

**CITY OF DELAWARE
PLANNING COMMISSION
AGENDA**

**CITY COUNCIL CHAMBERS
1 S. SANDUSKY ST.
7:00 P.M.**

REGULAR MEETING

APRIL 6, 2016

1. ROLL CALL
2. APPROVAL of the Motion Summary of the Planning Commission meeting held on March 2, 2016, as recorded and transcribed.
3. REGULAR BUSINESS

A. 2016-0697: A request by the City of Delaware for approval of Amendments to Chapter 1151.02 (Nonconforming Buildings or Structures) and 1151.03 (Nonconforming Use of Buildings and Land) of the Planning and Zoning Code to revise regulations related to nonconforming use of buildings, structures and land.

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (public hearing)
- d. Commission Action

B. 2016-0631: A request by Sawmill Delaware Investments LLC for approval of a Rezoning Amendment to the existing M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) at 2663 Airport Road (parcel #419-220-02-003-000) on approximately 47.558 acres.

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (public hearing)
- d. Commission Action

C. 2016-0518: A request by Shorty's Casual Cuisine for approval of a Conditional Use Permit to construct a temporary outdoor patio at 554 West Central Avenue on approximately 1.1 acres on property zoned B-3 (Community Business District).

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (public hearing)
- d. Commission Action

D. Belmont Place

- (1) 2016-0488: A request by Glen Road Capital LLC. for approval of a Final Subdivision Plat for Belmont Place Section 2 consisting of 25 single family lots on 6 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop.
- (2) 2016-0492: A request by Glen Road Capital LLC. for approval of a Final Subdivision Plat for Belmont Place Section 3 consisting of 24 single family lots on 7.271 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop.

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (not a public hearing)
- d. Commission Action

- E. 2016-0503: A request by Fed One Dublin LLC for approval of a Combined Preliminary and Final Development Plan for an approximate 40,000 square foot addition to Midwest Acoust-A-Fiber on approximately 14.70 acres zoned M-2 (General Manufacturing District) located at 759 Pittsburgh Drive.

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (not a public hearing)
- d. Commission Action

- F. 2016-0517: A request by Speedway LLC for approval of a Final Development Plan for an approximate 4,608 square foot Speedway Gas Station and Convenience Store on approximately 12.912 acres located on the northwest corner of US 23 North and Hills Miller Road on property zoned B-4 (General Business District).

--NOTE: Speedway Case will not start before 7:45 pm--

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (not a public hearing)
- d. Commission Action

- 4. PLANNING DIRECTOR'S REPORT
- 5. COMMISSION MEMBER COMMENTS AND DISCUSSION
- 6. NEXT REGULAR MEETING: May 4, 2016
- 7. ADJOURNMENT

**PLANNING COMMISSION
MOTION SUMMARY
March 2, 2016**

ITEM 1. Roll Call

Vice-Chairman Simpson called the Planning Commission meeting to order at 7:00 p.m.

Members Present: Robert Badger, George Mantzoros, Jim Halter, Dean Prall, and Vice-Chairman Stacy Simpson

Members Absent: Colleen Tucker-Buck and Chairwoman Lisa Keller

Staff Present: Jennifer Stachler, Assistant City Engineer, Lance Schultz, Zoning Administrator, and David Efland, Planning and Community Development Director.

Motion: Mr. Prall moved to excuse Ms. Tucker-Buck and Chairwoman Keller, seconded by Mr. Halter. Motion approved by a 5-0 vote.

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on February 3, 2016, as recorded and transcribed.

Motion: Mr. Halter moved to approve the Motion Summary for the February 3, 2016 meeting, seconded by Mr. Mantzoros. Motion approved by a 5-0 vote.

ITEM 3. REGULAR BUSINESS

A. Communities at Glenross

- (1) 2016-0172: A request by Pulte Homes for approval of a Final Development Plan for The Communities at Glenross Section 7 consisting of 40 single family lots on 38.76 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on White Fawn Run, Night Bird Lane, Course Road and Crick Stone Drive.
- (2) 2016-0173: A request by Pulte Homes for approval of a Final Subdivision Plat for The Communities at Glenross Section 7 consisting of 40 single family lots on 38.76 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on White Fawn Run, Night Bird Lane, Course Road and Crick Stone Drive.

Anticipated Process

a. Staff Presentation

Mr. Schultz reviewed the zoning map and aerial photograph from 2013. Mr. Schultz reviewed the Final Development Plan and Final Subdivision Plat. Included in the presentation was information on the access locations and landscape plans. Mr. Schultz discussed staff conditions.

b. Applicant Presentation

APPLICANT:

Brian Prenger
5500 New Albany Road
Columbus, Ohio

c. Public comment (not a public hearing)

There was no public comment.

d. Commission Action

Mr. Halter clarified that 2016-0173 was for Section 7. Mr. Efland confirmed that this was an approval of a Final Subdivision Plat for the Communities of Glennross Section 7.

Motion: Mr. Prall moved to approve 2016-0172, along with all staff conditions and recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

Motion: Mr. Prall moved to approve 2016-0173, Section 7, along with all staff conditions and recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

B. 2016-0242: A request by The Daimler Group for approval of a Final Development Plan for a building addition to the Delaware Health Center on approximately 102.25 acres zoned PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District) located at 801 Ohio Health Boulevard.

Anticipated Process

a. Staff Presentation

Mr. Schultz reviewed the proposed site plan and discussed the current parking lot spaces and requirements. Mr. Schultz reviewed the proposed building elevations and landscaping plan.

b. Applicant Presentation

APPLICANT:

Chris Tumblin
1533 Lake Shore Drive
Columbus, Ohio

Todd Sloan

1533 Lake Shore Drive
Columbus, Ohio

Mr. Sloan discussed upgrades to Grady Hospital and site location for possible expansion in the future.

c. Public comment (not a public hearing)

There was no public comment.

d. Commission Action

Motion: Mr. Prall moved to approve 2016-0242, along with all staff conditions and recommendations, seconded by Mr. Mantzoros. Motion approved by a 5-0 vote.

C. 2016-0244: A request by Fed One Dublin LLC for approval of a Combined Preliminary and Final Development Plan for an approximate 77,500 square foot building for Precision Tower Products on approximately 9.49 acres zoned M-2 (General Manufacturing District) located at 1600 Pittsburgh Drive.

Anticipated Process

a. Staff Presentation

Mr. Schultz reviewed the Final Development Plan and the potential additional parking spaces on the proposed plan. Mr. Schultz reviewed the proposed building elevations.

b. Applicant Presentation

APPLICANT:

Sara Hanes
8400 Industrial Parkway
Plain City, Ohio

Todd King
7048 Bordeaux Ct.
Dublin, Ohio

Mr. Halter discussed with the applicant the requirement for dust control in gravel parking lots.

c. Public comment (not a public hearing)

There was no public comment.

d. Commission Action

Motion: Mr. Halter moved to approve 2016-0244, along with all staff conditions and recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

D. 2016-0245: A request by Delaware Development Plan LTD for a Concept Plan Review for a proposed mixed use development on approximately 78 acres zoned A-1 (Agricultural District) and A-1 PMU (Agricultural with a Planned Mixed Use Overlay District) in the City and located north of proposed Meeker Way, east of US 23 and west of Stratford Road.

Anticipated Process

a. Staff Presentation

Mr. Efland discussed the definition of a Concept Plan Review. Mr. Efland provided a presentation that included the location map for the potential development and zoning map. Mr. Efland discussed the proposed site plan and proposed access locations on US 23, Meeker Way and Stratford Road. Mr. Efland discussed the need for a traffic study to be completed. Mr. Efland discussed the applicant's plan for green space and open space. Mr. Efland provided information regarding the historical house and barn on the proposed site plan.

b. Applicant Presentation

APPLICANT:

Connie Klema
Delaware Development Plan LTD
P.O. Box 991
Pataskala, Ohio

Michael R. Shade
P.O. Box 438
Delaware, Ohio

Valerie Croasmun
2221 Schrock Rd
Columbus, Ohio
M.S. Consultants

Ms. Klema discussed the potential uses for the green space area and proposed plans for the historic barn.

Mr. Prall recommended that density along Stratford Road be low, as well as along the residential properties to the northern portion of the development.

Mr. Halter voiced a concern over the quantity of black top as well as the original Master Plan for the area to be developed as residential.

Mr. Shade addressed questions and concerns pertaining to the annexation of part of the property into the City of Delaware.

A discussion was held on the pedestrian connectivity.

Mr. Badger voiced a concern over traffic safety at the designated access locations.

Ms. Croasmun discussed the current process to complete the traffic study.

Vice-Chairman Simpson voiced concern over potential light pollution from the site to Perkins Observatory. Vice-Chairman Simpson voiced he would not be in support of the removal of historic buildings.

Vice-Chairman Simpson requested a break at 8:41 p.m. Vice-Chairman Simpson reconvened the meeting at 8:53 p.m.

c. Public comment (not a public hearing)

PUBLIC PARTICIPATION:

Mike James
144 Wagner Way
Delaware, Ohio

Mr. James discussed the livestock that resides on his property and concern over the buffer for the bike path. Mr. James also voiced a concern over the creek.

Marci Bird
5785 Buechel Dr.
Delaware, Ohio 43015

Ms. Bird spoke to represent Friends of the Lower Olentangy Watershed (FLOW). Ms. Bird discussed concerns over the effects to the stream from the impervious pavement and potential relocation of the stream. Ms. Bird discussed the use of electrical lines and if the lines would be buried or above ground.

Barbara Martin
1901 Stratford Rd
Delaware, Ohio 43015

Ms. Martin discussed a previous underground passage way for cows off of the Babbington Farm, and potential use of this access for pedestrians to cross U.S.

23.

Ms. Martin voiced a concern of possible increase of traffic to the area.

Jean Ball
1989 Stratford Rd.
Delaware, Ohio 43015

Voiced her preference to keep the historic sites and the benefits these sites have to surrounding areas.

Roger Koch
Delaware County Historical Society
2690 Stratford Rd.
Delaware, Ohio 43015

Mr. Koch discussed the historical significance of the area. Mr. Koch voiced concern over the creek and methods to prevent erosion.

Dave Kerr
7792 Olentangy River Rd, Suite C.
Columbus, Ohio 43235

Mr. Kerr recommended the applicant consider residential space for second level floor plans to promote community involvement and to have active use of the green space.

d. No Commission Action

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland discussed the need for all Commission Members to have a copy of the Comprehensive Plan of the City of Delaware. Mr. Halter requested a copy.

Mr. Efland provided information on the CHIP Grant.

Mr. Efland provided an update on the East William Street project.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

Mr. Halter requested an update on the future development plans for Delaware Place. Mr. Efland discussed the tax credit process changes by the State of Ohio.

ITEM 6. NEXT REGULAR MEETING: April 6, 2016

ITEM 7. ADJOURNMENT:

Motion: Vice-Chairman Simpson moved for the March 2, 2016 Planning Commission meeting to adjourn. The meeting adjourned at 9:26 p.m.

Lisa Keller, Chairwoman

Elaine McCloskey, Clerk



PLANNING COMMISSION/STAFF REPORT

CASE NUMBER: 2016-0697
REQUEST: Zoning Code Amendment
PROJECT: Nonconforming Uses
MEETING DATE: April 6, 2016

APPLICANT/OWNER

City of Delaware
1 South Sandusky Street
Delaware, Ohio 43015

REQUEST

2016-0697: A request by the City of Delaware for approval of Amendments to Chapter 1151.02 (Nonconforming Buildings or Structures) and 1151.03 (Nonconforming Use of Buildings and Land) of the Planning and Zoning Code to revise regulations related to nonconforming use of buildings, structures and land.

PROPERTY LOCATION & DESCRIPTION

These amendments to the Planning & Zoning Code affect all single family homes that are currently zoned multi-family or non-residential in the City of Delaware.

BACKGROUND

Throughout the City, there are several existing single family homes zoned multi-family or non-residential for various reasons (e.g., the houses were constructed before the current zoning code was adopted, past city-sponsored rezoning of perceived commercial corridors, etc.) that are considered nonconforming per the zoning code. A single-family residence is a nonconforming use, as well, in these cases; and, if the structure is destroyed by any means or razed to the extent of more than fifty percent (50%) of the fair replacement cost of the structure or portion thereof immediately prior to the damage, it shall not be reconstructed except in conformity with provisions of the zoning code. Since the recession in the 2000's, some banks have restricted their lending practices that have negatively impacted nonconforming uses, specifically single family residential owners who want to sell or refinance their homes. In the last several years, Staff has processed re-zonings to allow single family houses / uses to achieve compliance with the aforementioned 50% reconstruction provision issue (namely, three re-zonings affecting nine properties since 2011). Though not a large overall number, and recognizing that each circumstance may be different, it seems reasonable to Staff to make this change, which simply allows essentially for a reconstruction of a use or structure and not an extension or enlargement of such. Some property owners in the Lewis Street area of the community concerned about their ability to refinance what are existing, non-conforming single family homes situated within a commercial zoning district recently met with Staff. After discussion with Staff, the consensus was to bring forward these changes to the code to address this ongoing issue of lending rather than craft another unique solution to this particular area of the community. Not passing these amendments will, therefore, delay or otherwise could create lending issues for these Lewis Street homeowners, as well as others similarly situated citywide. Therefore, Staff is requesting to revise the zoning code to exempt from the reconstruction provision only single family homes and uses that achieve compliance with the remainder of Chapter 1151 as proposed and attached.

STAFF ANALYSIS

- Chapter 1151.02 (d) Reconstruction of Nonconforming Building or Structure which states "Should such nonconforming structure or nonconforming portion of structure be destroyed by any means or razed to the extent of more than fifty percent (50%) of the fair replacement cost of the structure or portion thereof immediately prior to the damage, it shall not be reconstructed except in conformity with provisions of this Ordinance" and Chapter 1151.03 (a) Alteration/Reconstruction of a Building Occupied by a Nonconforming Use which states "No building or structure occupied by a nonconforming use shall be altered, improved or reconstructed except when the cumulative cost of the alteration, improvement or reconstruction does not exceed fifty percent (50%) of the building's replacement value" which pertain to this subject reconstruction provision issue would be modified by adding the following provisions to the appropriate sections of Code:
 - *A pre-existing single family home on an individual lot of record that existed immediately prior to the damaging event is exempt from this provision and may be reconstructed to the extent (and no more) that it previously existed on the lot immediately prior to the incident causing the damage. This shall be measured using the pre-existing building footprint area as established by a survey of record or other source deemed acceptable by the City. Height limitations shall be in accordance with the current zoning district of the property. This exemption is not allowable for structures or uses that are*

discontinued as provided for in Section 1151.03(e) Discontinuance of Use and the exemption is not allowable for structures that have been willfully demolished or damaged.

Staff believes the minor revision would have a positive impact on owners of nonconforming single family homes on pre-existing lots of record based on the current lending environment without compromising the zoning code and the general health, safety and welfare of the community. Staff did not include multi-family and non-residential uses from the reconstruction provision to ensure preservation of the original intent of the nonconforming provision. Therefore, these nonconforming uses, buildings, lots, and structures are subject to regulations limiting their use, restoration, reconstruction, extension, and substitution. Such nonconforming status shall be continued only in conformance with the applicable provisions of the Code. In conclusion, Staff does not believe single family owners, some of which have been longstanding residents of the City, should be impacted negatively by this proposed change, and other uses and structures will be left in the same regulatory condition as exists today and thus unaffected by the proposal.

STAFF RECOMMENDATION

Staff recommends approval of amendment to Chapters 1151.02 (Nonconforming Buildings or Structures) and 1151.03 (Nonconforming Use of Buildings and Land) of the Planning and Zoning Code to revise regulations related to nonconforming use of buildings, structures and land as documented in the attached revised ordinances.

COMMISSION NOTES:

MOTION: _____ 1st _____ 2nd approved denied tabled _____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 03/25/2016
REVISED: 03/31/2016

**Chapter 1151
Nonconforming Uses, Buildings, Structures, and Lots**

1151.01	Purpose.	1151.08	Nonconforming use due to reclassification.
1151.02	Nonconforming buildings or structures.	1151.09	Change from nonconforming use.
1151.03	Nonconforming use of buildings and land.	1151.10	Determination of nonconforming status.
1151.04	Nonconforming lots of record.	1151.11	Existing use deemed conditional use; permit required for change.
1151.05	Nonconforming site conditions.	1151.12	Completion of construction with zoning certificate.
1151.06	Nonconforming parking facilities.		
1151.07	Nonconforming signs.		

SECTION 1151.01 PURPOSE.

- (a) The purpose of this Chapter is to recognize the existence of uses, buildings, lots and structures that lawfully existed at the time of this Ordinance's enactment, or amendment thereto, but which now do not conform to one or more of the regulations contained in this Ordinance. Nonconforming status is considered to be incompatible with permitted uses in the zoning district in which it exists. Therefore, nonconforming uses, buildings, lots, and structures are subject to regulations limiting their use, restoration, reconstruction, extension, and substitution. Such nonconforming status shall be continued only in conformance with this Chapter.
- (b) A nonconforming lot, use, building or structure does not include nonconformity with regulations pursuant to a legally granted variance from a zoning regulation.

SECTION 1151.02 NONCONFORMING BUILDINGS OR STRUCTURES.

Where a lawful structure exists at the effective date of adoption or amendment of this Zoning Ordinance that could not now be built under the terms of this Ordinance by reason or restrictions on area, lot coverage, height, yards, its location on the lot, bulk or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (a) Enlargement/Alteration of Nonconforming Building or Structure. No nonconforming structure may be enlarged or altered in a way that increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity. (ORD 03-78 Passed September 22, 2003)
- (b) Reconstruction of Nonconforming Building or Structure. Should such nonconforming structure or nonconforming portion of structure be destroyed by any means or razed to the extent of more than fifty percent (50%) of the fair replacement cost of the structure or portion thereof immediately prior to the damage, it shall not be reconstructed except in conformity with provisions of this Ordinance.
 - (1) A pre-existing single family home on an individual lot of record that existed immediately prior to the damaging event is exempt from this provision and may be reconstructed to the extent (and no more) that it previously existed on the lot immediately prior to the incident causing the damage. This shall be measured using the pre-existing building footprint area as established by a survey of record or other source deemed acceptable by the City. Height limitations shall be in accordance with the current zoning district of the property. This exemption is not allowable for structures or uses that are discontinued as provided for in Section 1151.03(e)

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Discontinuance of Use and the exemption is not allowable for structures that have been willfully demolished or damaged. (ORD 16-XX Passed XXXX XX, 2016)

~~(a)~~(c) Relocation of Nonconforming Building or Structure. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

~~(a)~~(d) Repair and Maintenance of Nonconforming Building or Structure.

(1) On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, heating, air conditioning or plumbing, to an extent not exceeding ten percent (10%) of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased.

~~(+)~~(2) If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe, or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.

~~(+)~~(3) Nothing in this section shall be interpreted to prevent the strengthening or restoring to a safe condition any building or part thereof declared to be unsafe.

SECTION 1151.03 NONCONFORMING USE OF BUILDINGS AND LAND.

Where, at the time of adoption of this Zoning Ordinance, lawful uses of buildings and land exist that would not be permitted by the regulations imposed by this Ordinance, the uses may be continued so long as no division of any parcel is made which creates a lot with width or area below the requirements stated in this Ordinance.

(a) Alteration/Reconstruction of a Building Occupied by a Nonconforming Use. No building or structure occupied by a nonconforming use shall be altered, improved or reconstructed except when the cumulative cost of the alteration, improvement or reconstruction does not exceed fifty percent (50%) of the building's replacement value.

(1) A pre-existing single family home (a single dwelling unit/use) on an individual lot of record that existed immediately prior to the damaging event is exempt from this provision and may be reconstructed to the extent (and no more) that it previously existed on the lot immediately prior to the incident causing the damage. This shall be measured using the pre-existing building footprint area as established by a survey of record or other source deemed acceptable by the City. Height limitations shall be in accordance with the current zoning district of the property. This exemption is not allowable for structures or uses that are discontinued as provided for in Section 1151.03(e) Discontinuance of Use and the exemption is not allowable for structures that have been willfully demolished or damaged. (ORD 16-XX Passed XXXX XX, 2016)

(b) Expansion/Relocation of Nonconforming Use of Land. A nonconforming use of land shall not be physically enlarged, increased, extended, or relocated to a part of the lot that was not occupied by the use at the time it became nonconforming. No additional structures shall be constructed in connection with such nonconforming use.

(c) Expansion/Relocation of Nonconforming Use of Buildings. A nonconforming use of an existing building may be extended throughout any parts of the building that were manifestly arranged or designed for such use at the time of adoption or amendment to this Ordinance. However, no such nonconforming uses shall be moved in whole or in part to any portion of the lot or parcel other than occupied by such uses at the effective date of adoption or

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amendment of this Ordinance, and no such building shall be enlarged or expanded to increase the nonconforming use.

(d) Change or Substitution of Use.

(1) Substitution of "Equal" Use. If no structural alterations are made other than those required by enforcement of other codes or ordinances or those necessary for maintenance, a nonconforming use may be changed to another nonconforming use which is determined to be equally appropriate and similar in nature for the district in which it is located. The Board of Zoning Appeals shall make such determination by using the use variance procedures. (ORD 03-78 Passed September 22, 2003)

(2) Substitution of "Less Nonconforming" Use. If no structural alterations are made other than those required by enforcement of other codes or ordinances or those necessary for maintenance, a nonconforming use may be changed to another nonconforming use of a less nonconforming, more appropriate nature for the district in which it is located. The Board of Zoning Appeals shall determine if the proposed use is of a less nonconforming, more appropriate nature by using its use variance procedures. (ORD 03-78 Passed September 22, 2003)

(e) Discontinuance of Use.

(1) When a nonconforming use of a structure, or structure and premises is discontinued or abandoned for a one-year period, the structure or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

(2) If any such nonconforming use of land ceases for any reason for a period of more than one (1) year, any subsequent use of such land shall conform to the regulations specified by this Zoning Ordinance for the district in which it is located.



Delaware County Auditor
George Kaltsa

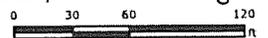
Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be construed or used as a "legal description" of a parcel.

Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201).

Please report any errors or omissions to the Delaware County Auditor's office at delcogis@co.delaware.oh.us.

Prepared by: Delaware County Auditor's GIS Office

Printed on 2/22/2018



City of Delaware, Ohio
Planning & Community Development
109 N. Sandusky Street
Delaware, Ohio 43015

To Whom It May Concern:

As the owners of the residence located at 14 Lewis St., We are requesting that the zoning applicable to this property be changed from b-3 to a form of residential zoning. The frame construction house currently located at this address was built in the early 20th century (circa 1926) and has served as a single family dwelling from that time to the present day.

Lewis Street is a residential street with the exception to the Certified Oil Company on the corner of Lake and William Streets. This change in zoning would more accurately reflect the historical as well as current use of our property.

After speaking with Mr. Efland, we were made aware that there may be issues concerning our ability to sell this house as a residence to a future owner as well as complications with the financing of such a sale due to the zoning. Additionally, should damage or loss occur to the property, an insurance claim could be complex and not allow us to rebuild the house as it exists today.

For these reasons, We believe that it is most beneficial to ourselves as well as to the preservation of the residential nature of Lewis Street to approve this change in zoning.

Thank you for your attention to this request,



Kent A. Eastham
Lauren J. Eastham
Owners, 14 Lewis St.
Parcel #519-431-13-007-000

City of Delaware, Ohio
Planning & Community
Development
109 N. Sandusky Street
Delaware, Ohio 43015

Gloria Jean Wright
20 Lewis Street
Delaware, Ohio 43015
Phone # 440-272-0586
Email - GJW0149@AOL.com.
Parcel # 519-431-13-006-000

To Whom it may Concern,

I am petitioning my home at 20 Lewis Street Delaware, Ohio to be rezoned for the following reason.

I had applied for a loan to refinance my home at 20 Lewis Street, all was going well until the appraisal. The appraiser told the lender the house was zoned commercial with the single family residential grandfathered in. Well that stopped the loan because FHA & conventional lenders financing these properties can not lend on a home that is zoned commercial even if its grandfathered in because according to zoning rules & regulations (which I checked) states that if the home is destroyed by fire or if its destroyed by a act of God the house can not be built back as a resident only be built as a commercial property. So the loan was stopped and I lost the appraisal fee.

I thought maybe it was just the lenders rule so I checked with different lenders, a credit union, Bank, Quicken loans. They all said a loan could not be given on the property because of the zoning and its rules.

There also may be an insurance issue the insurance company may not have to pay full replacement value because the house can not be built back on the same site. (only a commercial property).

It also becomes a big problem if the people on the street wants to sell their home if the loan wont for commercial use they could not sell. Because they couldnt get a loan.

The other issue is what if one of us pass away, our heirs want to sell they couldnt sell it.

This is not fair to the home owners whom had no knowledge of the zoning and rules or was never notified of the zoning, rules or lending rules.

