as permitted are otherwise prohibited. The list below is not an exhaustive list of all prohibited uses, rather, the list prohibits those uses otherwise permitted in the Neighborhood Commercial, General Commercial and Suburban Office and Institution Zoning District.

- Limited price variety stores, i.e. dollar stores
- Second hand stores
- Pawn shops
- Check cashing facilities not associated with a bank or credit union
- Automotive service stations or convenience markets
- Automotive garages or repair services



- Vehicle sales
- Funeral homes and crematoriums
- Businesses offering skill based amusement games
- Tattoo parlors or body piercing shops
- Building material suppliers
- Commercial kennels
- Parking of vehicles as a principle use
- Outdoor storage

Development Standards: All improvements shall meet the provisions set forth in Section 1159.03 of the Codified Ordinances of Obetz unless otherwise indicated in this Development Text.

1) Building Setbacks

- i. Front Setbacks: Buildings that front Alum Creek Drive shall have a 30' minimum setback from the right of way.
- ii. Side and Rear Setbacks: The minimum setbacks shall be 5' for parking and maneuvering areas, canopies and buildings.

2) Parking, Access and Loading: All parking, access and loading areas shall be designed to the Village's design standards and shall be approved by the Village Engineer prior to construction. The guidelines below are in addition to the Village's design standards.

- i. Pedestrian Access: A sidewalk shall be installed to connect access from the existing sidewalk along Alum Creek Drive to the development.
- ii. Loading Zones: Delivery areas and trash pick up locations shall be located at the rear or side of the building.
- iii. Parking location: Parking areas visible from Alum Creek Drive shall be screened with landscaping to minimize the view of the parking area from Alum Creek Drive.
- iv. Parking Requirements: There shall be a minimum of 1 parking space per 100 sf of floor area.

3) Landscaping, Lighting, Utilities and Enclosures

- i. Landscaping and Site Screening: Street trees shall be provided along Alum Creek Drive along with shrubs and ground covering in accordance with Chapter 1167 of the Codified Ordinances of Obetz, unless otherwise stated in this Development Text.



- ii. Mechanical Equipment: All roof and ground mounted mechanical equipment shall be fully screened from off site view by a solid wall or fence consisting of material that are consistent with one of more of the primary or secondary materials that are used on the primary structure.
  - iii. Lighting: External light fixtures may be pole or wall mounted. All parking lot lighting shall be limited to 40' in height, except lighting that is adjacent to any residential property, which shall be limited to 30'. All light poles shall be black. All light fixtures shall but cutoff style and shall be consistent throughout the development. A photometric plan shall be submitted for approval.
  - iv. Utilities: The following utilities shall be provided, constructed and installed underground: gas lines, sanitary sewer lines, storm sewer lines, water lines, electrical lines, telephone lines, fiber optic cables, telephone and cable television lines.
  - v. Waste Receptacles: All containers shall be contained within gated masonry enclosure matching the primary structure.
- 4) Signage: Three wall signs shall be permitted as shown in the Comprehensive Signage Plan. Freestanding directional signage and a monument sign at the entrance shall also be permitted.
- 5) Architectural Requirements: The proposed Waffle House is located within the Alum Creek Drive overlay and subject to Architectural Review.
- a. Exterior Design: The primary and accessory structure shall match and be compatible with adjacent properties and structures.
  - b. Building Materials: Building materials shall consist primarily of Richfield Blend Quik-Brik masonry with grey split-face block accent bands, red standing seam metal awnings, glass and steel, yellow Lexan fascia with black letters and a red eye brow lighting system illuminating the letters.
  - c. Height Requirements: The building shall be no higher than 16'-6".