So I and my neighbors want it rezoned so this rule
doesn't continue and our homes can be financed.

Who protects us. How many other people are in the
same situation and are unaware of it.

Any questions please call me at 740-572-0586

Thank you,

Glenn Dean Wright
20 Lewis Street
Delaware, Ohio
43015

25 Lewis Street
Delaware, OH 43015
19 February 2016

City of Delaware, Ohio
Planning and Community Development
109 N. Sandusky Street
Delaware, OH 43015

To whom it may concern:

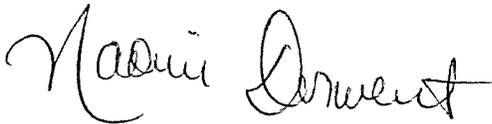
I live at 25 Lewis Street in Delaware and have just found out (through my neighbor, Gloria Jean Wright, that our street is zoned for commercial use). I would like to add my petition to hers to have this changed back to residential.

I would like the zoning changed for the following reasons:

1. I would like to sell the house at some point, in fact, we tried to sell last year. With this current zoning in place, we would not be able to find a buyer.
2. I hear that there are implications from an insurance perspective, in that only the value of the house is replaced in case of catastrophic damage, since I'm not able to rebuild on the land.
3. Having a home in a commercial zoning drastically reduces the value of the home.
4. I had no idea the street was in a commercial zone; otherwise I would have objected when it was changed from residential.

I would really appreciate your attention to this matter and will answer any questions you might have.

Yours faithfully,

A handwritten signature in cursive script that reads "Naomi Derwent".

NAOMI DERWENT
Phone: 740 971-8409

26 Lewis Street
Delaware, OH 43015
17 February 2016

City of Delaware, Ohio
Planning and Community Development
109 N. Sandusky Street
Delaware, OH 43015

To whom it may concern:

I live at 26 Lewis Street in Delaware and have just found out (through my neighbor, Gloria Jean Wright, that our street is zoned for commercial use. I would like to add my petition to hers to have this changed back to residential.

I have lived at my address for more than 55 years. I recall that my ex-husband had to have the garage rezoned 50+ years ago because he was working on fixing cars there, but I do not recall the entire street being re-zoned for commercial use.

I would like the street rezoned because I would like to leave my house to my children and grandchildren and they will not be able to sell it, zoned the way it is. They may even choose to live here, and if they do and something happens, the insurance payout won't be enough to pay for a replacement. In addition to that, they would not be able to rebuild on this same lot, which has been in the family for five decades.

I would really appreciate your attention to this matter and will answer any questions you might have.

Yours faithfully,



SHIRLEY ORAHOOD
Phone: 740 363-2673
E-mail: Sorahood002@columbus.rr.com

22 Lewis Street
Delaware, OH 43015
17 February 2016

City of Delaware, Ohio
Planning and Community Development
109 N. Sandusky Street
Delaware, OH 43015

To whom it may concern:

I live at 22 Lewis Street in Delaware and have just found out (through my neighbour, Gloria Jean Wright, that our street is zoned for commercial use. I would like to add my petition to hers to have this changed back to residential.

I bought my house in 2012, not knowing that it was commercially zoned. I probably would not have bought it had I known the status. Having a commercially zoned property makes it impossible to refinance and reduces the value of the home significantly. I understand that there are insurance implications as well, in that the insurance value no longer includes the value of the land, but only the house.

I was planning to refinance my house this year but with this new development, I know I won't be able to, and therefore won't be able to lower my interest rate.

Additionally, if I want to sell my house sometime in the future, any potential buyer would have to pay cash because they won't be able to get financing.

I don't know when this street was re-zoned to commercial use but I was unaware of this change and would like to have it changed to residential so I can continue to live there without the threat of a business opening next door to me, and so that I can rest assured that I can sell my house if I want to.

If you have any questions, please contact me!

Yours faithfully,



TARA WILSWORTH
Phone: 740 816-337
E-mail: tarawilsworth@rocketmail.com

CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY
DEVELOPMENT
109 N. SANDUSKY STREET
DELAWARE, OHIO 43015

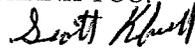
SCOTT KIDWELL
17 LEWIS STREET
DELAWARE, OHIO 43015
PARCEL #519-431-13-006-000

TO WHOM IT MAY CONCERN;

I AM PETITIONING MY HOME AT 17 LEWIS STREET DELAWARE, OHIO 43015
TO BE REZONED.

DUE TO THE FACT THAT IT IS NOW ZONED R-6 WHICH WILL NOT ALLOW ME
TO REBUILD MY HOME AS A SINGLE FAMILY HOME IF DESTROYED BY FIRE
OR BY AN ACT OF GOD. THIS ALSO POSSES A PROBLEM IN SELLING MY HOME
DUE TO FINANCING ISSUES.

THANK YOU,



SCOTT KIDWELL
17 LEWIS STREET
DELAWARE, OHIO 43015

CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY
DEVELOPMENT
109 N. SANDUSKY STREET
DELAWARE, OHIO 43015

CHARLES THOMPSON
27 LEWIS STREET
DELAWARE, OHIO 43015
PARCEL #519-43-11202-0000

TO WHOM IT MAY CONCERN;

I AM PETITIONING MY HOME AT 17 LEWIS STREET DELAWARE, OHIO 43015
TO BE REZONED.

DUE TO THE FACT THAT IT IS NOW ZONED R-6 WHICH WILL NOT ALLOW ME
TO REBUILD MY HOME AS A SINGLE FAMILY HOME IF DESTROYED BY FIRE
OR BY AN ACT OF GOD. THIS ALSO POSSES A PROBLEM IN SELLING MY HOME
DUE TO FINANCING ISSUES.

THANK YOU.

Charles J. Thompson

CHARLES THOMPSON
27 LEWIS STREET
DELAWARE, OHIO 43015



PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: 2016-0631

REQUEST: Rezoning Text Amendment

PROJECT: Sawmill Delaware Investments LLC /
Innovation Court

MEETING DATE: April 6, 2016

APPLICANT/OWNER

FedOne Dublin LLC
8400 Industrial Parkway
Plain City, Ohio 43064

REQUEST

2016-0631: A request by Sawmill Delaware Investments LLC for approval of a Rezoning Amendment to the existing M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) at 2663 Airport Road (original parcel # 419-220-02-003-000) on approximately 47.558 acres.

PROPERTY LOCATION & DESCRIPTION

The 47.558 acre parcel is located approximately a quarter mile west of US 42 on Airport Road and the currently under construction Sawmill Parkway extension. The subject property has previously been annexed into the City (Ordinance 14-96) and zoned M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) while the property to the north is zoned M-2 (General Manufacturing District), the property to the east is zoned M-1 PMU (Light Manufacturing with a Planned Mixed Use Overlay District) and to the property to the south is zoned M-1 (Light Manufacturing District). The remaining properties to the south and west are located in the County.

BACKGROUND/PROPOSAL

The owner received rezoning approval for this site in 2014. The applicant has subsequently subdivided this property into what is now known as the Innovation Business Park (plat). The Applicant has experienced interest in several of the parcels. However, they have also received feedback concerning the need for some additional clarity of the zoning text as well as being allowed some additional Limited uses on lot #6 of the Innovation Business Park plat – the southwestern most lot. Staff, including the City Manager's office and Economic Development, have reviewed the proposed amendments and have worked with the Applicant to produce the draft text included in this request.

STAFF ANALYSIS

- **ZONING:** The subject property is currently zoned M-1 PMU (Light Manufacturing with a Planned Mixed Use Overlay District) with an approved development text and land use designations as well as an approved preliminary plan. The Applicant seeks to clarify the existing text to allow for wholesale activities to businesses serving vender/suppliers of the residential or commercial construction industry or its suppliers. Additionally, the Applicant wishes to add some limited uses to Lot #6 of the Innovation Business Park subdivision allowing for transportation related businesses as well as providing the ability to have ancillary retail activities both as provided for in the proposed revised text.
- **COMPREHENSIVE PLAN:** The subject site is located in the Southwest Subarea of the Comprehensive Plan with a land use designation of "Light Manufacturing." The proposed text amendments are consistent with land use plan and zoning for the site and the following objective and strategy for this subarea:
 - LU 26.1- The Southwest Subarea will continue to be promoted as the major industrial center of the community, with a focus on light to medium industrial production, light assembly, warehousing, distribution, flex-office, and related service industries.
- **GENERAL ENGINEERING:** This request does not involve Engineering items or review

SPIERLING PROPERTY
SAWMILL DELAWARE INVESTMENTS, LLC / ENGINEERED MATERIALS SYSTEMS, INC

FUTURE SAWMILL PARKWAY EXTENSION / 2663 AIRPORT ROAD
~~CURRENT-ORIGINAL~~ PARCEL # 419-220-02-003-000
CURRENT – INNOVATION BUSINESS PARK PLAT PARCELS (multiple)
APPROXIMATELY 47.558 ACRES

DEVELOPMENT TEXT
PLANNED MIXED USE OVERLAY DISTRICT
PC 2014-2061 (original Approval)
PC 2016-0631 (proposed Amended Zoning Text)

1. DESCRIPTION OF DEVELOPMENT

Fed One Dublin, LLC (applicant) on behalf of Sawmill Delaware Investments, LLC (future owner and master site developer) and Engineered Materials Systems (future parcel owner), and all on behalf of Barbara Spierling Trustee, Et. Al. which is the current owner of the property, is proposing a PMU (Planned Mixed Use Overlay District) on the subject property zoned M-1 (General Manufacturing District) that encompasses approximately 47.558 acres and is intended to be subdivided into multiple parcels. The subject property is located along the planned future Sawmill Parkway extension west of US 42 and currently shown by the County Auditor as being addressed as 2663 Airport Road located south of Airport Road and north of future Sawmill Parkway (to be extended in the near future by Delaware County) and west of US 42. The property was recently annexed to the City of Delaware via Ordinance 14-96 passed by the City Council on September 22, 2014. The intended use of the property is for a light manufacturing park.

March 2016 Update – The Applicant has identified some additional uses and clarifications to the original text that they desire specifically with respect to what is now known as Lot 6 of the Innovation Business Park Plat (the southwestern most parcel of the subdivision). These changes involve expressly allowing accessory retail activities for tenant spaces as well as clarifying allowed uses as given in the proposed revised text.

2. GENERAL DEVELOPMENT STANDARDS

- a. **Purpose and Intent.** It is the intent of the owner to allow the subject property to achieve compliance with the M-1 District (Light Manufacturing District). This Development Text represents the zoning requirements for this area unless otherwise noted.
- b. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this development text, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of application. This text shall control where there is conflict or silence with the current zoning code.
- c. **Limitations.** Nothing in this text shall prohibit additional restrictions or requirements from being placed on the approval of any Final Development Plan.

- d. **Development Review Process:** All developments shall comply with the then current zoning and subdivision regulations including, but not limited to, Chapter 1129 Procedures and Chapter 1111 Subdivision Regulations. The general process shall be Preliminary and Final Development Plan and Plat Reviews. These processes may be combined as allowed per the then current Zoning Code. The Applicants have initially submitted for a Zoning Amendment, Conditional Use Permit, and Preliminary Subdivision Plat for the entire acreage and a Preliminary Development Plan for the first 8.89 acre parcel located in the southeastern portion of the site. Therefore, if approved as submitted, each subsequent development will be required to submit for Preliminary and Final Development Plan approval as well as for final plat approval which may be on a lot by lot basis as approved by the Director of Planning & Community Development.

- e. **Major Modifications.** The proposed site plan and existing farm and associated out buildings at the date of approval comprise the Final Development Plan. Once a Final Development Plan has been approved by City Council, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code. Major modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:
 - (1) Any major change in the use or occupancy or any major increase in the residential, commercial and general manufacturing building area.
 - (2) Major change in the approved location of land uses.

- f. **Minor Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:
 - (1) Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.
 - (2) Any minor change to the use or occupancy other than those uses specifically allowed in this text or any minor changes to the approved site layout.
 - (3) Minor change in the approved location of land uses.
 - (4) Minor structural alterations that do not alter the overall design intent of the building.

3. USE & SPECIFIC DEVELOPMENT STANDARDS



- a. **Uses.** The following general manufacturing and commercial uses shall be considered permitted, conditionally permitted, or limited uses on the subject site as represented in the chart below by P, C, or L, respectively, and as defined by Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.
- (1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this text and the Zoning Code, as applicable.
 - (2) **Limited Uses.** Limited uses shall be considered permitted uses subject to complying with all the specific limitations and restrictions as specified within this text as determined by Final Development Plan approval.
 - (3) **Conditionally Permitted Uses.** In addition to all standards specified within this development text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.
 - (4) **Accessory Uses and Structures.** Specific accessory uses are identified but other accessory use items that are customarily incidental and secondary to the principal use of the land are permitted. Such items include but are not limited; trash receptacles and enclosures, small storage buildings, etc. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

Land Use Category	Subject site
(a) Offices	
(1) Research and development facility	P
(2) Office – professional, administrative and sales	P
(3) Training facility	P
(b) Storage and Distribution	
(1) Distribution facility/truck terminal	P
(2) Warehouse or indoor storage facility, <u>including wholesale to businesses serving vender/suppliers to the residential or commercial construction industry or its suppliers.</u>	P
(3) Storage (aboveground) of flammable liquids in support of or as raw material inputs for permitted uses only.	C
(c) Outdoor Storage	
(1) Storage (general) of materials	P
(2) Storage of fleet vehicles for operation of principal use	P
(d) Manufacturing and Processing	
(1) Assembly and production facility utilizing products from previously and elsewhere prepared materials	P
(2) Manufacture of products made in part from raw materials	L
(e) Transportation	
(1) Airport and airport related uses – See Section 1145.07 of the Zoning Code	C
(2) <u>Transportation related businesses including air or ground freight, package pickup / delivery center</u>	<u>L</u>
(f) Other	
(1) Public safety facility	P
(2) Public service/maintenance facility	P
(3) Public utility substation or distribution facility	C
(g) Accessory Uses	
(1) Any use deemed accessory to the principal use	P
(2) <u>Retail for commercial or service businesses not to exceed 25% of a demised tenant space and not to exceed 4,000 sq. ft. whichever is less.</u>	<u>L</u>

b. **LIMITED USES**

(1) Use (d)(2) Manufacture of products made in part from raw materials from the use chart above: This use is limited by the following unless approved via the Major Modification process as defined herein.

A. Raw materials (with the exception of above ground storage of flammable liquids as noted in the use chart) must be stored completely within an enclosed building.

B. Uses may include manufacturing of finished parts or products primarily from previously prepared materials with limited raw material inputs. This use group includes: printing and related support activities; machining and machinery manufacturing; computer and electronic product manufacturing; electrical equipment, appliance, component manufacturing; and other similar related manufacturing businesses as determined by the Director of Planning & Community Development.

C. This use is NOT characterized and no uses shall be allowed that include intensive or high impact manufacturing uses such as manufacturing of acetylene, cement, lime, gypsum, chlorine, corrosive acid, fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive material, smelting, animal slaughtering, oil refining or any similar use as determined by the Director of Planning & Community Development.

D. If a Major Modification process is determined to be appropriate by the Director of Planning & Community Development, City Council shall determine the impact of any such request in light of the surrounding area, the intent of this zoning text and section, and may reject any application for any reason as a result that is not consistent with this text and the then current Zoning Code.

(2) Use (e)(2) Transportation - Transportation related businesses including air or ground freight, package pickup / delivery center from the use chart above. This use is limited by the following unless approved via the Major Modification process as defined herein.

A. The use shall only be permitted on Lot 6, the southwest most lot in the Innovation Business Park subdivision, and bordered by Sawmill Parkway to the south and Innovation Court to the east.

(3) Use (g)(2) Accessory Uses - Retail for commercial or service businesses not to exceed 25% of a demised tenant space and not to exceed 4,000 sq. ft. whichever is less from the use chart above. This use is limited by the following unless approved via the Major Modification process as defined herein.

D.A. The use shall only be permitted on Lot 6, the southwest most lot in the Innovation Business Park subdivision, and bordered by Sawmill Parkway to the south and Innovation Court to the east.

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c. **Lot Standards.** The existing lot is permitted as platted; however, any future lot splits or subdivisions shall be in conformance with this text and all applicable codes. The following standards shall apply for any potential future lot.

Lot Standards	Subject Site
(1) Minimum lot area	3 acres
(2) Minimum lot frontage and width (at building line)	200 ft.
(3) Maximum lot coverage by building	40%
(4) Maximum lot coverage by building and pavement	70%

- d. **Building Setback Standards.** The following standards shall apply for minimum building setbacks, except as otherwise approved on the Final Development Plan.

Minimum Building Setbacks	Subject Site
(1) Front Yard	50 ft.
(2) Side Yard	20 ft.
(3) Rear Yard	50 ft.

- e. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks. Parking setbacks include any parking space, parking lot drive aisle and parking lot circulation as approved on a Final Development Plan.

Minimum Parking Setbacks	Subject Site
(1) Setback from Sawmill Road and Cul-de-Sac (to be constructed)	20 ft.
(2) Setback from rear and side setbacks	5 ft.

- f. **Maximum Building Height.**

- (1) The maximum height of any building or structure (including any accessory structures) shall be 50 feet as measured from finished floor elevation to the highest point of the roof.
- (2) Any structure with 20,000 feet of the boundary of the Delaware Municipal Airport shall comply with the State of Ohio and FAA notification regulations for construction in the vicinity of an airport as described in the Ohio Administrative Code, Section 5501:1-10.

- g. **Building Design.** Any new building and/or structure shall comply with the then current Zoning Code. Tilt up concrete walls, panelized wall structure systems, and the like shall be permitted in this overlay district. The side of the building facing a street or public way shall incorporate additional design elements including, but not limited to, windows, architectural elements, and additional landscaping treatments so as to ensure the front of

the building has a more detailed and more highly designed appearance than other less visible elevations on the building. The intent is to ensure that a campus like environment is obtained while allowing structures to be consistent with other surrounding structures in the area south of the existing airport such as the two existing industrial buildings to the east of the subject site. Final Design Review shall be as approved on any Final Development Plan for structures on the Subject Site.

- h. **Tree Removal and Replacement.** Any new development activity shall comply with Chapter 1168 Tree Preservation Regulations except as follows.

The following Tree Replacement Plan shall be the controlling regulation for the Subject Site:

(1) *Tree Survey.* An estimate of the total number, type, size, and health of trees to be preserved and replaced will be provided by the applicant with each Final Development Plan as determined and verified by the City of Delaware. The survey shall be the basis for any subsequent required tree replacement.

(2) *Calculation of Replacement Trees.* Only trees six (6) caliper inches and greater that are removed in the development of the Subject Site and construction on any parcel shall be replaced according to the following schedule:

A. Trees considered in good health as determined by a Certified Arborist and verified by the City of Delaware shall be replaced on a 100% replacement schedule meaning every good tree removed shall be replaced with tree(s) that have a total caliper equal to or greater than the total caliper of the tree removed.

B. Trees considered in fair health as determined by a Certified Arborist and verified by the City of Delaware shall be replaced on a 50% replacement schedule meaning every fair tree removed shall be replaced with tree(s) that have a total caliper equal to or greater than 50% of the total caliper of the tree removed.

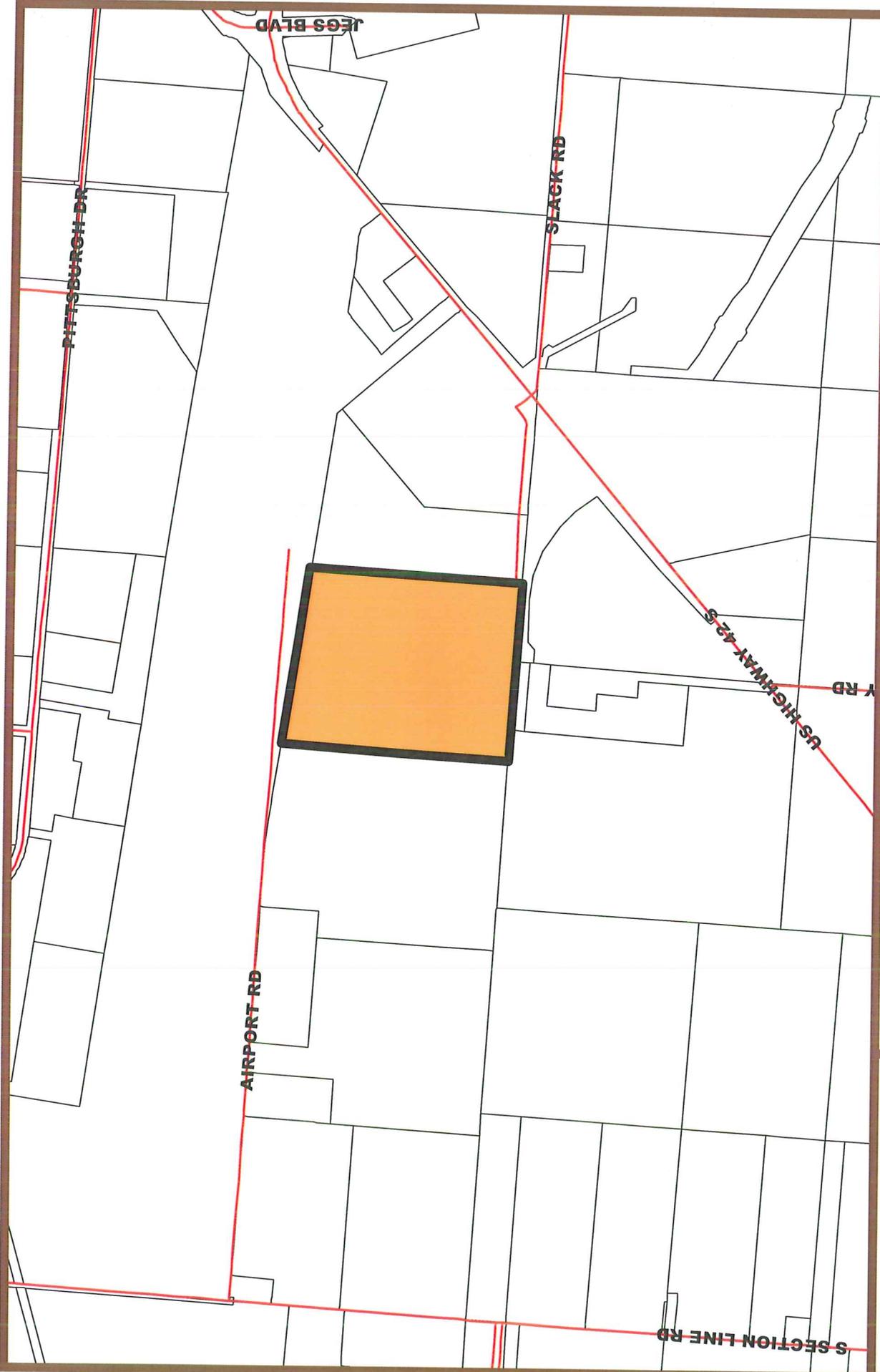
C. Trees considered in poor health or ash trees as determined by a Certified Arborist and verified by the City of Delaware shall be exempt from replacement. However, to the maximum extent allowed by local, state, and federal regulations, poor trees and ash trees located in areas that are not required for development shall be left undisturbed on-site provided such trees are not considered hazardous to life or property as determined by the City of Delaware.

D. After development upon any parcel of the Subject Site after approval of a Final Development Plan, any qualifying major tree (any tree over 6 caliper inches in diameter) or any tree required to be planted by a Final Development Plan that subsequently dies, is damaged, or diseased shall be replaced inch for caliper inch and in accordance with any Approved Final Development Plan.

- i. **Landscaping and Screening.** Any new developments shall comply with all landscaping and screening requirements per Chapter 1166.
- j. **Lighting.** Building, site, and accent lighting shall be provided in accordance with the Chapter 1158 Lighting Plan.

| PC TEXT -Update 4/6/2016

- (1) The light standards for the subject site shall be 0.5 foot candles for all car parking and pedestrian areas only. No lighting is required elsewhere on the site except as otherwise approved on a Final Lighting Plan.
- k. **Signs.** All signage shall comply with Chapter 1165 Signs and the Gateways and Corridor Plan of the City.



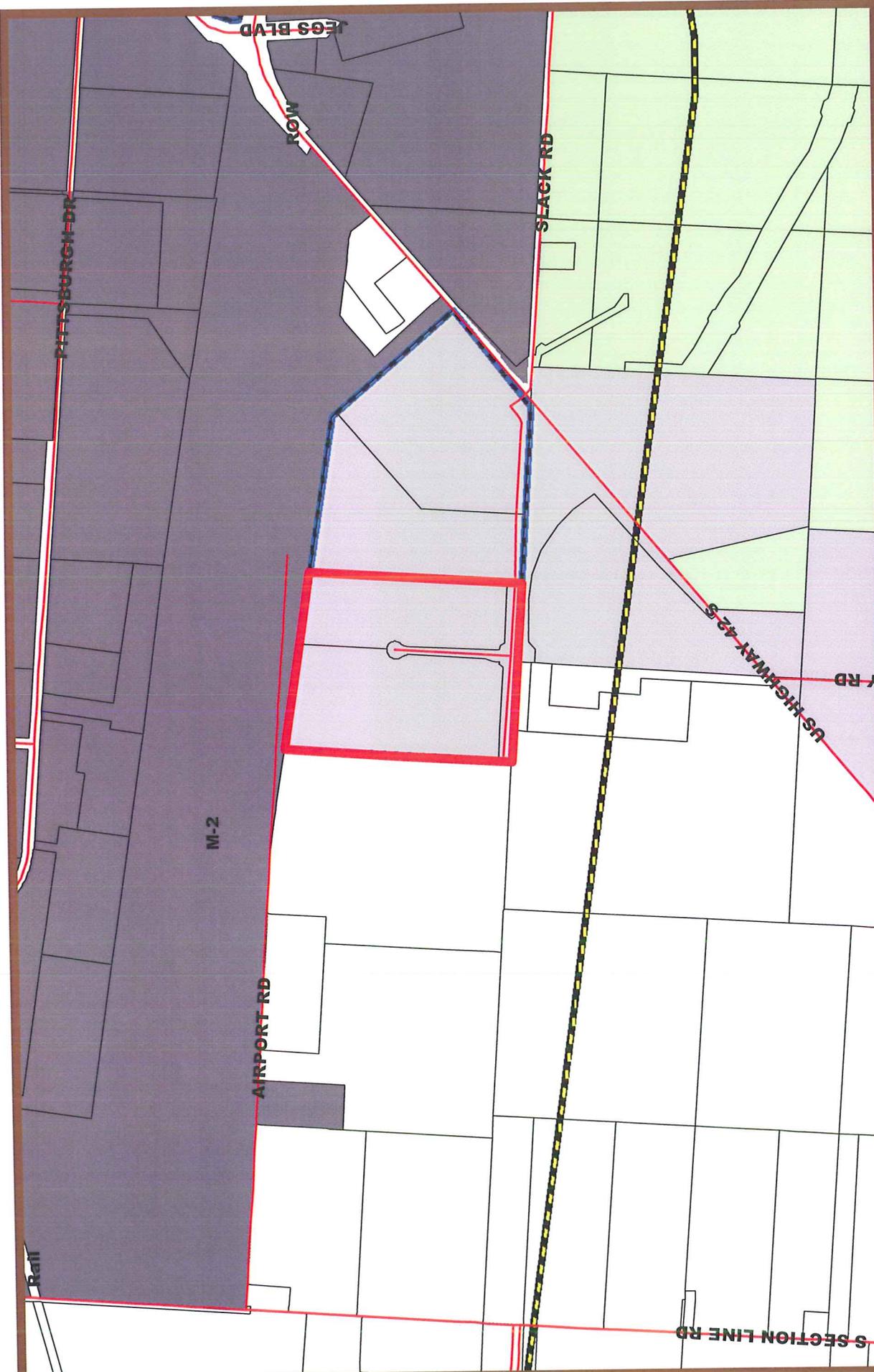
2016-0631
Rezoning Amendment
2663 Airport Road
Location Map





2016-0631
Rezoning Amendment
2663 Airport Road
Aerial (2013)





2016-0631
 Rezoning Amendment
 2663 Airport Road
 Zoning Map



We are requesting a revision to the current zoning to allow for a small retail component to the suites that will be constructed in our new 60,000 s.f. multi-tenant building on Lot 6 of Innovation Business Park. We are not asking for any zoning revision to the remaining Innovation Business Park lots and do not envision any retail on those lots. As the owners of the Symmetry One building at the corner of London Rd. and US 42, we have discovered that there is a market for small “incubator” type businesses. Many of these businesses had the need for a small retail component that is vital to their operation. In meeting with local brokers, we have determined that there are virtually no available units of this type within the City of Delaware. (Small, Flexible sized Industrial Units with relatively high ceilings).

We are confident that the completion of the final leg of Sawmill Parkway will mark the beginning of a dramatic new phase of growth for the City of Delaware and Central Delaware County. We are also confident that our new facility will help meet that demand, however, we cannot ignore the lessons learned from the lease up of Symmetry One and other Delaware County area Industrial Facilities. Our suggested change is a result of those lessons.

Thank you for your consideration of our requests.



CITY OF DELAWARE, OHIO
 PLANNING & COMMUNITY DEVELOPMENT
 MASTER APPLICATION FORM



Project # _____

Case # 2016-0031

Planning Commission

- | | | |
|--|---|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | Board of Zoning Appeals |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input checked="" type="checkbox"/> Rezoning | |
| <input type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Innovation Business Park Lot 6 Address Lot 6 Innovation Business Park
 Acreage 7.165 Square Footage 66,000 Number of Lots 1 Number of Units 1 building - 10 suites
 Zoning District/Land Use M with PMU Proposed Zoning/Land Use M with PMU Parcel # _____

Applicant Name Sawmill Delaware Investments, LLC Contact Person John Lewis
 Applicant Address 3737 Olentangy River Rd., Delaware, OH 43015
 Phone 740-815-0454 Fax 866-841-3878 E-mail jlewis1957@gmail.com
 Owner Name Sawmill Delaware Investments, LLC Contact Person John Lewis
 Owner Address 3737 Olentangy River Rd., Delaware, OH 43015
 Phone 740-815-0454 Fax _____ E-mail jlewis@gmail.com
 Engineer/Architect/Attorney Bischoff Miller + Assoc. Contact Person Sara Hares
 Address PO Box 1410 Powell, OH 43065
 Phone 614-873-0662 Fax 614-873-2684 E-mail shares@rradio.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Owner Signature
Amy Biondi-Hoffman
 Agent Signature

Owner Printed Name
Amy Biondi-Hoffman
 Agent Printed Name

Sworn to before me and subscribed in my presence this 16th day of March, 2016.



Margaret M. Long
 Notary Public

CASE NUMBER: 2016-0518
REQUEST: Conditional Use Permit
PROJECT: 554 West Central Avenue
MEETING DATE: April 6, 2016

APPLICANT/OWNER

Shorty's Casual Cuisine
554 West Central Avenue
Delaware, Ohio 43015

REQUEST

2016-0518: A request by Shorty's Casual Cuisine for approval of a Conditional Use Permit to construct a temporary outdoor patio at 554 West Central Avenue on approximately 1.1 acres on property zoned B-3 (Community Business District).

PROPERTY LOCATION & DESCRIPTION

The subject property is located on the north side of West Williams Avenue just east of the Georgetown Plaza and is zoned B-3 (Community Business District). The properties to the north, east and west are zoned B-3 while the property to the south is zoned PO/I (Planned Office/Institutional District).

BACKGROUND/PROPOSAL

The tenant is proposing to construct a temporary outdoor patio on private property (from March to early November) encompassing the westernmost two parking spaces in front of their tenant space of the strip center on West Central Avenue. There have been a few cases in recent years regarding patios on private property and Staff has endeavored to maintain the same recommend restrictions in this case. This case is unique, however, in that (to Staff knowledge) this is the only such case involving a private patio extension into an existing parking lot area.

STAFF ANALYSIS

- **ZONING** – As mentioned above, the site is zoned B-3 and would require a Conditional Use Permit approval by the Planning Commission and City Council for the proposed temporary outdoor patio.
- **ENGINEERING** – The applicant would not be required to submit engineering drawings because the improvements are on private property and do not impact any public utilities or infrastructure.
- **ROADS AND TRAFFIC** – The applicant is proposing to utilize the two existing curb cuts on West Central Avenue into the strip center to provide access to the site.
- **SITE CONFIGURATION/DESIGN** – The owner is proposing to construct an approximate 440 square foot (20' x 22') temporary outdoor patio on the south side of the restaurant and would encompass two existing parking spaces and a few feet of the access aisle. Per the conditional use criteria requirements, the access aisle is required to be 24 feet wide which would require the existing patio to be reduced by a few feet. Two parking spaces would be removed to accommodate the outdoor patio but the site has more than sufficient parking to absorb the loss of two parking spaces according to the owner of the strip center. The applicant is proposing a five foot high split rail fence around the patio with the poles cemented into buckets that would make the fence temporary in nature with the applicant requesting a March to early November time period for service. In addition, there would be 6 foot tall privacy bushes in moveable pots buffering the south end of the patio to screen the patio from the parking lot. Staff would recommend either parking blocks or removable bollards or the like to provide some barrier between the split rail fence and parking lot. The aforementioned landscaping and any barriers shall not protrude into the required 24 foot wide access aisle. Also, the patio hours would be from 11am to 10pm Sunday thru Thursday and from 11am to 11pm Friday and Saturday. Furthermore, the applicant is proposing that no live music and not outdoor speakers would be permitted on the patio.
- **LANDSCAPING** - The plan proposes 6 foot high bushes in pots located on the south side of the patio to screen it from the parking lot.
- **SIGNAGE** – No additional signage is proposed and none would be allowed on the proposed fence.
- **LIGHTING** – The applicant is not proposing any lights but may request string lighting in the future if illumination on the patio becomes an issue. Any such lighting would have to meet the minimum requirements of the zoning code and be approved by the Chief Building Official.

- **CONDITIONAL USE PERMIT:** Outdoor dining has long been considered outdoor storage and display and as such is a conditionally permitted use in the B-3 District. As a result, a Conditional Use Permit is required for this use. Staff has reviewed this application for compliance with the attached Conditional Use Permit decision criteria and specific use decision criteria. These criteria prescribe that the location, design elements, accessibility, and compatibility of existing and adjacent uses will not be detrimental to or endanger the public health, safety or general welfare. The proposal with the conditions noted appears to comply with all the aforementioned requirements. Also, staff would recommend the standard condition for patio uses of restricting the noise and hours of the outdoor patio because of the proximity of the residential uses located to the east to be consistent with other such proposals in the City. The applicant indicates he spoke with the proximate neighbors and received their concurrence with the request with the limitations and conditions noted herein.

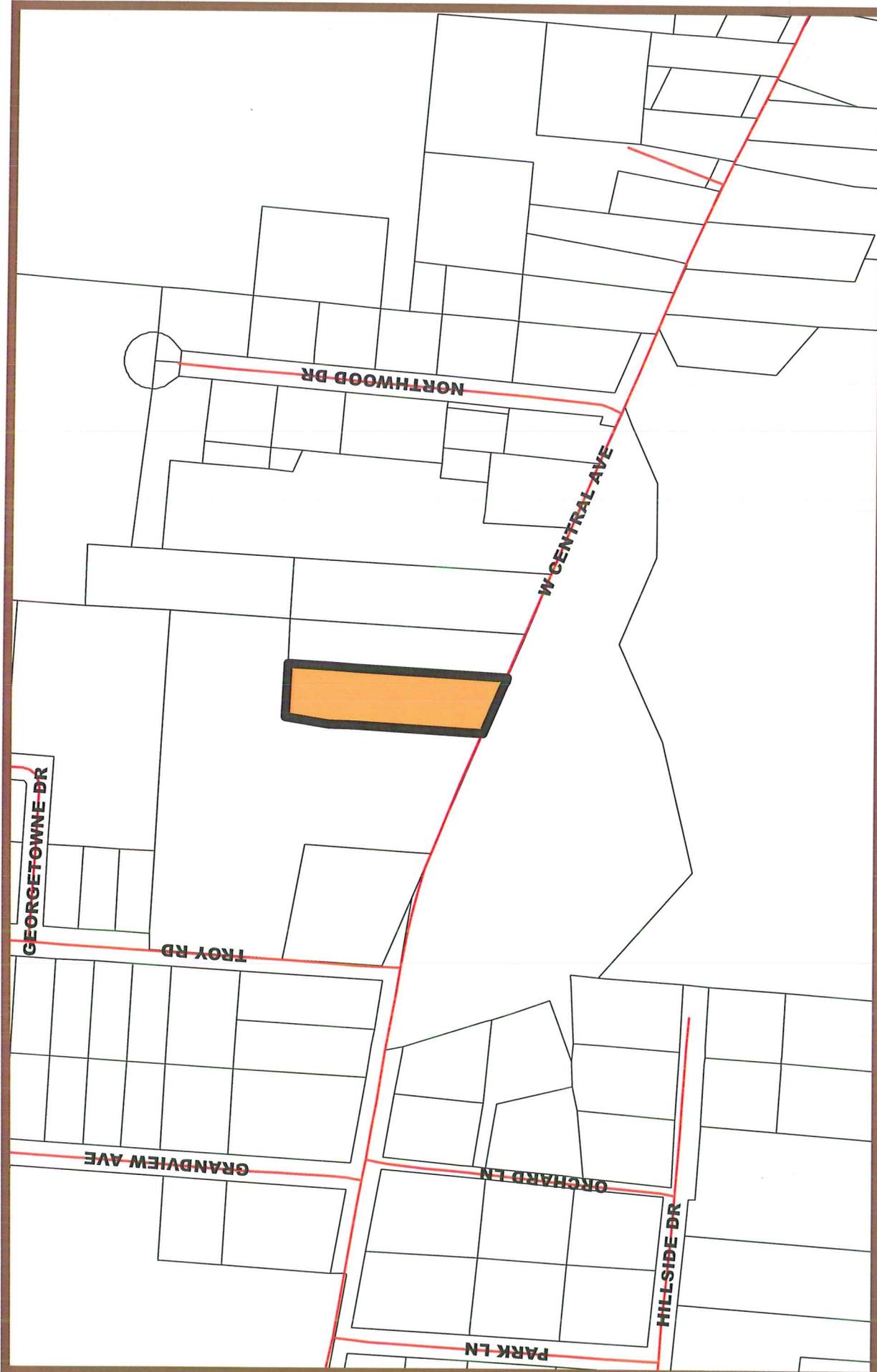
STAFF RECOMMENDATION – (2016-0518 CONDITIONAL USE PERMIT)

Staff recommends approval of a request by Shorty's Casual Cuisine for a Conditional Use Permit to construct a temporary outdoor patio at 554 West Central Avenue on approximately 1.1 acres on property zoned B-3 (Community Business District), with the following conditions that:

1. The parking lot driving aisle located adjacent to the patio shall be maintained at 24 feet per the zoning code.
2. This approval does not constitute approval by the State of Ohio to occupy the space for the consumption / sale of alcoholic beverages. Such approval must be obtained from the State.
3. No outdoor sound system or outdoor entertainment shall be permitted in conjunction with the outdoor patio area due to the proximity of the residential uses.
4. The outdoor patio shall cease to operate at 10:00 p.m. Sunday thru Thursday and at 11pm on Friday and Saturday.
5. The proposed outdoor patio shall require zoning and building permit approval.
6. No signage shall be permitted on the proposed fence.

GENERAL REVIEW CRITERIA FOR ALL CONDITIONAL USE PERMITS

1. 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 essentially change the character of the same area.
2. Will not be detrimental to property values in the immediate vicinity.
3. Will not restrict or adversely affect the existing use of the adjacent property owners.
4. Will be designed and constructed so that all access drives, access points to public streets, driveways, parking and service areas shall be in compliance with the regulations set forth in Chapter 1161.
5. Will be properly landscaped in accordance with Chapter 1166.
6. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.
7. That the establishment of the conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
9. That adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety.
10. That the establishment of the conditional use will not be detrimental to the economic welfare of the community by creating excessive additional requirements or public cost for public facilities such as police, fire and schools.
11. That there is minimal potential for future hardship on the conditional uses that could result from the proposed use being surrounded by uses permitted by right that may be incompatible.



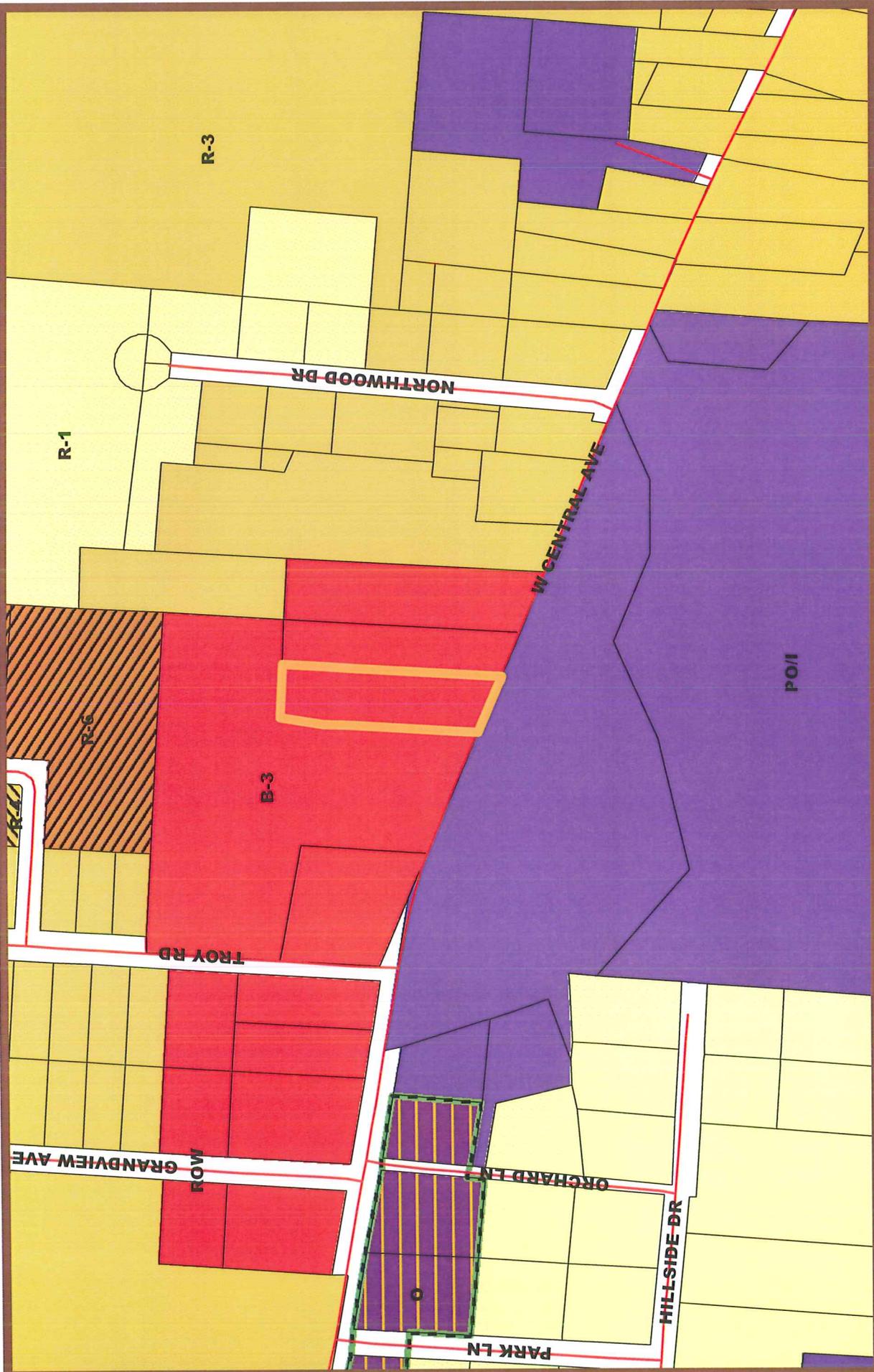
2016-0518
Conditional Use Permit
Shorty's Casual Cuisine - 554 W Central Avenue
Location Map





2016-0518
Conditional Use Permit
Shorty's Casual Cuisine - 554 W Central Avenue
Aerial (2013)





2016-0518
 Conditional Use Permit
 Shorty's Casual Cuisine - 554 W Central Avenue
 Zoning Map



*The patio is 20 feet by 22 feet

*The fencing will be split rail fence mounted into a weighed stand:

The Fencing will be 5ft tall

*There will be four (4) picnic tables: 30" tall and 52.5" wide 60" long

*There will be four (4) restaurant tables: 2ft.5" tall 2.5ft*2ft wide

*There will be privacy bushes (6ft tall) placed at the front of the patio

*There will be four (4) umbrellas: 7.5ft tall

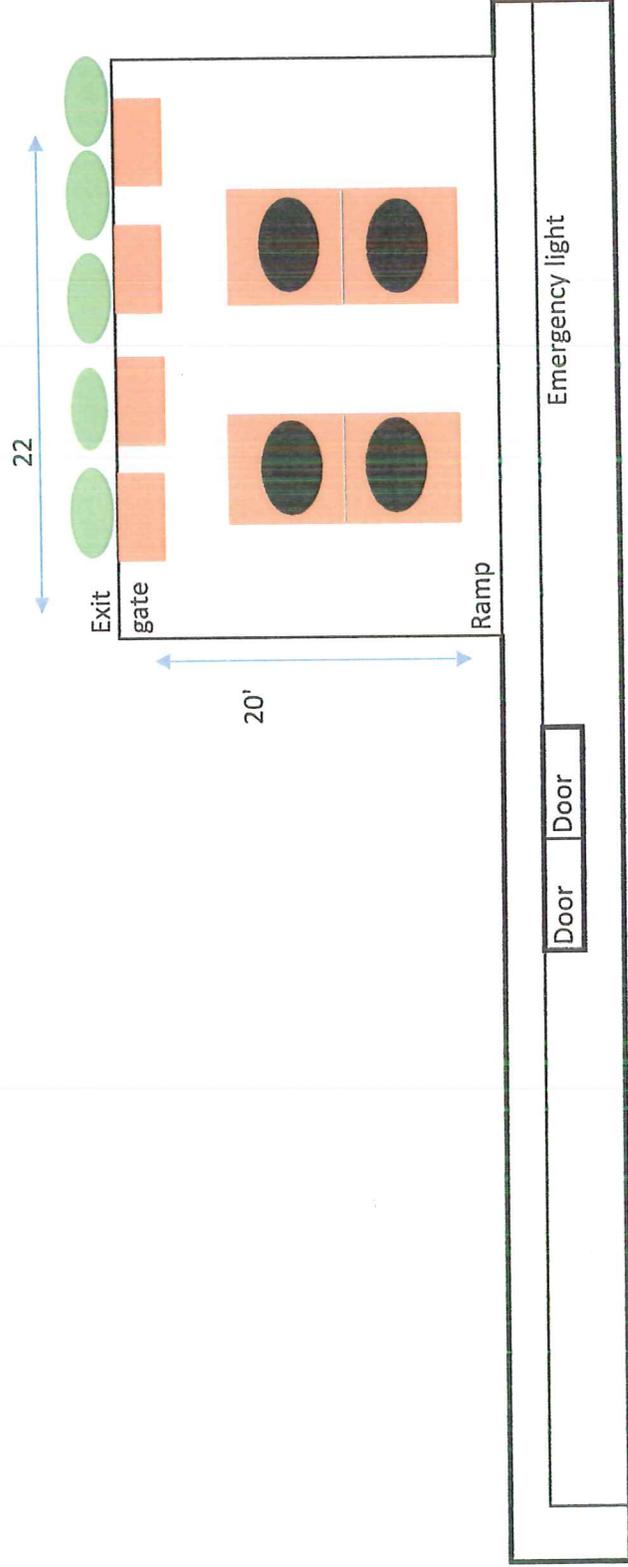
Outline of Patio uses and hours.

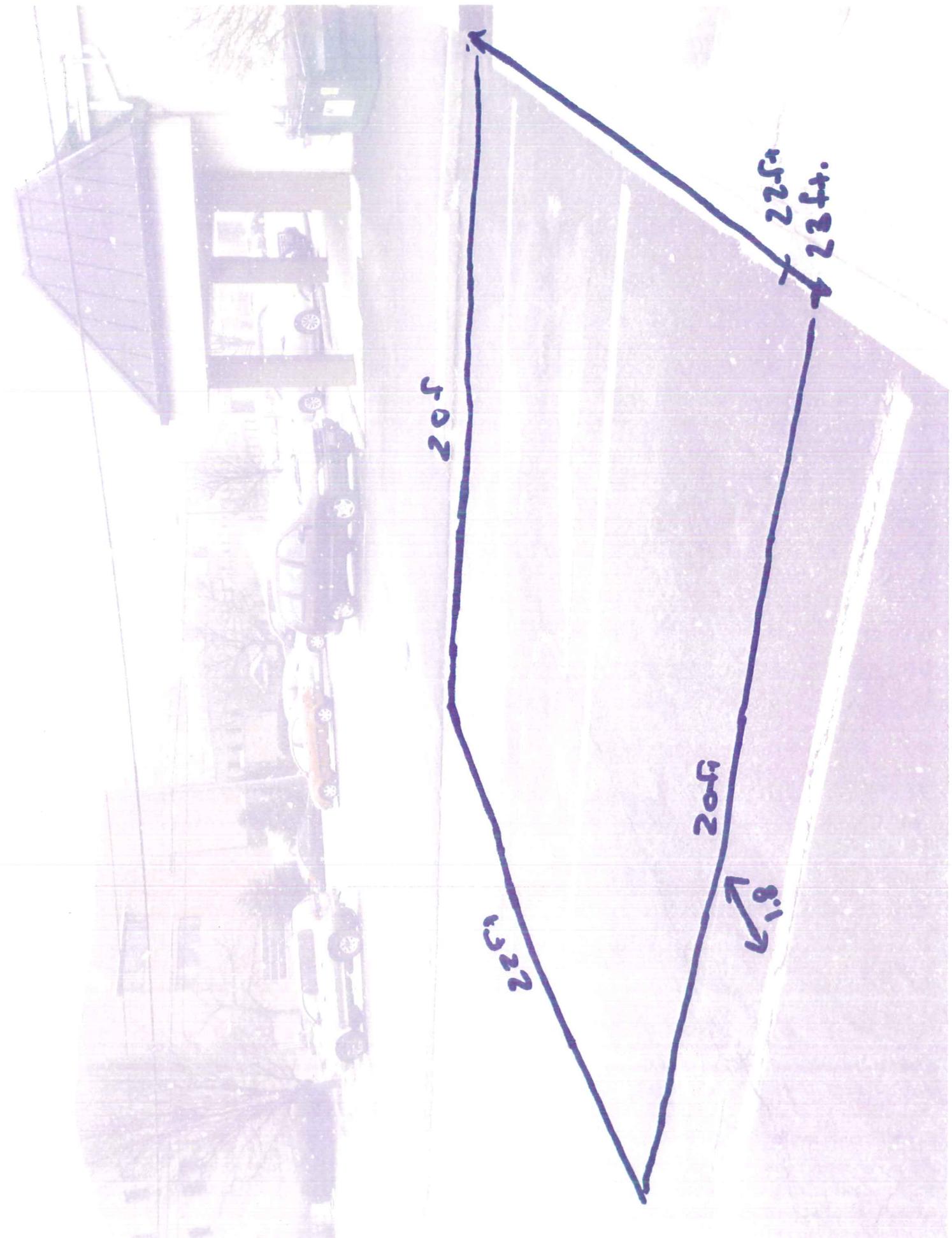
Hours: 11am-10pm Monday-thursday and 11am-11pm Friday and Saturday

Sound: No music will be played on patio and no out door speakers will be added. The only volume will be from our customers.

Months of use: Since this will not be a perminate fixture we will be removing it during the winter months. Late March-Early November would be ideal for us.

Lighting: We have no plans of adding lighting but if we do, it would be very low wattage string lighting. (Refer to Picture 1a)





202

1322

2045

225ft

23ft.

1.8

1A





23 FT

TO BETWEEN PARKING
SPACES FOR DRIVE AISLE

23 ft

1B





1.85

23"

22"



CITY OF DELAWARE, OHIO
 PLANNING & COMMUNITY DEVELOPMENT
 MASTER APPLICATION FORM



Project # Shorty's outdoor Dining Case # 2016-0518 CUP

Planning Commission

- | | | |
|--|---|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | Board of Zoning Appeals |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Shorty's outdoor dining Address 554 W. Central Ave
 Acreage _____ Square Footage 4407 Number of Lots 1 Number of Units NA
 Zoning District/Land Use _____ Proposed Zoning/Land Use _____ Parcel # _____

Applicant Name IC of Ohio LLC Contact Person Thom Johnson
 Applicant Address 554 W. Central Ave Delaware OH 43015
 Phone (614) (740) 362-5355 Fax _____ E-mail icofohio@hotmail.com
 Owner Name Thom Johnson IC of Ohio LLC Contact Person Thom Johnson
 Owner Address 554 W Central Ave Delaware OH 43015
 Phone (740) 362-5355 Fax _____ E-mail icofohio@hotmail.com
 Engineer/Architect/Attorney _____ Contact Person _____
 Address _____
 Phone _____ Fax _____ E-mail _____

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

[Signature] Owner Signature
Mary M. Feisel (Pres.) Agent Signature
Jiri Feisel Properties, Inc. Owner
Thom Johnson Owner Printed Name
Mary M. Feisel (740-602-0075) Agent Printed Name
 Sworn to before me and subscribed in my presence this 27 day of FEB, 2016



[Signature] Notary Public



PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: 2016-0488 & 0492

REQUEST: Multiple Requests

PROJECT: Belmont Place

MEETING DATE: April 6, 2016

APPLICANT/OWNER

Stavroff Interests
Glenn Road Capital LLC
565 Metro Place South Suite 480
Dublin, Ohio 43017

REQUEST

2016-0488: A request by Glen Road Capital LLC. for approval of a Final Subdivision Plat for Belmont Place Phase 1 Section 2 consisting of 25 single family lots on 6 acres zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop.

2016-0492: A request by Glen Road Capital LLC. for approval of a Final Subdivision Plat for Belmont Place Phase 1 Section 3 consisting of 24 single family lots on 7.271 acres zoned R-3 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop.

PROPERTY LOCATION & DESCRIPTION

The property is located north of Peachblow Road and just east of Crownover Way with Sections 2 and 3 located just east of Section 1 on open farmland without trees except for along the eastern property line. The zoning of the subject property, which is in Sub-Area B per the May 2009 rezoning, is R-3 with a PMU Overlay District (Planned Mixed Use District). The surrounding zoning to the east and south is Berlin Township Farm Residential Zoning, to the west is B-4 and R-6 with PMU Overlay District with text limitations, and to the north is PO/I (Planned Office/Institutional District) with a PMU Overlay.

BACKGROUND/PROPOSAL

On May 11, 2009 City Council approved Ordinance 08-112 and 08-113 which approved a Conditional Use Permit and Rezoning adding a PMU Overlay District (Planned Mixed Use District) on the subject 109 acres. The PMU was divided into Sub Areas A & B which contained approximately 62 and 47 acres respectively. Sub Area A permits residential, office, retail services, community facilities and recreational/open space uses while Sub Area B permits residential, office, community facilities and recreational/open space uses.

On December 9, 2013 City Council approved Ordinance's 13-76 and 13-77 for Preliminary Development Plan and Preliminary Subdivision Plat (Sub Area B) respectively for 74 single family lots in Phase 1 which encompasses 3 Sections with a density of 2.34 units per acre. The applicant proposed to construct a residential subdivision in Sub Area B of the subject site which permits a maximum 525 residential units and which would require Final Development Plan approval. In March 2014, City Council approved a Final Development Plan for Phase 1 Sections 1-3 which contains 74 single family lots and Final Subdivision Plat for Phase 1 Section 1 which contains 25 single family lots on 15.387 acres located on the eastern portion of the site. Now, the applicant is requesting to construct Phase 1 Section 2 which contains 25 single family lots and Section 3 which contains 24 single family lots.

STAFF ANALYSIS

- **ZONING:** As mentioned above, the subject site is zoned R-3 PMU (One Family Residential District with Planned Mixed Use Overlay District). Phase 1 Sections 2 and 3 would require Final Subdivision Plat approval by the Planning Commission and City Council while the Final Development Plan for the subject sections was approved in March 2014.
- **GENERAL ENGINEERING:** The Applicant received construction drawing approval on July 16, 2014 for the entirety of Phase 1. Phase 1 Section 1 has been constructed since late 2015.
- **ROADS AND ACCESS:** The main entrance into the subdivision is from Crownover Way (a north/south service road) that intersects with Peachblow Road. A single curb (McNamara Loop) off Crownover Way along McNamara Loop, Brets Lane and Ensign Lane would provide access to Section 2 and Section 3 through constructed Section 1. In Section 2 a single street (Squaregaiter Lane) would stub to the north while McNamara Loop stubs to the north and Ensigns Lane stubs to the east in Section 3. All streets would achieve compliance with minimum engineering standards.

- **LOT SIZE:** The approved development text has the following single family lot requirements: 8,125 square foot minimum lot, 65 foot minimum lot width, 125 foot minimum lot depth, 30 foot front yard setback, 8 foot side yard setback; 30 foot rear yard setback and, 1,500 square foot minimum house size. In addition, the corner lots are oversized by 30% (85 foot wide) to comply with the current zoning code. The submitted Final Subdivision Plats for Section 2 and 3 achieve compliance with the approved Final Development Plan for the subject sections.
- **DESIGN** The houses would not only have to meet the minimum standards of the Residential Development Design Criteria and Performance Standards in Chapter 1171 but also the more restrictive residential architectural standards in the approved PMU (Planned Mixed Use) development text. Some of the upgrades include: 1.) At least 50% of the front elevation of all homes shall consist of approved natural materials as defined in the text (stucco is not considered a natural material); 2.) Upgraded garage door standards for doors that face a public street; 3.) No blank walls; 4.) The same model of home or the same exterior color of the home shall not be placed on adjacent lots and shall not be placed on facing lots.
- **OPEN SPACE & PARKLANDS** There is no open space or parkland in Sections 2 and 3. However in Section 1, there is approximate 1.67 acre active parkland which is constructed with a tot lot with play equipment, a basketball half court, a large open playfield, benches and landscaping. In addition, there is approximately 6.24 acres of active and passive open space in Section 1 including a bike path along Peachblow Road.
- **LANDSCAPING PLAN:** The Shade Tree Commission approved the street tree and landscaping for Phase 1 Sections 1-3 on February 25, 2014.
- **TREE REMOVAL & REPLACEMENT:** No trees appear to be removed in the proposed development but there are trees along the eastern property line and if they are removed because of any construction they would need to be replaced per Chapter 1168 Tree Preservation Regulations.
- **LIGHTING PLAN.** A lighting plan for Phase 1 Sections 1-3 was approved by the Chief Building Official on March 25, 2014.

STAFF RECOMMENDATION – (2016-0488 FINAL SUBDIVISION PLAT)

Staff recommends approval of a request by Glen Road Capital LLC. for a Final Subdivision Plat for Belmont Place Phase 1 Section 2 consisting of 25 single family lots on 6 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop, with the following conditions that:

1. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
2. The single family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
3. All homes shall have basements which shall have gravity sewer to the lowest elevation to allow for basement bathrooms and fixtures by gravity connection only. Hung sewers, grinder pumps and the like shall not be permitted.
4. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and the approved landscaping plan.

STAFF RECOMMENDATION – (2016-0492 FINAL SUBDIVISION PLAT)

Staff recommends approval of a request by Glen Road Capital LLC. for a Final Subdivision Plat for Belmont Place Phase 1 Section 3 consisting of 24 single family lots on 7.271 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located on Brets Lane, Ensigns Lane and McNamara Loop, with the following conditions that:

1. The lots and houses shall comply with the minimum bulk and setback requirements in the approved development text.
2. The single family houses shall comply with the minimum architectural standards in the approved development text and per applicable sections of the current zoning code.
3. All homes shall have basements which shall have gravity sewer to the lowest elevation to allow for basement bathrooms and fixtures by gravity connection only. Hung sewers, grinder pumps and the like shall not be permitted.

CASE NUMBER: 2016-0488 & 0492

MEETING DATE: April 6, 2016

PAGE: Page 3 of 3

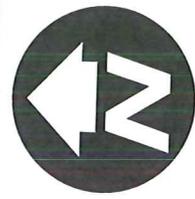
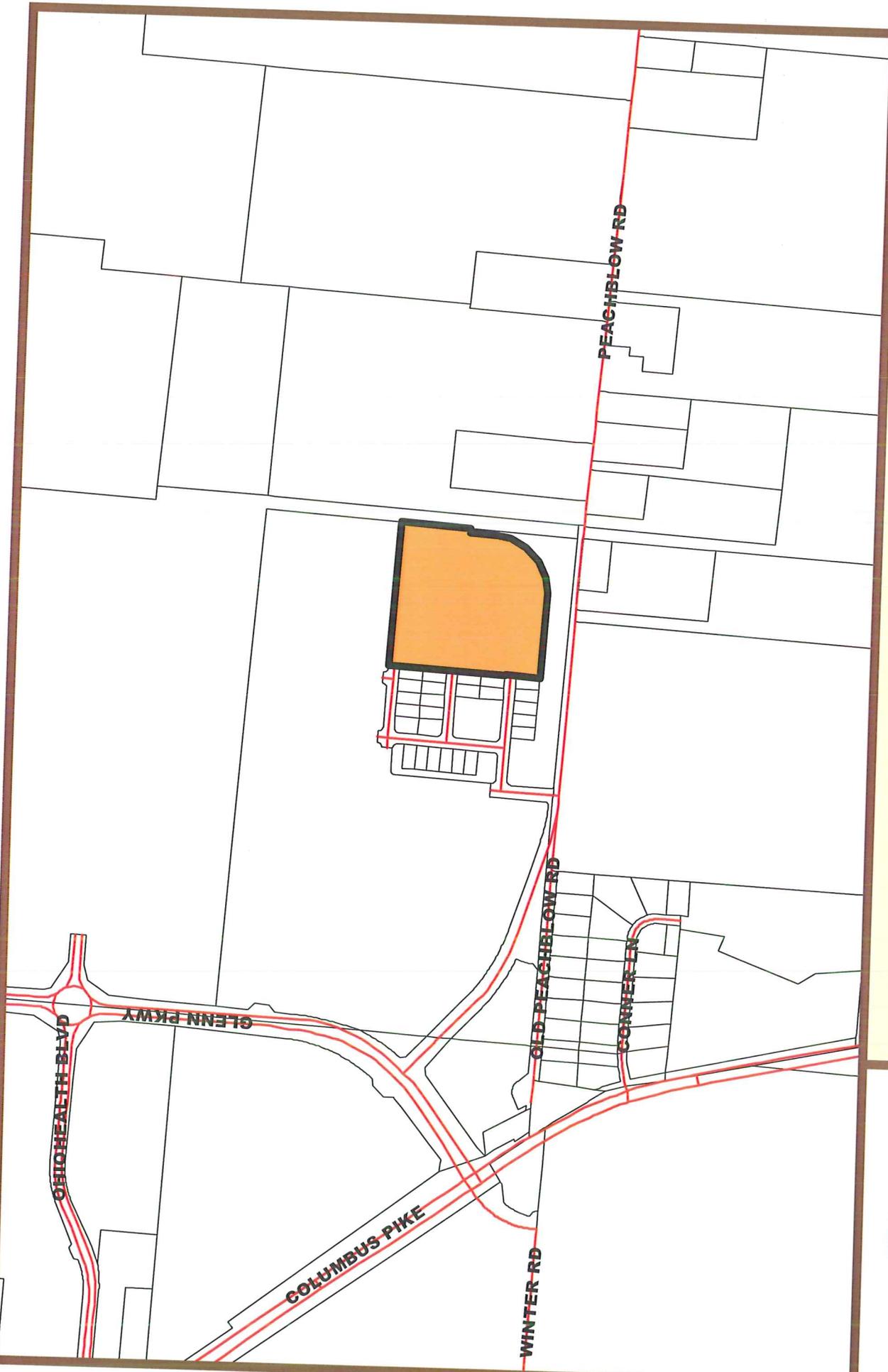
4. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and the approved landscaping plan.

COMMISSION NOTES:

MOTION: _____ 1st _____ 2nd *approved* *denied* *tabled* _____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 3/10/16
REVISED: 3/31/2016



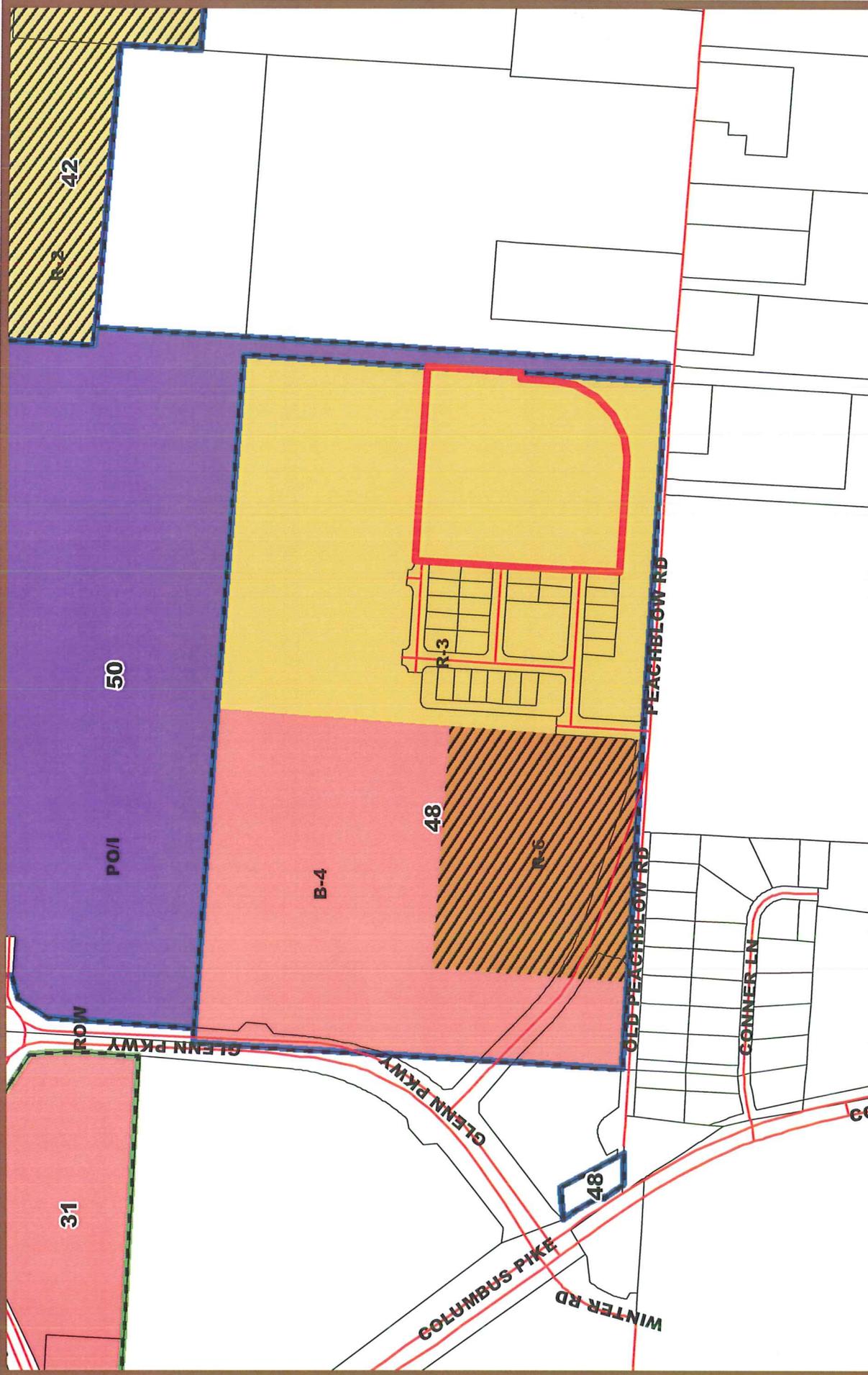
2016-0488 & 0492
Final Subdivision Plat
Belmont Place - Phase 1 Sections 2 & 3
Location Map





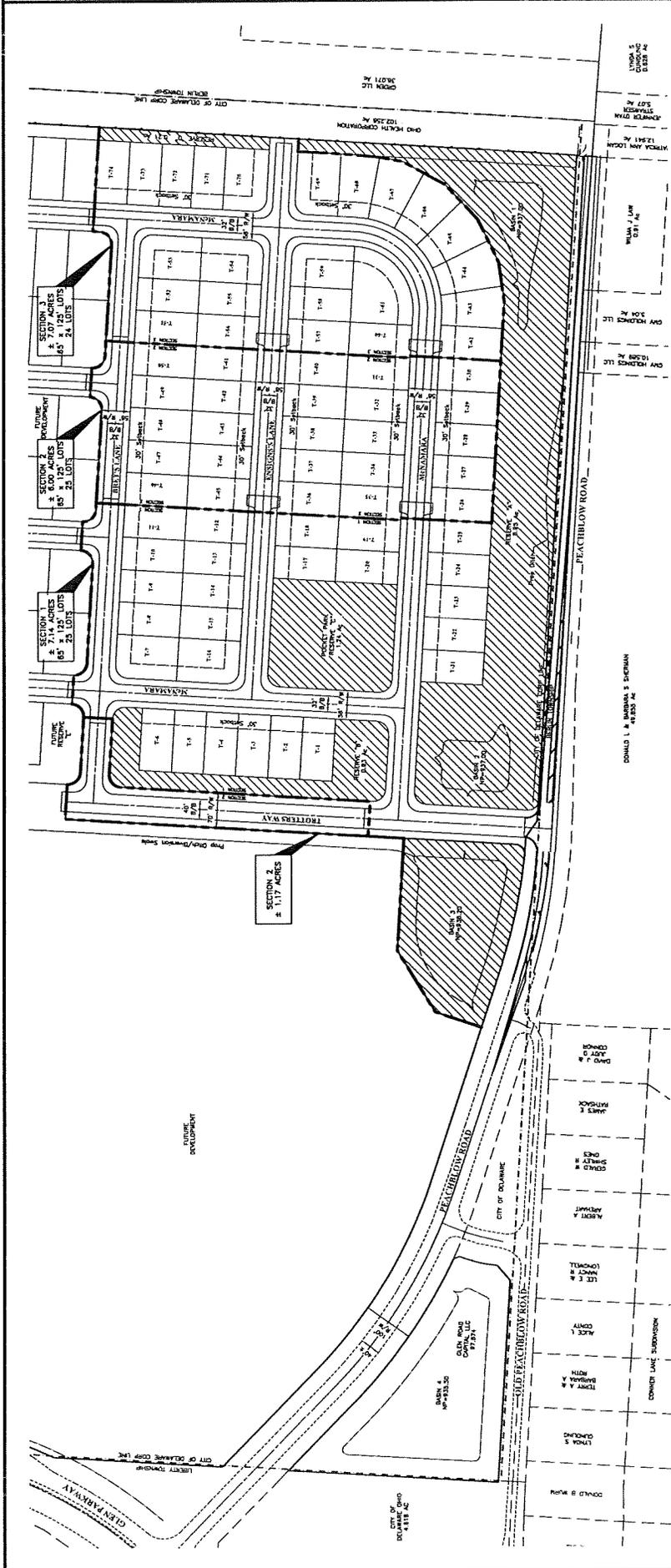
2016-0488 & 0492
Final Subdivision Plat
Belmont Place - Phase 1 Sections 2 & 3
Aerial (2013)





2016-0488 & 0492
 Final Subdivision Plat
 Belmont Place - Phase 1 Sections 2 & 3
 Zoning Map



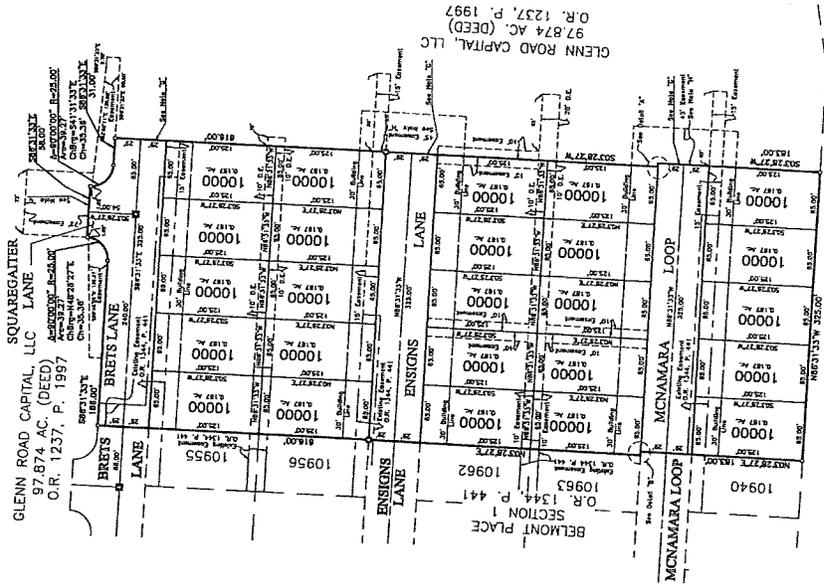


DEVELOPMENT DATA

ZONING	DISTRICT	PROPOSED	MIN. BUILDING SIZE	MIN. LOT SIZE	CORNER LOTS	MIN. DEPTH	SETBACKS: FRONT	SETBACKS: SIDE YARD	SETBACKS: REAR YARD	PERMETER SETBACKS: BUILDING & PAVEMENT
R-1 Single Family Residential			1500 SF	8100 SF	85 FT	125 FT	30 FT	8 FT	30 FT	25 FT
R-3 Single Family Residential			1500 SF	8100 SF	85 FT	125 FT	30 FT	8 FT	30 FT	25 FT

SECTION	ACRES	UNITS/ACRE	TOTAL UNITS
SECTION 1	7.14	2.3	16
SECTION 2	6.50	2.3	15
SECTION 3	7.07	2.3	16
TOTAL	20.71	2.3	47

BELMONT PLACE SECTION 2



NOTE "A": Notes to be made prior to each issue of the plat delineated upon this plat, shall be on file with the Building Department of the City of Delaware, and the improvement district, proposed ground creation at books and/or lot grading plans. These plans, as approved by the governmental authority, shall be on file with the Building Department of the City of Delaware and are to be incorporated into this plat plan required with the building permit.

NOTE "B": MINIMUM SETBACKS: City of Delaware Zoning regulations for Belmont Place Section 2 in effect at the time of the filing of this Section 2, specifies the following setback requirements:

Average lot size: 65 feet by 125 feet
 Front yard: 30 feet
 Rear yard: 30 feet
 Zoning classification: 3-B-Area B (RMU/PD)

The purpose of this plat is to show certain property, rights of easement, and other interests in the land, and to show the location of zoning and planning subdivisions as shown on the plat. This plat shows some of the limitations and conditions of the zoning and planning subdivisions as shown on this plat for reference only. The limitations and requirements of the zoning and planning subdivisions as shown on this plat shall control over conflicting limitations and requirements that may be shown on this plat. This plat was prepared by a licensed professional surveyor and is subject to the provisions, covenants, conditions, and restrictions contained in the deed or other instrument which created the same, or in any instrument, except in the extent specifically identified on this plat.

NOTE "C": As per City of Delaware Zoning Code, all lots within Belmont Place Section 2 are subject to the terms, conditions, and requirements of the zoning and planning subdivisions as shown on this plat. The City of Delaware, Department of Planning and Community Development on 02-01-1279.

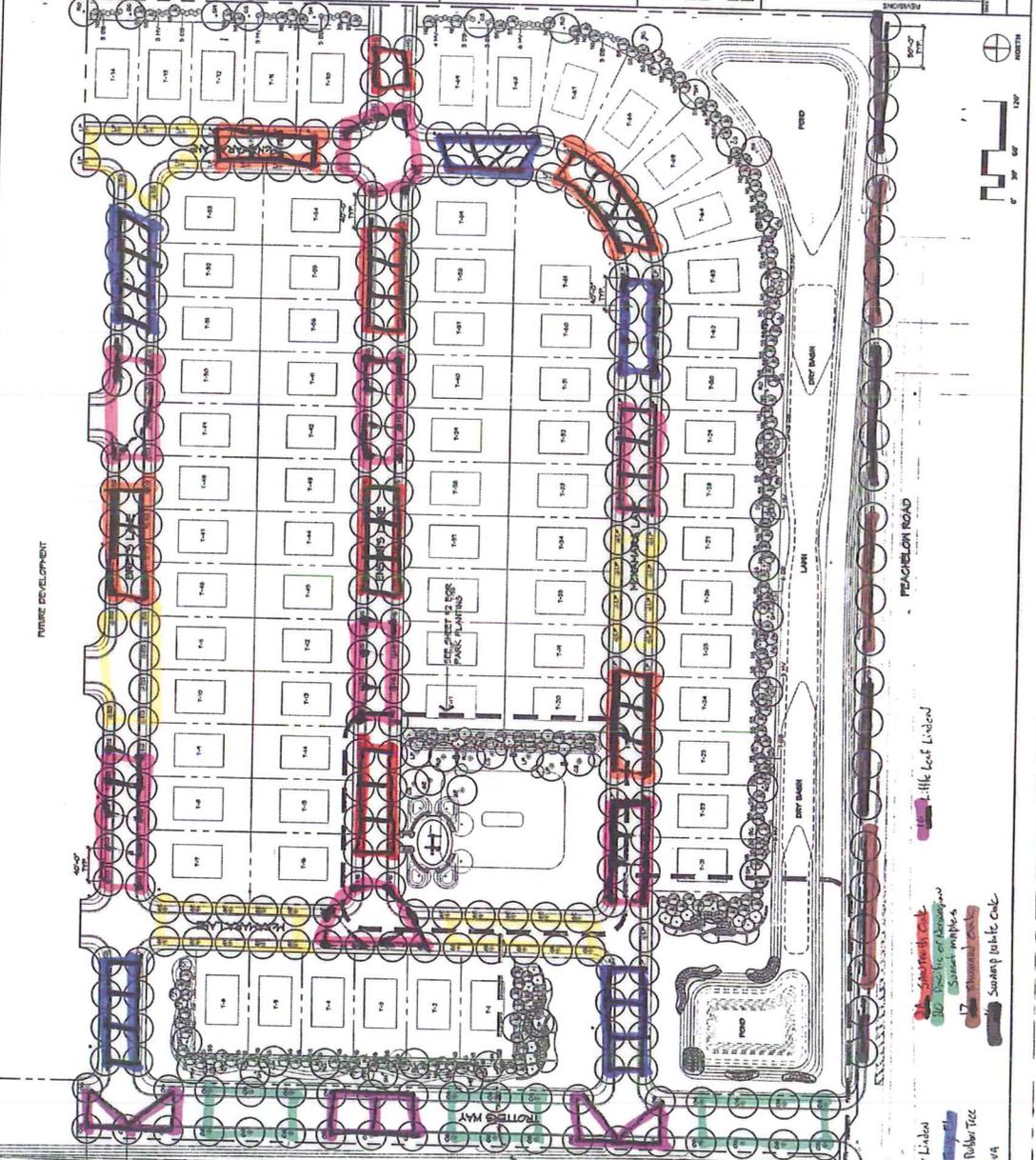
NOTE "D": All utilities within Belmont Place Section 2 shall be shown on this plat. The location of all utility lines and their above ground pedestals shall be located in year 2012. The location of all utility lines shall be shown on this plat. The location of all utility lines shall be shown on this plat.

NOTE "E": ACRESAGE BREAKDOWN:
 6.61 AC.
 4.68 AC.
 1.38 AC.
 Acreage in Right-of-way

NOTE "F": ACRESAGE BREAKDOWN: Belmont Place Section 2 is out of the following Delaware County Parcel Number:
 418300101000
 6.00 AC.

NOTE "G": No vehicular access until such time as the public access right-of-way is established and delineated by plat or deed.

NOTE "H": TEMPORARY VEHICLE TURNAROUND
 MCNAMARA LOOP: The City of Delaware, Ohio is hereby designating the area shown on this plat as a temporary vehicle turnaround. The area shown on this plat is to be used as a temporary vehicle turnaround. The area shown on this plat is to be used as a temporary vehicle turnaround. The area shown on this plat is to be used as a temporary vehicle turnaround.



PLANT KEY

- 144 Silver Lark
- 145 Honey Rubber Tree
- 146 Zelkova
- 147 Sweetgum
- 148 Box Elder
- 149 Sweet Maple
- 150 Swamp White Oak

GENERAL NOTES

1. EACH CONTRACTOR IS TO VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATION OF ALL UTILITIES AND TO PROVIDE A SHOOTING AND CONTROL PLAN IN THE FIELD THE ACTUAL LOCATIONS AND DEPTHS OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. SMALL CALL UTILITY PROTECTION SERVICE IS THE REFERRED TO CONTRACTOR.
2. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN LAWN AREAS.
3. THE OWNER SHALL PROVIDE A SHOOTING AND CONTROL PLAN IN THE FIELD THE ACTUAL LOCATIONS AND DEPTHS OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. SMALL CALL UTILITY PROTECTION SERVICE IS THE REFERRED TO CONTRACTOR.
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SEE SHEET #8 FOR PLANTING SPECIFICATIONS AND DETAILS.

APPROVED
 FEB 25, 2014
 [Signature]



PLANNING COMMISSION/STAFF REPORT

CASE NUMBER: 2016-0503

REQUEST: Combined Preliminary and Final Development Plan

PROJECT: Midwest Acoust-A-Fiber

MEETING DATE: April 6, 2016

APPLICANT/OWNER

FedOne Dublin LLC
8400 Industrial Parkway
Plain City, Ohio 43064

REQUEST

2016-0503: A request by Fed One Dublin LLC for approval of a Combined Preliminary and Final Development Plan for an approximate 40,000 square foot addition to Midwest Acoust-A-Fiber on approximately 14.70 acres zoned M-2 (General Manufacturing District) located at 759 Pittsburgh Drive.

PROPERTY LOCATION & DESCRIPTION

The existing business is on a 14.70 acre site located on the south side of Pittsburgh Drive just west of London Road is zoned M-2 (General Manufacturing District). The properties to the north, south and west and south are all zoned M-2 while the property to the east is zoned M-2 PMU.

BACKGROUND/PROPOSAL

Midwest Acoust-A-Fiber is an 87,368 square foot business located in the City's Industrial Park and owner is proposing to construct an approximate 40,000 square foot addition on southern portion of the building for a total square footage of 127,368 square feet. The building addition would have a 26,000 square feet allocated for warehouse space and 14,000 square feet for manufacturing. Also, the existing 99 space parking lot would be increased by 40 parking spaces to accommodate the new addition.

STAFF ANALYSIS

- **ZONING:** The subject property is currently zoned M-2 (General Manufacturing District) which would allow the proposed addition. A Combined Preliminary and Final Development Plan would need to be approved by the Planning Commission and City Council.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** The access to the site would remain at the same locations utilizing the two existing curb cuts on Pittsburgh Drive and the one curb cut on London Road. In addition, new pavement would be installed on the south and west side of the addition to access three new truck docks and new canopy on the west side of the building. This also would allow fire access to all four sides of the building.
- **SITE CONFIGURATION:** The 40,000 square foot building addition would be located on the south side of the existing 83,368 square foot building with three new truck docks on the west elevation. In addition, the owner is constructing a 100 foot by 80 foot metal canopy adjacent to the southern portion of the existing building. Furthermore, an approximate 80 foot by 120 foot gravel storage area would be located just south of the addition. They are proposing to expand the easting parking lot to the east with 40 new parking spaces to accommodate the expansion. The base zoning code requires 61 spaces. However per Chapter 1161.08, the Planning Commission can grant a 30% reduction ($61 \times 0.70 = 43$ total spaces) if the subject future spaces could be constructed on the site. The applicant is only identifying 40 parking spaces (which is an approximate 65% reduction) because they believe that would be sufficient based on the number of employees. Staff can support the 65% reduction because the current user is comfortable with the parking ratio and because the site plan identifies 133 parking spaces that could be built if the existing user or future user would have a parking issue and staff could require the appropriate parking spaces to be constructed. This would be consistent with past decisions for other industrial uses. There is no compelling reason to pave over what otherwise would be green space for vacant parking lots. The critical element is that there is sufficient room and accesses to allow the future provision for additional parking should it become necessary either by the applicant or by the City. A detention basin is located in the extreme southern portion of the site.

- **BUILDING DESIGN:** The addition would be 36 feet high and constructed of metal siding to match the existing building and capped off with a standing seam metal roof. There would be three truck docks with overhead doors on the western elevation and one overhead door on the south elevation. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color. The building design and materials achieve compliance with the zoning code and are consistent with the surrounding area.
- **TREE REMOVAL & REPLACEMENT:** The owner is removing two-10 inch pine trees and proposing to replace them with ten-2 inch maple trees. Evergreen trees are treated slightly differently than deciduous trees due to the fact that they do not grow at the same rate and are therefore not sized the same. The City requires that every 2 feet of height of an evergreen tree is equivalent to 1 caliper inch. Thus, the heights of the two trees in questions will need to be determined and the resulting number of caliper inches of trees planted and/or payment in lieu of planting will be required.
- **LANDSCAPING & SCREENING:** The development requires interior parking lot trees and shrubs. The owner is installing 4 trees in the parking lot along with a row of continuous shrubs to buffer the parking lot to achieve compliance. The landscaping plan would be required to be approved by the Shade Tree Commission.
- **LIGHTING:** The plan identifies three new 25 foot high light poles located in the eastern parking lot (the existing light pole would be razed). In addition, there would be three wall mounted lights located on the building addition elevations and one light on the new canopy. The lighting plan would have to achieve compliance with the zoning code along with being approved by the Chief Building Official.
- **SIGNAGE:** The owner didn't identify any specific signage in the application.
- **AIRPORT OVERLAY DISTRICT:** The owner would have to receive the "Determination of No Hazard to Air Navigation" approval from the FAA. In addition, the owner would have to get a temporary determination letter to allow a crane, etc. during construction. Therefore, any approval must be conditioned that a building permit will not be issued until a copy of the permanent and temporary FAA determination is provided to the City and any conditions required by the FAA are met.

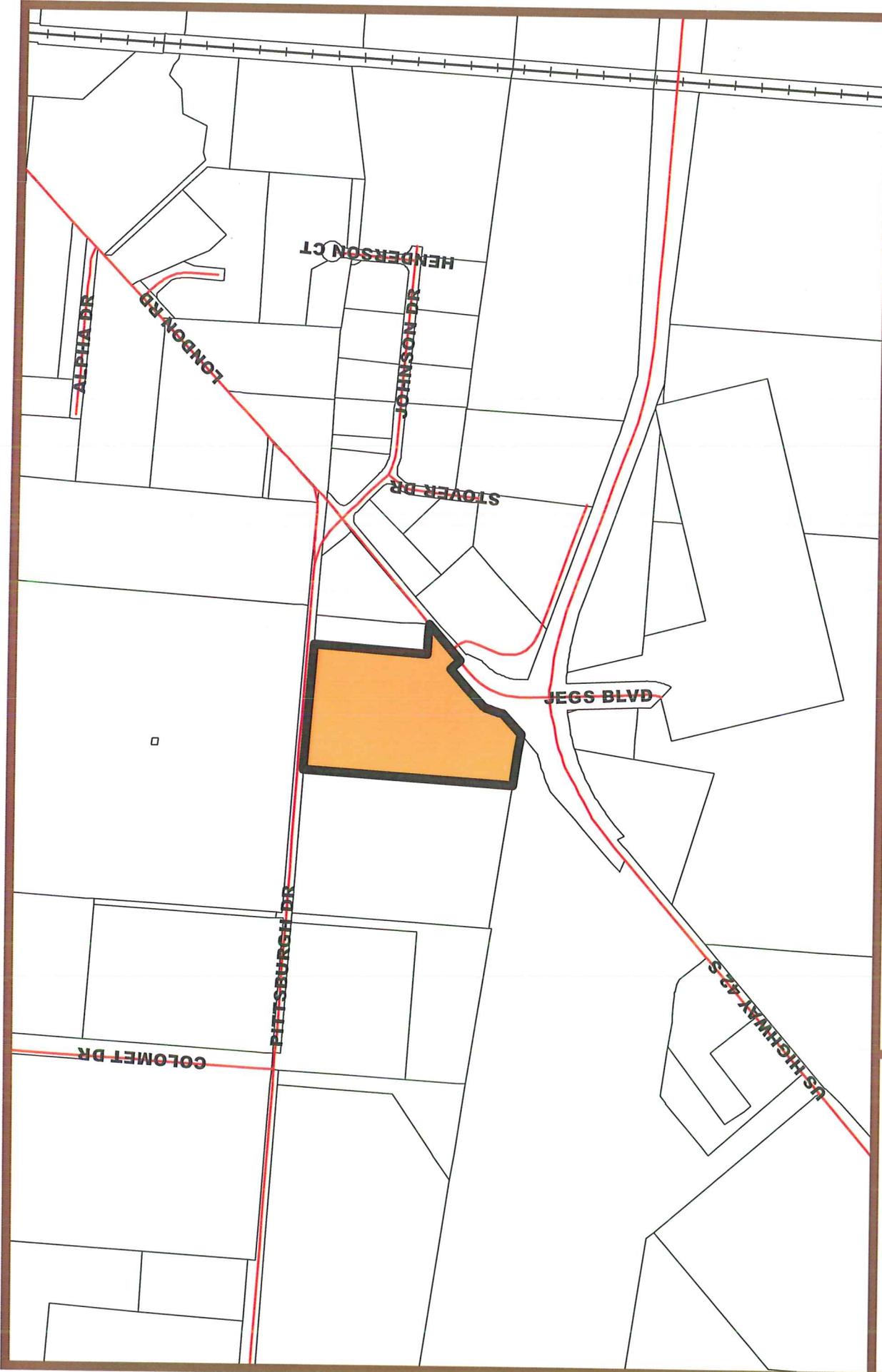
STAFF RECOMMENDATION (2016-0503 – COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN)
Staff recommends approval of a request by Fed One Dublin LLC for a Combined Preliminary and Final Development Plan for an approximate 40,000 square foot addition to Midwest Acoust-A-Fiber on approximately 14.70 acres zoned M-2 (General Manufacturing District) located at 759 Pittsburgh Drive, with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The required parking spaces for the new addition shall be reduced to 40 parking spaces with 133 future parking spaces identified. The current land owner, at their sole expense, shall construct the future parking spaces when it is notified to do so by the City in its sole discretion.
3. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
4. The landscape plan shall be submitted, reviewed and approved by the Shade Tree Commission.
5. Any trees that are removed shall comply with Chapter 1168 Tree Preservation Regulations. Evergreen trees shall be counted as to their height at a formula of 2 feet of height are equivalent to 1 caliper inch DBH.
6. The lighting plan shall be submitted, reviewed and approved by the Chief Building Official.
7. A building permit shall not be issued until a copy of the permanent and temporary FAA determination is provided to the City and any conditions required by the FAA are met.

COMMISSION NOTES:

MOTION: _____ 1st _____ 2nd *approved* *denied* *tabled* _____

CONDITIONS/MISCELLANEOUS:



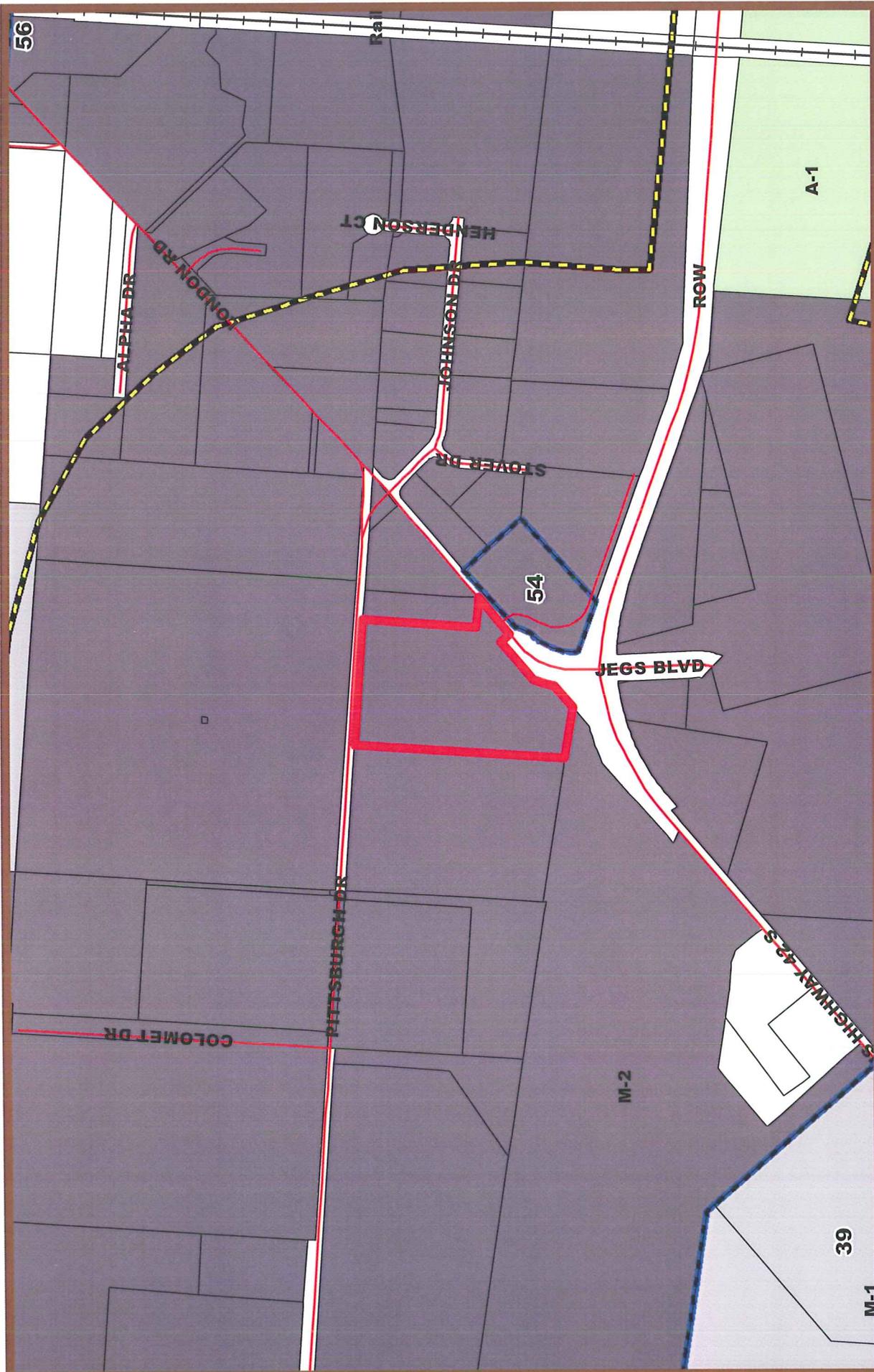
2016-0503
 Preliminary and Final Development Plan
 Midwest Acoust-A-Fiber - 759 Pittsburgh Drive
 Location Map





2016-0503
Preliminary and Final Development Plan
Midwest Acoust-A-Fiber - 759 Pittsburgh Drive
Aerial (2013)





2016-0503
 Preliminary and Final Development Plan
 Midwest Acoust-A-Fiber - 759 Pittsburgh Drive
 Zoning Map



94-1 (06/07)
 6-1-1 (0/1)

HC PARKING SIGNS



LEGEND

- MAJOR FLOOD ROUTINE.....
- EXISTING CONTOURS.....
- PROPOSED CONTOURS.....
- PROPOSED LIGHT POLE.....
- PROPOSED LIGHTING.....
- MAIL POB.....



GRAPHIC SCALE
 1" = 40' 0"

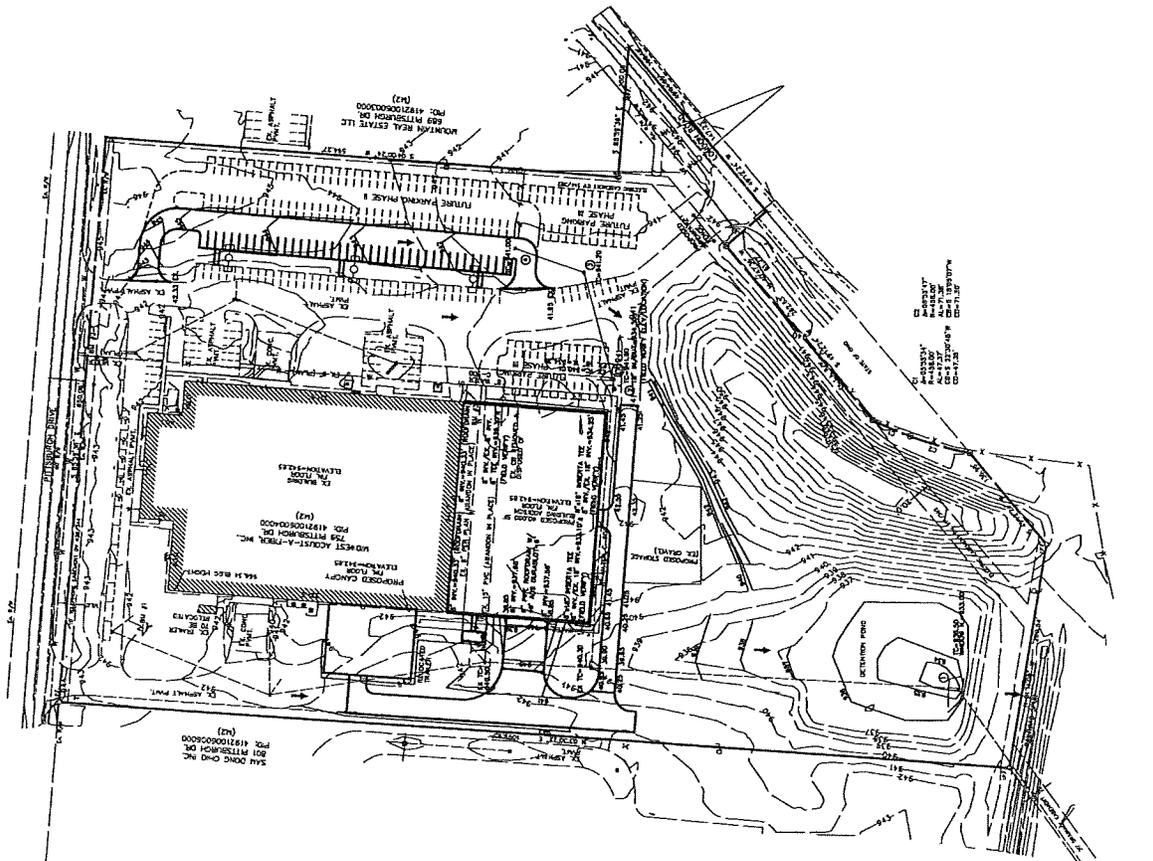
NOTE: PROPOSED SPOT ELEVATIONS ARE AT TOP OF PAVEMENT.
 CURB IS NOT PROPOSED.

FINAL DEVELOPMENT PLAN
MIDWEST ACQUST-A-FIBER, INC
759 PITTSBURGH DRIVE
DELAWARE, OHIO

PREPARED BY
ROCKADAY AND ASSOCIATES, INC.
 CONSULTING ENGINEERS
 COLUMBUS, OHIO 43215
 P.O. BOX 1000
 FAX: 614-222-0444

DATE: 11/13/07
 DRAWN BY: J.E.A.
 CHECKED BY: J.E.A.
 SCALE: 1" = 40' 0"

1 OF 2



544 DONG OHIO INC
 801 PITTSBURGH DR
 P.O. #18100000000
 (42)

WEST ACQUST-A-FIBER INC
 759 PITTSBURGH DR
 P.O. #18100000000
 (42)

ACQUST REAL ESTATE LLC
 689 PITTSBURGH DR
 P.O. #18100000000
 (42)

PROPOSED SPOT ELEVATIONS
 1" = 40' 0"



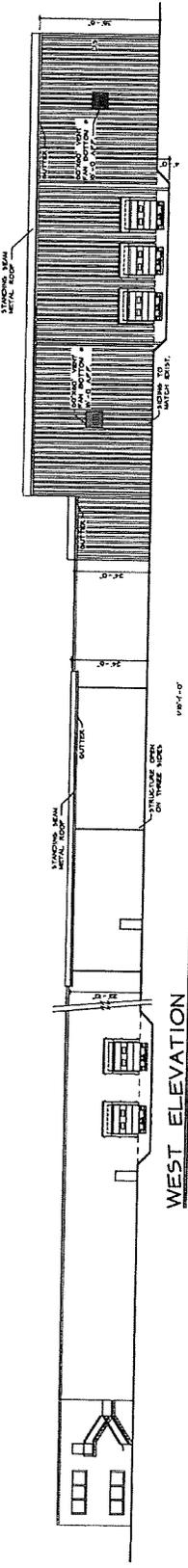
OFFICE	1277 WORTHINGTON WOODS BLVD.
ROOM	43085
DATE	TEL (614) 840-0986
	FAX (614) 840-0989

MEMBERSHIP AGOUST-A-FEER
 BUILDING ADDITION
 754 PITTSBURGH DRIVE
 DELAWARE, OHIO 43085

DONALD SCHOFIELD + ASSOCIATES, INC.
 1277 WORTHINGTON WOODS BLVD.
 WORTHINGTON, OHIO 43085
 TEL (614) 840-0986
 FAX (614) 840-0989

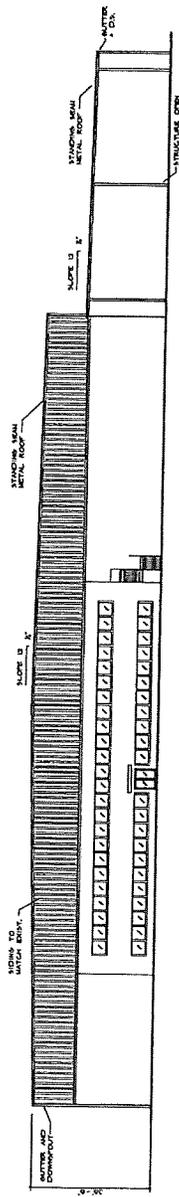
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ROOM	43085
DATE	TEL (614) 840-0986
	FAX (614) 840-0989

EXTERIOR ELEVATIONS



WEST ELEVATION

1. NEW ROOF COLOR TO BE
2. COLOR AND MATERIALS TO
3. ON CONTRACTOR'S DRAWING



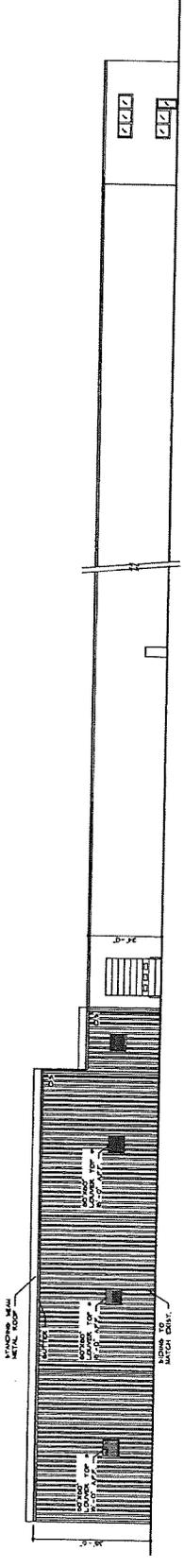
NORTH ELEVATION

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3. ON CONTRACTOR'S DRAWING



SOUTH ELEVATION

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2. COLOR AND MATERIALS TO
3. ON CONTRACTOR'S DRAWING



EAST ELEVATION

1. NEW ROOF COLOR TO BE
2. COLOR AND MATERIALS TO
3. ON CONTRACTOR'S DRAWING



**CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM**



Project # _____

Case # 2016-0503 - CPFDP

Planning Commission

- | | | |
|--|--|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | Board of Zoning Appeals |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input checked="" type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input checked="" type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Midwest Acoust-A-Fiber Address 759 Pittsburgh Dr. Delaware, OH
 Acreage 14.70 Square Footage 401000 sq addition Number of Lots 1 Number of Units 1
 Zoning District/Land Use M2 Proposed Zoning/Land Use M2 Parcel # 419-210-06-004-000

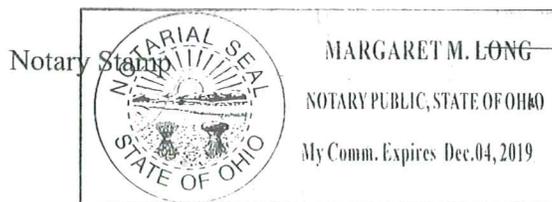
Applicant Name Fedone Dublin, LLC Contact Person Amy Biondi-Huffman
 Applicant Address 8400 Industrial Pkwy, Plain City, OH 43064
 Phone 614-873-0662 Fax 614-873-2684 E-mail amyhuffman@rohio.com
 Owner Name Metal Stars II, LLC Contact Person Mark Keller
 Owner Address 2201 N. Willenborg Dr. #2 Effingham, IL 62401
 Phone 217-342-4443 Fax _____ E-mail mkeller@agrancel.com
 Engineer/Architect/Attorney Hockaden + Assoc. Contact Person Mark Schroeder
 Address 883 North Cassady Ave. Columbus, OH 43219
 Phone 614-252-0993 Fax 614-252-0444 E-mail mschroeder@hockaden.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Owner Signature _____
Amy Biondi-Huffman
 Agent Signature

Owner Printed Name _____
Amy Biondi-Huffman
 Agent Printed Name

Sworn to before me and subscribed in my presence this 24th day of February, 2016



Margaret M Long
 Notary Public



PLANNING COMMISSION/STAFF REPORT

CASE NUMBER: 2016-0517
REQUEST: Final Development Plan
PROJECT: Speedway US 23 North
MEETING DATE: April 6, 2016

APPLICANT/OWNER

Speedway LLC
500 Speedway Drive
Enon, Ohio 453235

REQUEST

2016-0517: A request by Speedway LLC for approval of a Final Development Plan for an approximate 4,608 square foot Speedway Gas Station and Convenience Store on approximately 12.912 acres located on the northwest corner of US 23 North and Hills Miller Road on property zoned B-4 (General Business District).

PROPERTY LOCATION & DESCRIPTION

The property is located at the northwest corner of US 23 and Hills Miller Road which is currently a vacant site. The subject property is zoned B-4 (General Business District). The property to the north is zoned B-3 (Community Business District), the properties to the south are zoned B-4 and R-6 (Multi-Family Residential District) and the property to the west is zoned R-6. The properties to the east across US 23 are in the Township.

BACKGROUND

Speedway purchased the 12.912 acre parcel in May 2014 with the intent to construct an approximate 4,608 square foot gas station and convenience store. This parcel was annexed into the city in 1968 along with approximately 222 acres of ground, some of which would become the Oakhurst Subdivision. The subject development would only develop approximately 4.8 acres of the property while the remaining approximate 8 acres would remain undeveloped with approximately 4 acres being dedicated as a permanent conservation easement. The site would be accessed by a right-in/right out curb cut on US 23 while a full movement curb cut would be located on Hills Miller Road. The gas station would have 7 fueling islands for passenger vehicles and 3 separate diesel fueling bays which could accommodate large vehicles such as semi-trucks along with a convenience store. In October 2015, City Council approved the Preliminary Development Plan for the subject site. Speedway plans to initiate construction in the Summer of 2016 with a 5-6 month timeline for completion.

STAFF ANALYSIS

- **ZONING:** As previously mentioned, the subject property is zoned B-4 General Business District. Under the current zoning, the proposed gas station and convenience store is a permitted use. The applicant would have to receive Preliminary and Final Development Plan approval from the Planning Commission and City Council prior to any construction. The parcel has been zoned in a similar manner to B-4 since at least 1991 and has been in a general business district since it was annexed in 1968. The only required pre-development zoning process for this proposal is Development Plan Review. That process is defined (in this case) by two parts – a preliminary followed by a final plan. While many details are reviewed during the Preliminary phase of review, not all aspects of the project are known to a final degree as the Final Development Plan review captures any outstanding remaining review items. The Preliminary review establishes the basic arrangement of the proposed use on the site, access points, and preliminary site circulation while establishing any specific elements or conditions that must be further detailed and submitted during the Final Development Plan review. Therefore, the proposed use is not in question, is permitted in this district, and is not subject to review during this process. In fact, the B-4 District allows many other potentially more impactful uses on this site than what the applicant proposes and many more acres could be developed if the applicant desired. This Final Development Plan review is governed by the attached decision criteria (Section 1129.09), conformance with applicable codes, as well as consistency with past similar decisions. The Applicant, therefore, has the right to make this application and has satisfied the basic requirements (in many cases far exceeding the basic requirements) for the site, use, and potential impacts of the proposed development and Staff finds that the proposal achieves compliance with the Decision Criteria for granting the Final Development Plan approval.

- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be detailed through the Engineering and Utilities Departments prior to Final Development Plan Submission and with the subsequent Site Engineering Construction Improvement plans that would follow. Utilities are available to the site and it is the responsibility of the applicant to construct whatever is required to service the site and use. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** The proposed site plan identifies two curb cuts to the new gas station and convenience store. A right-in/right-out curb cut would be located on US 23 and a full movement curb cut would be located on Hills Miller Road. Per an approved traffic impact study by ODOT and the City of Delaware, traffic improvements are required at the US 23/Hills Miller Road intersection, on US23, on Hills Miller Rd., and a drop lane is required for the right-in/right out along the southbound lane of US 23. Speedway is responsible to construct many significant improvements to US23 and Hills Miller Rd. as documented in the City Engineering Plans and communication. Additionally, right-of-way or a right-of-entry at the US23 and Hills Miller Rd. intersection must be acquired by the Applicant before final engineering plans are approved in order to implement the contemplated improvements. Once engineering plans are completed, the required improvements must be started on US23 and Hills Miller Rd. prior to Building and Zoning Permit Issuance for the store and must be completed prior to any Certificate of Occupancy being issued to ensure completion of the necessary improvements prior to or concurrent with the opening of the store itself. In addition, an easement for a private rear backage road would extend from the curb cut on Hills Miller Road to the northern property line of the subject property per the ODOT Access Management Plan for the northern US23 corridor as well as the City Thoroughfare Plan. The private road would only be constructed to the northern portion of the Speedway development (allowing this portion of the north property area to remain undisturbed at construction) and the remainder would be in an easement and available for any future developer of the land to the north to utilize to provide required connectivity to their site if and when a development would come forward for parcels to the north of the Speedway site.
- **PEDESTRIAN CONNECTIVITY:** City Council indicated they would not want a bike path adjacent to US 23 because of safety reasons. As with the case of other similar developments along US 23, the applicant would be required to provide easements for a sidewalk (if it cannot be accommodated within the existing right-of-way as determined by the City Engineer) while a condition of approval would require a payment in lieu of construction. This method would ensure space for future such connections if desired while allowing for other priority pathway construction to be addressed in accordance with adopted plans. In addition, bikeway connectivity would be assured by the installation of a bike path on the west side of aforementioned backage road to the northern portion of the Speedway development. The remainder of the bike path would be in an easement and available for any future developer of the land to the north to utilize to provide required connectivity to their site if and when a development would come forward for parcels to the north of the Speedway site.
- **SITE CONFIGURATION:** The approximate 4,608 square foot gas station and convenience store would front US 23 and be located just south of the proposed right-in/right-out curb cut. The gas station would have 7 vehicular fueling islands on the east side of the building fronting US 23 and 3 diesel fueling bays located west of the building (behind the building). The vehicular and diesel fueling bays would each be covered with a canopy with a mansard roof. The development would have 34 vehicular parking spaces located on the north, south and east sides of the building for the convenience store patrons which would achieve compliance with parking space requirements of the proposed use. No parking spaces for semi-trucks are provided and no overnight parking signs would be posted throughout the site. Speedway has volunteered that their personnel would actively monitor the truck areas to ensure that no trucks are parking on the site long term or overnight. The minimum building and parking setbacks for the entire development are significantly more than required. Dumpsters would be located north of the building along the access drive and the enclosure would be constructed of brick with wood doors painted to match per the zoning code. The doors would be oriented to the northeast (or away from the public streets). Staff would require that an area (maybe between the building and the north parking lot) should be dedicated for "outside merchandise" (ice box, propane tanks, seasonal items, mulch, etc.) and painted to match the brick or moved to the side of the building. Also, staff would suggest potentially installing a low wall (2 to 3 feet tall) to delineate the storage area and shield the "outside

merchandise” from public right-of-way. The applicant is voluntarily proposing to place a permanent conservation easement on over 4 acres of the site (over 31% of the site). The easement is located north and west of the developed area and covers the most heavily treed portions of the site including some stream corridors. Local and State processes exist that would allow much of this conserved area to be potentially developed if the applicant chose to do so. Stream setback and wetland items are being addressed and mitigated with the appropriate State and Federal agencies as required. Additionally, in an effort to demonstrate their commitment to preserving these areas as much as practical and to address questions about future expansion of the proposed use on the site, the applicant is volunteering to place a permanent conservation easement on their property (which would run with the land). This will effectively permanently limit the extent of any development on this site to the area proposed with this case while allowing for the aforementioned backage road to properties to the north if and when they might develop and require access.

- **BUILDING DESIGN:** The rectangular approximate 4,608 square foot building would be oriented towards US 23 with the vehicular fueling canopy located between the building and US 23. The front elevation (east) would be comprised mainly of red structural brick with a limestone wainscoting with a typical aluminum storefront door and windows with an asphalt shingled pitched roof. There would be two dormer windows on the front elevation for aesthetic purposes along with an enhanced pitched roof vestibule. The side (north and south) and rear (west) elevations would be mainly structural red brick with a limestone wainscoting with an asphalt shingled pitched roof. The southern elevation would have a return of five aluminum storefront windows from the front window bay. Dark structural brick rectangular wall accents would be located on the side and rear elevations to break up the wall face. The mansard roof vehicular gas canopy would have a beige sign band in place of the prototypical Speedway color scheme that will help minimize its appearance and would be supported by fourteen limestone (cultured) faced columns while the diesel gas canopy mansard roof with a beige sign band would be supported by ten limestone columns. The building and fuel canopy appurtenances (coping, downspouts, etc.) should be painted to match the adjacent building surface. The limestone on the building and canopy columns shall match the limestone at the Troy Road Speedway and the limestone columns shall extend to the canopy. Furthermore, the mechanical equipment would be located on the rear roof elevation and would be screened from public view by a decorative fence. Staff would need submittal of each building material with color samples to ensure compliance is achieved with any Final Development Plan requirements. The upgraded building would provide a signature northern gateway into the City and is not prototypical in nature.
- **TREE REMOVAL & REPLACEMENT:** The applicant submitted a tree survey that indicates there are a significant amount of trees in certain areas on the site. The majority of these are located within the northern and western portions of the site. The Applicant has voluntarily proposed a permanent conservation easement for these areas and the approximately 2,531 caliper inches of qualifying major trees (any tree over 6 caliper inches) contained within them. The proposed development is primarily placed over open and previously disturbed ground but would remove 1,546.4 caliper inches of trees while replacing 376 caliper inches of trees for a net of 1,170.4 caliper inches of trees being removed. Overall then, approximately two-thirds of the major trees on the site will be permanently preserved. However, a payment in lieu of replacement of the removed trees is calculated at \$117,040 (1170.4 x \$100) and shall be made by the applicant to achieve compliance with Chapter 1168 Tree Preservation Regulations prior to building permit approval. The City accepted a check from Speedway in the amount of \$117,040 along with a tree clearing permit on March 2, 2016. The aforementioned permit and check were submitted, reviewed, and approved.
- **LANDSCAPING & SCREENING:** The development would require street, front yard, parking lot and perimeter landscaping. The 510 feet of frontage along US 23 requires 13 street trees and 11 front yard trees. The 250 feet of frontage along Hills Miller Road requires 7 and 5 street and front yard trees respectively. The subject landscape plan accounts for the required trees with flexibility in the placement because of the existing major water line and easement already in place which runs between the roadway and the site on both frontages and which does not allow for placement of landscaping or permanent improvements within the easement area. The plan achieves compliance with parking lot buffering of shrubs and the internal parking lot landscape requirements. There is significant perimeter buffering to the west with the existing trees supplemented by the many replacement trees planted north and south of the entrance road from Hills Miller Road. These include a significant number of evergreen trees as well to enhance the year round buffering of the facility. The Applicant has proposed White Spruce variety for the evergreen trees. After consultation with the City

arborist, Staff would suggest that primarily Norway spruce be used with a mixture of Black Hills Spruce and blue spruce and a limited number of white spruce and white pine. This diversity will enhance the chances that one event or malady will not impact the entire screening and the change in variety will ensure a better screen is provided overall for noise and visual buffering. The land just north and west of the Speedway development would be encumbered by an approximate 4 acre conservation easement that is heavily wooded and would only allow a potential backage road thru the proposed roadway easement as required by the ODOT Access Management Plan for the north US 23 corridor in this area. In addition, the applicant is proposing 19 -3.5 feet high limestone piers with concrete cap stones approximately 20 feet (approximately 30 ft. on center was required preliminarily, so the applicant has surpassed this requirement) on center south of the right-in-right-out along the frontage if site along US 23 to supplement the landscaping and continue the theme that currently exists along US 23 to be consistent with the other recently approved developments in the corridor. Additionally, a stone monolith is proposed just south of the southernmost stone pier as well. Though not designated as a gateway on the City's Gateway and Corridor Plan, the Applicant has agreed to include this installation to enhance the overall site development. The Shade Tree Commission would have to approve all landscape plans.

- **SIGNS:** The owner is proposing vehicular fuel canopy and ground signage. The vehicular fuel canopy sign on the east (front) would encompass approximately 17 square feet and would be red illuminated channel letters (Speedway) that would be flush mounted on the canopy. An approximately 6.14 square foot, internally illuminated Speedway Café logo would be proposed on the north and south elevations of the canopy. The canopy signs shall be flush mounted (or inset to achieve a flush mounted appearance) such that the sign faces do not extend past the front face of the canopy. Two ground signs are proposed. A 10 foot high internally illuminated ground sign located just south of the right-out on US 23 would encompass approximately 72 square feet of sign area on a 2-3 foot high base. This base must be Delaware limestone (or cultured stone) or equivalent as approved by Staff and not Quik-Brik as the drawings currently indicate. A second sign approximate 5 foot high internally illuminated ground sign (50 square feet) on a 1.5 foot high limestone base is proposed just east of the entrance on Hills Miller Road. There is a plan sheet inconsistency between the noted details and the dimensional drawing which need to be rectified prior to sign permit submission and shall be in conformance with the noted sizes and materials in this report. Each sign would contain two digital pricers with a Speedway logo and would achieve compliance with the adopted City Gateway and Corridor Plan as well as the Sign code. The signs shall be flush mounted to the stone base. In addition, no overnight parking signs would be placed throughout the parking lot and along the access drives. Finally, a number of on-site wayfinding / directional signs are proposed. By code, these must be non-illuminated and not as shown on the plan set.
- **LIGHTING:** The applicant is proposing 23 light poles throughout the site that would be 25 feet high with cut off style fixtures. In addition, there would be 3 wall pack lights, 40 canopy lights and 12 soffit lights. All lights shall be fully recessed and cut off. Additionally, any light poles shall be black in color. The lighting plans would have to achieve compliance with the minimum zoning requirements and would have to be approved by the Chief Building Official.
- **MISCELLANEOUS:** Video dispensers, ATM machines, etc. would not be permitted outside the building. Any outdoor storage areas shall be designated in limited areas on (as approved) the Final Development Plan. Outdoor storage shall be contained to only those areas so designated to be consistent with other recently approved developments.

STAFF RECOMMENDATION (2016-0517 – FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by Speedway LLC for a Final Development Plan for an approximate 4,608 square foot Speedway Gas Station and Convenience Store on approximately 12.912 acres located on the northwest corner of US 23 and Hills Miller Road on property zoned B-4 (General Business District), with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The applicant shall be responsible for any roadway improvements and/or financial obligations of the

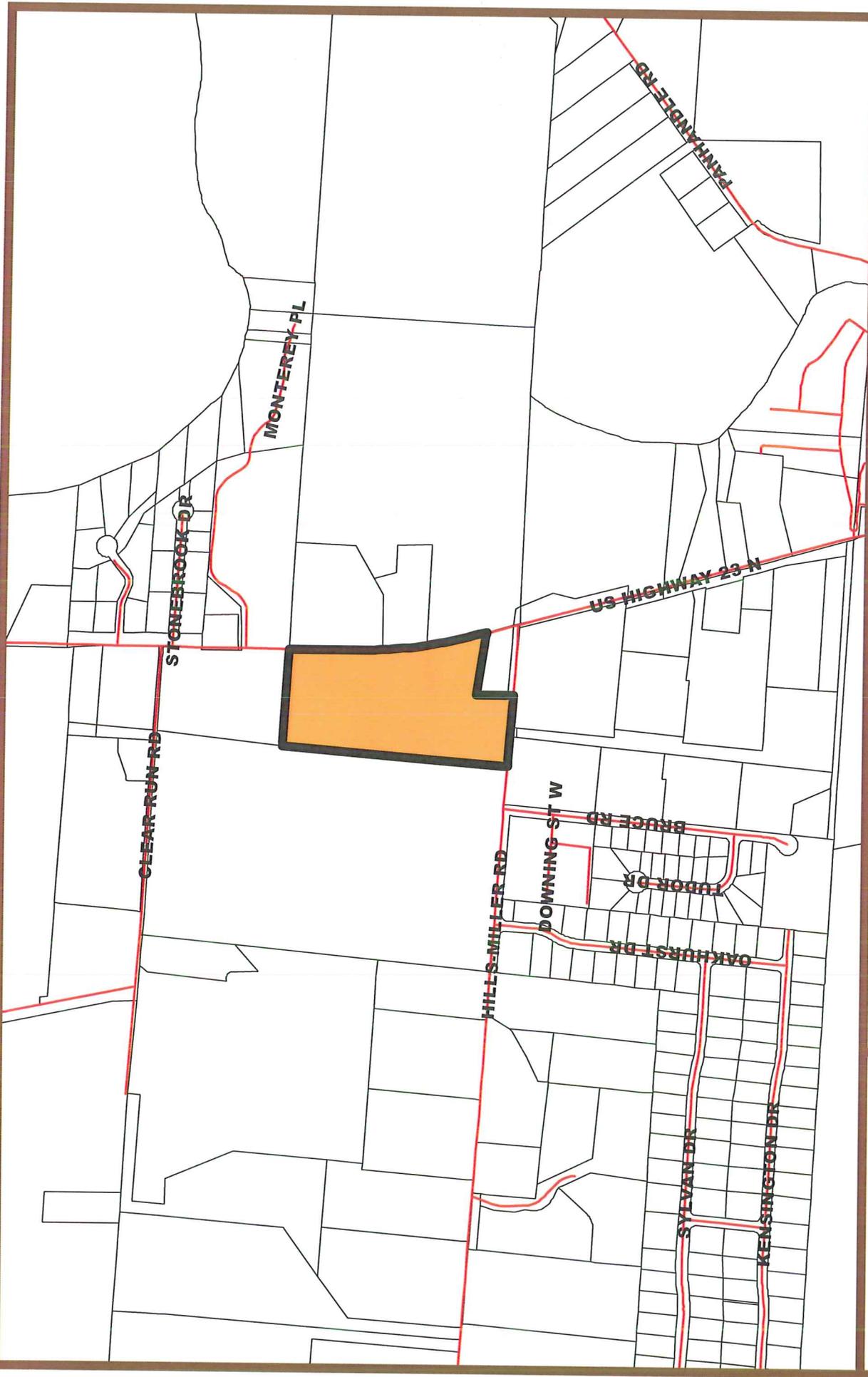
traffic impact study per ODOT and the City Engineer. The roadway improvements shall be started prior to Building and Zoning Permit issuance for the store and shall be completed prior to any certificate of occupancy being issued.

3. Additional right-of-way or right-of-entry at the US 23 and Hills Miller intersection shall be acquired by the owner prior to final engineering plan approval.
4. Speedway shall provide a payment in lieu of constructing the sidewalk along US 23 per the City Engineer prior to engineering plan approval.
5. The private access road easement agreement to the property to the north shall be executed and recorded at the County by the subject property owner prior to issuance of any building permits. The City shall have the right to review, edit, and approve any such easement prior to its recording.
6. As submitted by the Applicant, no overnight semi-truck parking shall be permitted within the subject development and the applicant shall be responsible for ensuring compliance of such.
7. The dumpster shall be screened from public view by a wall constructed of similar building materials that match the new building with wood doors painted or stained to match or compliment the overall building.
8. The owner submitted a tree clearing permit together with a tree replacement fee of \$117,040 per Chapter 1168 Tree Preservation Requirements. The permit has been issued by the City as a result. Any revisions to the tree replacement plan shall be addressed prior to both building and zoning permit issuance and final occupancy permit.
9. Limestone piers approximately 3.5 feet high with a concrete cap and approximately 20 feet on center along US 23 shall be installed to supplement the landscaping, continue this theme along US 23, and comply with the Gateway & Corridor Plan. In addition, a decorative stone monolith shall be installed.
10. The approximate 4 acre conservation easement on the northern and western portions of the property shall be executed and recorded at the County by the subject owner prior to issuance of any building permits. The City shall have the right to review, edit and approve the conservation easement as well as the proposed easement holder (or holding entity) to ensure consistency with the intend purpose of the easements as noted within the Staff report.
11. The Shade Tree Commission shall review and approve the submitted street tree plans.
12. The limestone on the building, the stone canopy columns, and the ground sign bases shall be Delaware blue vein limestone (or cultured stone) or equivalent as approved by Staff. The same material used on the recently reconstructed Troy Road Speedway columns will comply with this condition.
13. The limestone columns on the fuel canopies shall extend from ground level to the canopy.
14. All building and fuel canopy appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building material color.
15. All roof top mechanical equipment shall be completely screened from public view.
16. The Applicant shall submit all building, fuel canopy, and sign elevations along with material and color samples for all building materials for staff review and approval after approval of the Final Development Plan and prior to any building permit issuance.
17. A lighting plan that achieves compliance with the zoning code shall be submitted, reviewed and approved by the Chief Building Official during the Final Development Plan approval process. All lights shall be fully recessed and cut off and the light poles shall be black.
18. The signs on the fuel canopy shall be flush mounted or inset to achieve a flush mounted appearance.
19. The ground signs shall be flush mounted to the stone cap base, shall be faced with limestone (or cultured stone) as per the building and columns, and shall be no larger than 10 feet high and 72 total square feet per face on the US23 frontage and no larger than 5 feet high and 50 total square feet per face on the Hills Miller Rd. frontage.
20. The outdoor merchandise (ice box, propane tanks, etc.) shall be located on the north side of the building.
21. The outdoor merchandise shall be limited to designated and limited area to be shown on the final approved Final Development Plan and as approved by Staff. No movie boxes, ATM machines, etc., shall be allowed outside the building.
22. No commercial, truck trailer, campers, or motor home traffic shall be allowed on the property for over one hour.

COMMISSION NOTES:

MOTION: _____ 1st _____ 2nd approved denied tabled _____

CONDITIONS/MISCELLANEOUS:



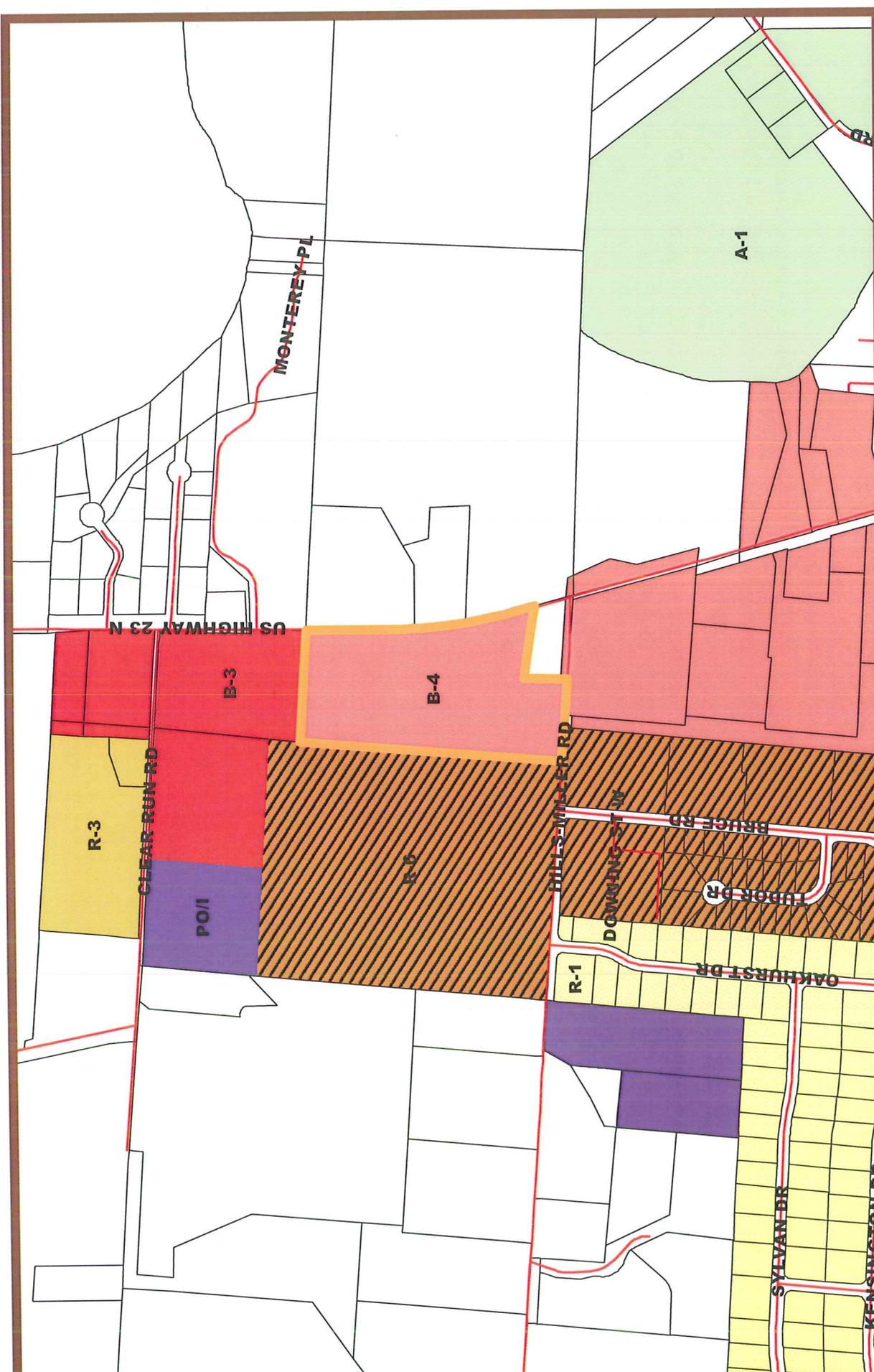
2016-0517
 Final Development Plan
 Speedway Gas Station and Convenience Store
 Location Map





2016-0517
Final Development Plan
Speedway Gas Station and Convenience Store
Aerial (2013)





2016-0517
 Final Development Plan
 Speedway Gas Station and Convenience Store
 Zoning Map





395 Springside Drive, Suite 202
Akron, OH 44333
(330) 665-0660
www.cesoinc.com

RE: SP #7775 – Speedway Fuel Station – Supporting Information

Narrative describing all aspects of the proposal:

The proposed Speedway site is located on the northwest corner of US 23 and Hills Miller Road in the City of Delaware. The property is 12.9 total acres with the development of the Speedway project developing approximately 4.8 acres. The remainder of the site will remain undisturbed with approximately 3.7 acres being dedicated as a conservation easement.

The site is located within the B4 – General Business zoning district within the City of Delaware zoning ordinance. The proposed use is a permitted use within the zoning district. No zoning variances are proposed at this time for the site.

The proposed site plans shows the development of a 4,600 square foot Speedway convenience store with 14 fueling positions for automobiles and 3 separate fueling lanes for semi traffic. The store will sell typical convenience store items along with grab and go type food offerings.

A right-in / right-out driveway is proposed on US 23 and a full access driveway is proposed on Hills Miller Road. An easement for a shared access road will be placed along the rear driveway of the parcel per the City's transportation plan. The shared access road will be extended in the future if the adjacent property to the north is developed. A traffic impact study has been completed for the project and approved by the City of Delaware engineering department, the Delaware County Engineering Department, and ODOT District 8. As part of the development Speedway will design and construct improvements to both roadways and the intersection to bring them up to standards in line with the approved traffic study.

Parking for automobiles is proposed, but no parking for semi's will be allowed. No overnight parking signs will be posted throughout the site and Speedway personnel will actively monitor the truck areas to ensure no trucks are parking on the site long term. A bike path will be installed along the rear shared access road.

The architecture of both the proposed convenience store and the fueling canopies is an upgraded look from a standard Speedway. The convenience store is proposed with multiple building materials and a hip shingled roof. The fuel canopies are proposed with partial height stone columns to match the stone on the building and a shingled mansard roof. Speedway has worked with the city planning staff to develop the proposed building and canopy elevations to help ensure that the proposed Speedway is a good representation of the City of Delaware as the northern entrance to the City. Along with the upgraded building and canopy extensive landscaping is proposed to enhance the look of the property and provide additional screening from neighboring property owners.

The site is proposed to begin construction in the summer of 2016 with a 5-6 month construction timeline to completion.

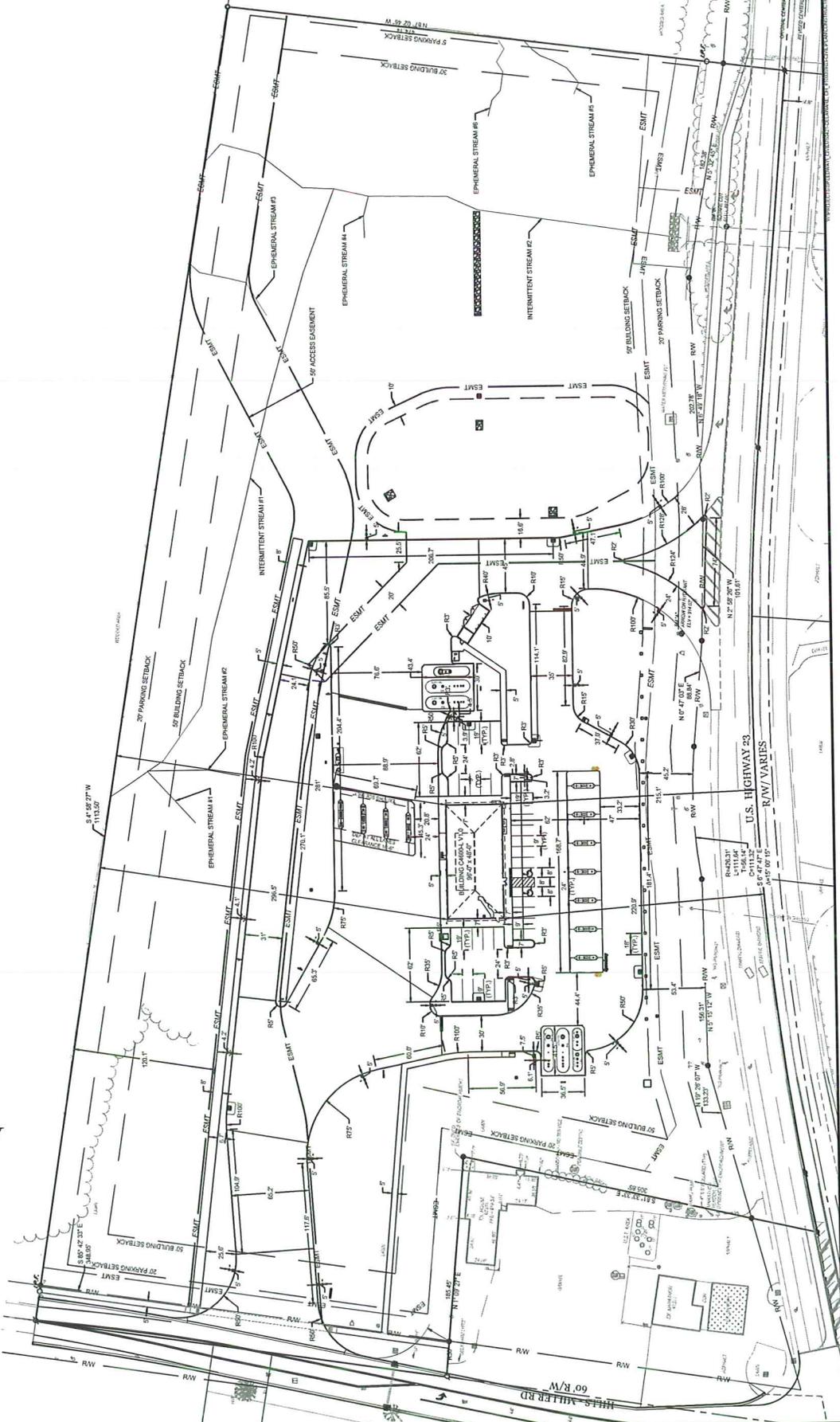
CONTRACTOR SHALL REVIEW THE COMPLETE DRAWING SET AND NOTIFY THE DESIGN PROFESSIONAL IN WRITING PRIOR TO ANY CONSTRUCTION. ANY CHANGES TO BE MADE MUST BE SHOWN ON THE DRAWINGS OR WITH ACTUAL FIELD CONDITIONS.

OHIO
Utilities Protection
SERVICE
 614-252-2944 Call before you Dig



EXISTING LEGEND
 CURBING TO REMAIN
 FENCE

PROPOSED LEGEND
 PROPOSED CURB



ceso
 CREATION TO COMPLETION
 1500 COLUMBIAN
 COLUMBUS, OH 43260
 614-252-2944

Speedway
 11000
 11000
 11000

NO.	DATE	DESCRIPTION
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DIMENSION PLAN
 NEW BUILD
 2918 US HWY 23 N
 DELAWARE COUNTY
 DELAWARE, OH

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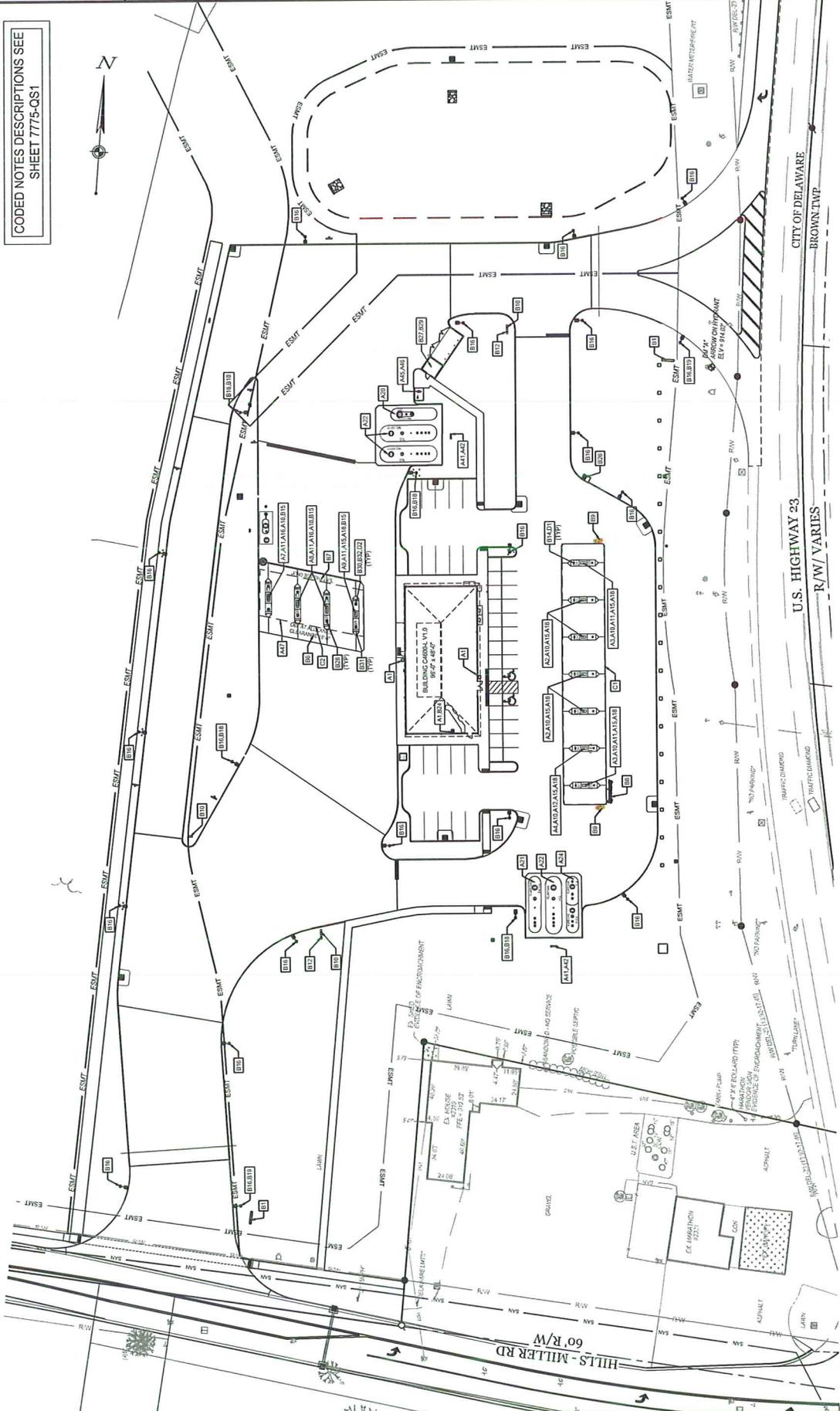
DATE: 11/11/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 PROJECT NO: 7775-CS4

NO.	REVISION	DATE	BY	CHKD.
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NEW BUILD
DELTAWARE COUNTY
2915 US HWY 23 N
BROWN, OH 45823

9 41
SHEET NO. 9 OF 41
DATE: 08/14/13
DRAWN BY: MM
CHECKED BY: MM
SCALE: AS SHOWN
PROJECT NO: 7775-QS

CODED NOTES DESCRIPTIONS SEE SHEET 7775-QS1



OH-IO Utilities Protection SERVICE
Call 1-800-367-7974

CONTRACTOR SHALL VERIFY THE EXISTING UTILITY LOCATIONS WITH THE DESIGN PROFESSIONAL IN WRITING PRIOR TO CONSTRUCTION. ANY UTILITY LOCATIONS NOT SHOWN ON THIS PLAN ARE FOUND WITHIN THE BOUNDARIES OR WITHIN ACTUAL FIELD CONDITIONS.

U.S. HIGHWAY 23
R/W VARIES

CITY OF DELAWARE
BROWN TWP

HILLS-MILLER RD
60' R/W

NO.	DATE	DESCRIPTION
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44	10/15/13	REVISED FOR COMMENTS
45	11/01/13	REVISED FOR COMMENTS
46	11/15/13	REVISED FOR COMMENTS
47	12/01/13	REVISED FOR COMMENTS
48	12/15/13	REVISED FOR COMMENTS
49	01/01/14	REVISED FOR COMMENTS
50	01/15/14	REVISED FOR COMMENTS
51	02/01/14	REVISED FOR COMMENTS
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59	06/01/14	REVISED FOR COMMENTS
60	06/15/14	REVISED FOR COMMENTS
61	07/01/14	REVISED FOR COMMENTS
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63	08/01/14	REVISED FOR COMMENTS
64	08/15/14	REVISED FOR COMMENTS
65	09/01/14	REVISED FOR COMMENTS
66	09/15/14	REVISED FOR COMMENTS
67	10/01/14	REVISED FOR COMMENTS
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92	10/15/15	REVISED FOR COMMENTS
93	11/01/15	REVISED FOR COMMENTS
94	11/15/15	REVISED FOR COMMENTS
95	12/01/15	REVISED FOR COMMENTS
96	12/15/15	REVISED FOR COMMENTS
97	01/01/16	REVISED FOR COMMENTS
98	01/15/16	REVISED FOR COMMENTS
99	02/01/16	REVISED FOR COMMENTS
100	02/15/16	REVISED FOR COMMENTS

LEGEND

- EXISTING ELEVATION
- EXISTING INTERPOLATED ELEVATION
- NEW PAVEMENT ELEVATION
- EXISTING CONTOUR
- NEW CONTOUR
- NEW GRASS CONTOUR
- PAVEMENT CROWNLINE
- PROPOSED SWALE PER DETAIL THIS SHEET

APPROXIMATELY 10% SLOPE
 TRIBUTARY AND OUTFALLS
 SITE IN EXISTING STREAM

GRASS SWALE DETAIL

3:1 SLOPE OR FLATTER

WIRES

3:1 SLOPE OR FLATTER

1/4" = 1'-0"

BENCHMARK

BENCHMARK "A"
 ABOVE GROUND SIGN
 60' NW OF EX. TELEPHONE POLE AND
 60' NW OF EX. SIGNAL POLE
 ELEV. = 918.27 (MAD 88)

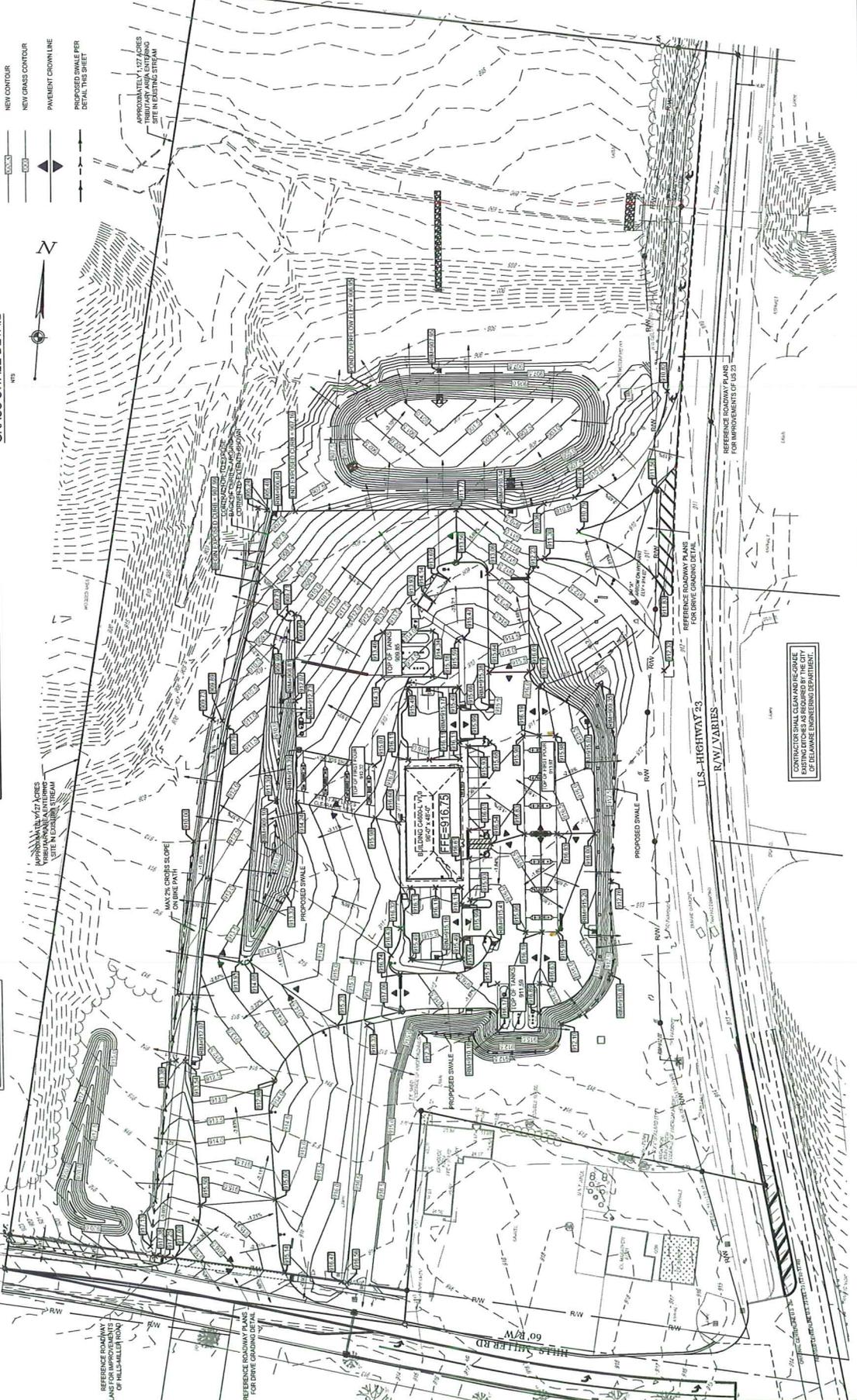
BENCHMARK "B"
 CUT AND WANTED GROUND
 OF GARAGE FOR US 23
 ELEV. = 897.87 (MAD 88)

O-HO Utilities Protection SERVICE
 Call 800-367-7474

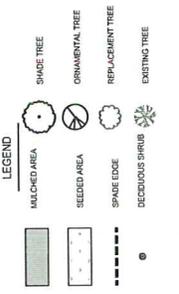
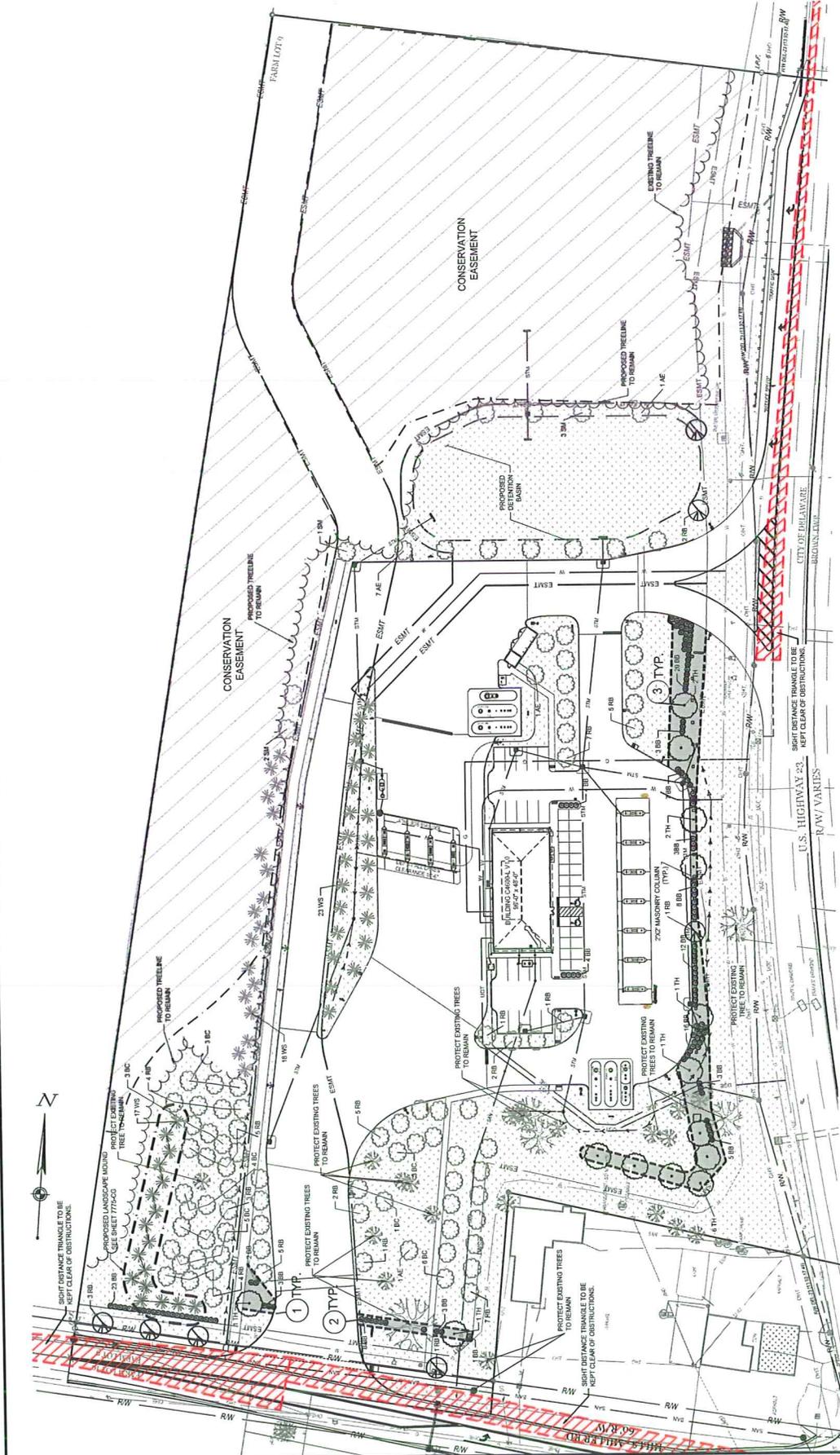
CONTRACTOR SHALL VERIFY THE
 DESIGN PROFESSIONAL IN WRITING PRIOR
 TO CONSTRUCTION. IF ANY DISCREPANCIES
 OR INCONSISTENCIES ARE NOTED,
 IMMEDIATELY REPORT TO THE DESIGNER.
 WITH ACTUAL FIELD CONDITIONS.

SEE GENERAL GRADING
 NOTES SHEET 7775-CG1

CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF EXISTING ELEVATIONS AT
 CRITICAL POINTS SUCH AS APPROACHES, DRAINAGE STRUCTURES, CURBING, ETC.
 IF ANY DISCREPANCIES OR INCONSISTENCIES ARE NOTED, IMMEDIATELY REPORT TO THE
 DESIGNER.



CONTRACTOR SHALL CLEAN AND REPAIR ANY
 DAMAGE TO EXISTING UTILITIES AND
 PROPERTY OF DELAWARE ENGINEERING DEPARTMENT.



PLANT REQUIREMENTS
PER CITY OF DELAWARE ZONING CODE SECTION 1166

STREET TREE PLANTING	REQUIRED	PROVIDED
(1) 1 1/2" MIN. CALIPER TREE FOR EVERY 40 LF. OF FRONTAGE ALONG RD.	1,327 FT. = 34 TREES	1,327 FT. = 34 TREES
(2) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(3) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(4) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(5) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(6) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(7) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(8) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(9) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(10) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(11) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(12) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(13) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(14) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(15) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(16) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(17) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(18) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(19) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(20) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(21) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(22) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(23) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(24) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(25) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(26) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(27) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(28) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(29) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(30) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(31) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(32) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(33) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(34) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(35) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(36) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(37) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(38) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(39) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(40) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(41) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(42) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(43) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(44) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(45) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(46) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(47) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(48) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(49) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES
(50) 3" MIN. CALIPER TREE FOR EVERY 10 LF. OF FRONTAGE, EXCLUDING DRIVES	1,152 FT. = 21 TREES	1,152 FT. = 21 TREES

PLANT SCHEDULE

QTY.	PLANT NAME	INSTALLATION SIZE	WATERING	SPACING
14	THORNLESS HONEYLOCUST - GEORGETIA TRUNCATUM/INERMIS	3" CAL. BB	40705	25' O.C.
5	SUGAR MAPLE - ACER SACCABARUM	3" CAL. BB	40705	25' O.C.
5	WHITE SPRAUCE - PICEA ALABAMA	3" CAL. BB	50715	PER PLAN
5	ORNAMENTAL TREE	2" CAL. BB	20705	PER PLAN
5	EASTERN REDBUD - CERCIS CANADENSIS	2" CAL. BB	20705	PER PLAN
5	BLACK CHERRY - PRUNUS SEROTINA	2" CAL. BB	20705	PER PLAN
5	BURNING BUSH - EUROTIA ALATA	3/4" DIA.	406	4' O.C.



CONTRACTOR SHALL REVIEW WITH THE DESIGN PROFESSIONAL IN WRITING PRIOR TO CONSTRUCTION THE SHADINGS OF ALL PLANTS TO BE PLANTED TO MATCH WITH ACTUAL FIELD CONDITIONS.



NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	11/11/17
2	ISSUED FOR PERMITS	11/11/17
3	ISSUED FOR PERMITS	11/11/17
4	ISSUED FOR PERMITS	11/11/17
5	ISSUED FOR PERMITS	11/11/17
6	ISSUED FOR PERMITS	11/11/17
7	ISSUED FOR PERMITS	11/11/17
8	ISSUED FOR PERMITS	11/11/17
9	ISSUED FOR PERMITS	11/11/17
10	ISSUED FOR PERMITS	11/11/17

NEW BUILD
PLAN
TREE REPLACEMENT
2819 US HWY 23 N
DELAWARE COUNTY
DELAWARE, OH

PROJECT NO.	7775
DATE	11/11/17
SCALE	AS SHOWN
DESIGNER	77348
CHECKED	
APPROVED	
DATE	
PROJECT NO.	7775-LP1

PLANT SCHEDULE

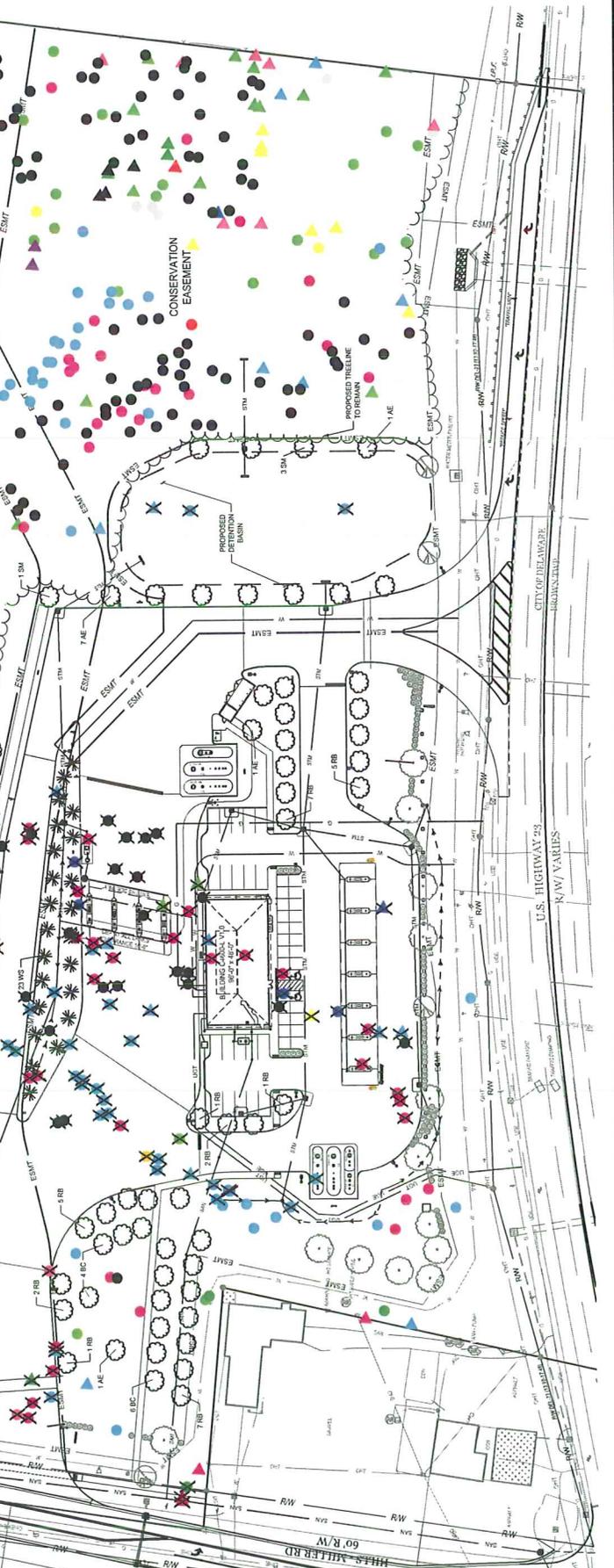
SYM.	QTY	PLANT NAME	INSTALLATION SIZE	MATURE HEIGHT	SPACING
SA	6	SUGAR MAPLE - ACER SACCCHARUM	2" CAL. BB	60'HF	40' O.C.
AE	10	AMERICAN ELM - ULMUS AMERICANA	2" CAL. BB	40'HF	35' O.C.
WS	50	WHITE SPRUCE - PICEA MARYLANDICA	2" CAL. BB	30'HF	5' O.C.
EB	52	EASTERN REDBUD - CERISE CANADENSIS	2" CAL. BB	20'HF	10' O.C.
EC	25	BLACK CHERRY - PRUNUS SEROTINA	2" CAL. BB	20'HF	20' O.C.

REPLACEMENT SCHEDULE

INCHES REMOVED	INCHES ADDED	INCHES REMOVED	INCHES ADDED
15484	376	5	3
423			

LEGEND

SEEDING AREA	SHADE TREE	Black Willow (Salix nigra)	American Basewood (Tilia americana)
MALCHED AREA	ORNAMENTAL TREE	Common Hackberry (Celtis occidentalis)	American Elm (Ulmus americana)
REMOVE EXISTING TREE	REPLACEMENT TREE	Cornus (Cornus sp.)	American Plum (Prunus americana)
		Eastern Red-Cedar (Juniperus virginiana)	American Sycamore (Platanus occidentalis)
		Slippery Elm (Ulmus rubra)	Ash-Leaf Maple (Acer negundo)
		Swamp White Oak (Quercus bicolor)	Black Walnut (Juglans nigra)
		Sugar Maple (Acer saccharum)	



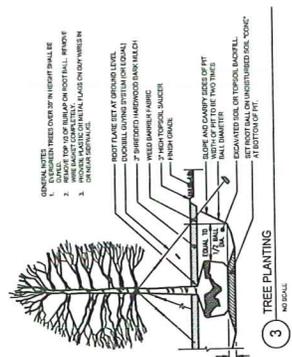
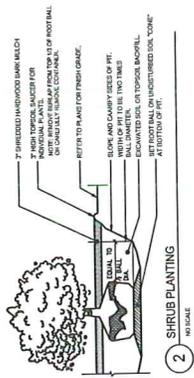
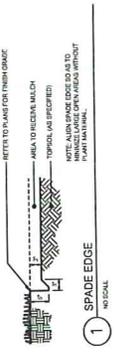
7775-LP1

NO.	REV.	DATE	DESCRIPTION
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NO. SCALE	7775
DATE	7/7/24
PROJECT NO.	77348
CLIENT	
DESIGNER	
DRAWN BY	
CHECKED BY	
DATE	

CONTRACTOR SHALL VERIFY WITH THE DESIGN PROFESSIONAL IN WRITING PRIOR TO CONSTRUCTION OF ANY LANDSCAPE OR WITH ACTUAL FIELD CONDITIONS.

O-Ho Utilities Protection SERVICES
Call 800-368-2764



B. IRRIGATION NOTES

1. CONTRACTOR SHALL DESIGN, SUPPLY, AND INSTALL IRRIGATION SYSTEM FOR ALL SLOTTED AND PLANTER AREAS AS SHOWN THIS SHEET. DESIGN SHALL BE APPROVED BY OWNER.
2. THE IRRIGATION SYSTEM SHALL BE INSTALLED TO OPERATE AT A PRESSURE OF 30 PSI TO 40 PSI.
3. THE IRRIGATION SYSTEM SHALL BE INSTALLED TO OPERATE AT A PRESSURE OF 30 PSI TO 40 PSI.
4. CONFIRM EXISTING WATER SOURCE AVAILABLE FLOW RATE (GPM), STATIC PRESSURE, CONNECTION, CONTRACTOR NOTE: NOTIFY SPEEDWAY IF WATER SOURCE DOES NOT COMPLY WITH HYDRAULIC ANALYSIS REQUIREMENTS.
5. LOCATE AND IDENTIFY TYPE, SIZE OF DEDICATED WATER METER AND BACKFLOW PREVENTER OR OTHER DEVICES.
6. DESIGN SPRINKLER ZONING AND HEAD SPACING, LANDSCAPE (TREES, SHRUBS, PERENNIALS OR GROUNDCOVER).
7. SPRINKLER COVER AND TREES SHOULD BE IRRIGATED WITH SPRINKLER SYSTEM.
8. PROVIDE POP UP PLANT IRRIGATION WITH FLOW METER FOR EACH ZONE.
9. TURF SHALL BE IRRIGATED WITH 8 INCH POP-UP SPRINKLERS.
10. LIST OF SPRINKLER NOZZLES THAT ARE ACCEPTABLE TO SPEEDWAY: WINTER IRRIGATOR, RAIN BIRD 1/2-INCH SPRAY NOZZLE, AND TONO PRECISION SPRAY NOZZLES.
11. PROVIDE A DETAIL SHEET OF MANHOLE, ACCESS POINTS FOR CONTROLLER, VALVES, TRENCHES, TUBES, AND TRENCHES.
12. PROVIDE YOUR MANUFACTURER WARRANTY ON IRRIGATION PRODUCTS.
13. CONTROL THE TYPE, SIZE AND LOCATION SHALL BE IDENTIFIED ON PLANS ALONG WITH POWER REQUIREMENTS AND CONNECTIONS.
14. LOCATE ALL SLEEVING ON PLANS FOR HARD SURFACE CROSSINGS. SLEEVES SHOULD BE CALLED OUT 2\"/>

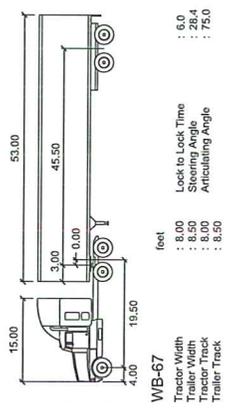
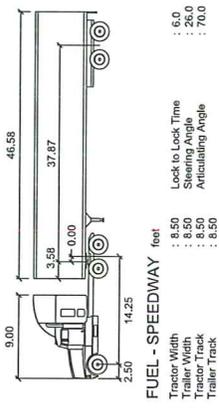
A. GENERAL NOTES

1. THE CONTRACTOR SHALL LOCATE AND VERIFY THE EXISTENCE OF ALL UTILITIES PRIOR TO STARTING WORK.
2. ALL MATERIAL SHALL CONFORM TO THE QUALITIES SPECIFIED IN THE SPECIFICATIONS AND SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
3. ALL MATERIAL SHALL CONFORM TO THE QUALITIES SPECIFIED IN THE SPECIFICATIONS AND SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
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20. ALL MATERIAL SHALL CONFORM TO THE QUALITIES SPECIFIED IN THE SPECIFICATIONS AND SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.

NO.	DATE	DESCRIPTION
1	10/1/03	ISSUED FOR PERMITS
2	10/1/03	ISSUED FOR PERMITS
3	10/1/03	ISSUED FOR PERMITS
4	10/1/03	ISSUED FOR PERMITS
5	10/1/03	ISSUED FOR PERMITS
6	10/1/03	ISSUED FOR PERMITS
7	10/1/03	ISSUED FOR PERMITS
8	10/1/03	ISSUED FOR PERMITS
9	10/1/03	ISSUED FOR PERMITS
10	10/1/03	ISSUED FOR PERMITS

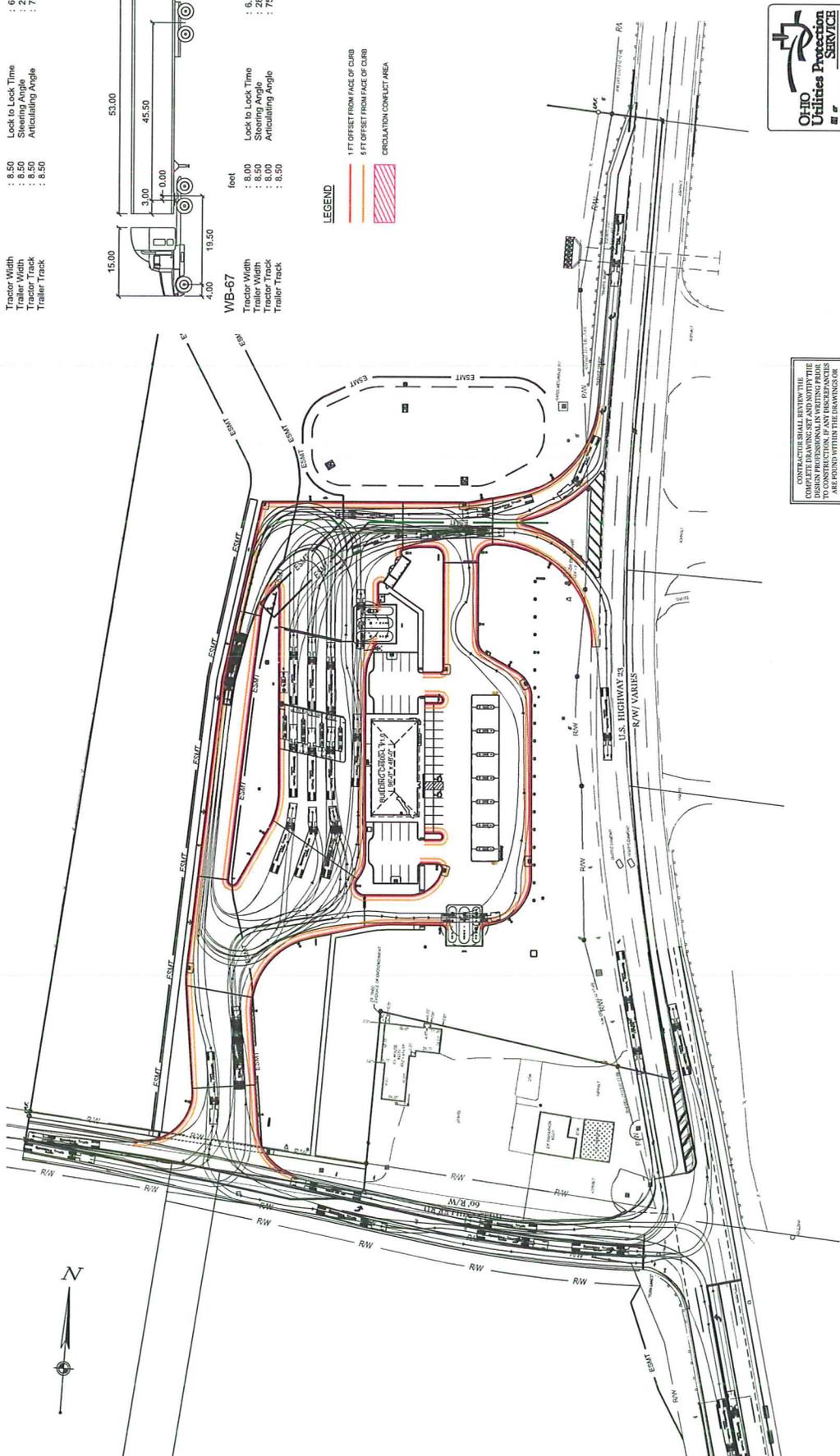
CIRCULATION PLAN
NEW BUILD
2319 US HWY 23 N
DELAWARE COUNTY
DELAWARE, OH

PROJECT NO.	7775
DATE	4/11
REVISION	77348
DESIGNER	CS
DRAWN	CS
CHECKED	CS
SCALE	AS SHOWN
SHEET NO.	7775-CR
TOTAL SHEETS	1



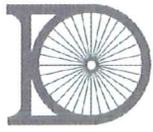
LEGEND

- 1 FT OFFSET FROM FACE OF CURB
- 5 FT OFFSET FROM FACE OF CURB
- CIRCULATION CONFLICT AREA



CONTRACTOR SHALL REVIEW THE COMPLETE DRAWING SET AND NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES OR OMISSIONS FOUND WITHIN THE DRAWINGS OR ANY OTHER FIELD CONDITIONS.





**CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM**



Project # _____

Case # 2016-0517

Planning Commission

- | | | |
|--|---|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | Board of Zoning Appeals |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input checked="" type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Speedway 7775 Address 2319 US Hwy 23 N
 Acreage 11.45 Square Footage 498,806 Number of Lots 1 Number of Units 1
 Zoning District/Land Use B4 Proposed Zoning/Land Use B4 Parcel # 519-133-02-002-000

Applicant Name Speedway LLC Contact Person Bryan Witt
 Applicant Address 500 Speedway Dr, Enon, OH 45323
 Phone (937) 863-6507 Fax (937) 863-6078 E-mail bmwitt@speedway.com
 Owner Name Speedway LLC Contact Person Bryan Witt
 Owner Address 500 Speedway Dr, Enon, OH 45323
 Phone (937) 863-6507 Fax (937) 863-6078 E-mail bmwitt@speedway.com
 Engineer/Architect/Attorney CESO, Inc. Contact Person Christopher Warshaw
 Address 395 Springside Dr, Akron, OH 44333
 Phone (330) 396-5677 Fax (330) 665-0664 E-mail warshaw@cesoinc.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

B.T. Lafreniere Owner Signature BRIAN T. LAFRENIERE Owner Printed Name
Bryan M. Witt Agent Signature BRYAN M. WITT (Owner Rep) Agent Printed Name

Sworn to before me and subscribed in my presence this 25th day of February, 2016.

 MEGHAN R. WILSON
 NOTARY PUBLIC
 STATE OF OHIO
 Comm. Expires
 September 25, 2019
 Recorded in
 Clark County
Meaghan R. Wilson
 Notary Public