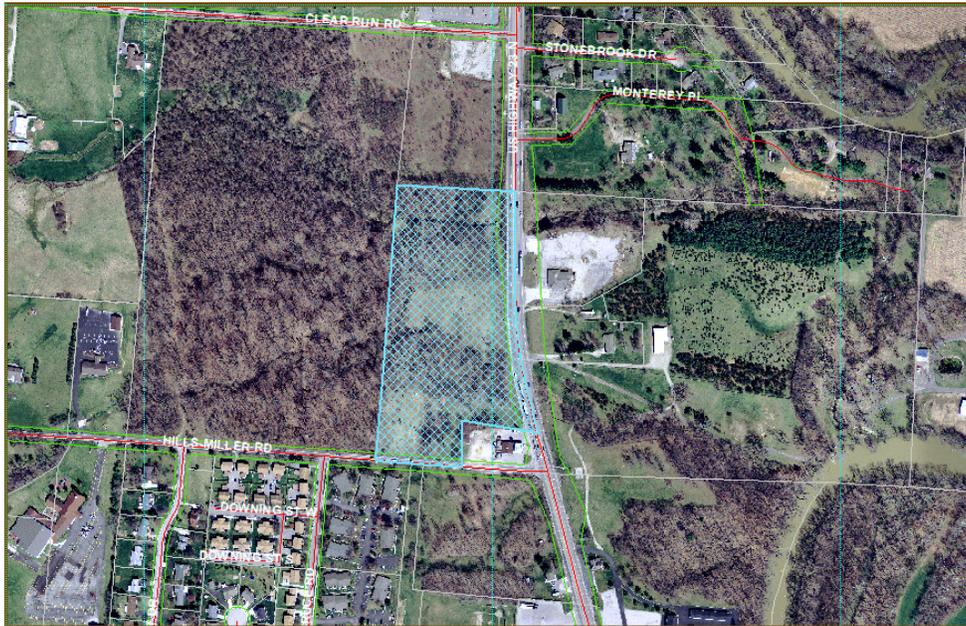


Frequently Asked Questions

Q: What is the property in Question?

A: Parcel 51913302002000. Near the northwest corner of Hills-Miller Rd. and US 23 and approximately 12 acres in size. Speedway LLC purchased the property at public auction in May 2014 from the Huntington National Bank (Trustee).



Q: When was the property annexed into the City of Delaware?

A: 1968, as part of a large annexation including what became Oakhurst Subdivision. The annexation was for 222 acres.

Q: What is the property zoned?

A: The site is zoned B-4, General Business District. It has been zoned in this manner since at least 1991.

Q: What is the current proposal?

A: This is not proposed as a “truck stop,” as has been widely reported, but rather a convenience store with gas pumps that serve passenger vehicles and some separate pumps that would serve semi-trucks. The Preliminary Plan includes a 4,600 square foot store with 14 fueling positions for automobiles and 3 separate fueling lanes for semi-trucks. Speedway’s proposal indicates building on about 4.8 acres. The remainder of the site will remain undisturbed with 3 acres being dedicated as a conservation easement.

Q: Will semi-trucks be permitted to park overnight on the site?

A: No. Speedway specifically has proposed no overnight, on-site parking for semi-trucks.

Q: Is a proposed Speedway gas station and convenience store at this location a permitted use under B-4 Zoning?

A: Yes; the proposed use is permitted. The District allows for a wide range of potential uses, including truck stops, gas stations, heavy automotive repair garages, automotive sales and rental, drive-thru facilities, car washes, parking lots, retail uses, personal service uses, veterinary offices and hospitals, bars, restaurants, banks, medical offices, churches, schools, hotel/motels, and day care centers.

Q: Is a zoning change required?

A: No; a zone change is not required.

Q: Can the City just re-zone the property to eliminate this use?

A: No; the City cannot pre-emptively change zoning in order to stop a proposed use and thereby take away currently available private property rights from the land owner without their consent.

Q: What is the upcoming legislative process timeline?

A: Our process requires submission of a Preliminary Plan and a Final Development Plan to be reviewed, first, by the City of Delaware Planning Commission, which makes a recommendation to City Council. City Council takes a final action on the matter thereafter. The Preliminary Development Plan was reviewed and approved by Planning Commission and Council in fall 2015. Review of the Final Development Plan by Planning Commission will begin in April 2016, and include recommendation to City Council. There is no formal Public Hearing required for this application process though the meetings are open to the public and generally public comment is allowed and encouraged on these cases. This process can take several months to complete and includes a review by City staff, which results in a formal Staff Report and recommendation to the Commission and City Council.

Q: Are utilities available and could the City simply deny access to those?

A: City of Delaware sanitary sewer and water are both available in the general proximity of this site. Any required improvements would be at the expense of the applicant. The property is located within the City's water and sanitary sewer service area and must be served by these utilities per State of Ohio requirements as the City operates the public utilities in the area. The City cannot pick and choose to provide service in this case based upon the proposed particular end use.

Q: What are the roadway and access considerations for this site?

A: The proposed development has limited access (right-in and right-out) along the US 23 frontage while full turning movement access is provided off of Hills-Miller Rd. in order to access the signal at US 23 and Hills-Miller Rd. There is an approved Transportation Impact Study which provides for these

improvements including (generally), widening Hills-Miller Rd. to include 2 lanes and one turn lane, widening US 23 at the intersection to provide adequate lane width (northbound), and ensuring the safe provisions of the right-in, right-out off of US 23.

Q: How is architecture and site design regulated?

A: During the Development Plan review process. The City of Delaware maintains a wide range of design materials and design standards with which an applicant must comply. For the proposed development this would include elements of Delaware limestone (or equivalent), eliminating large blank wall surfaces, recessing and limiting lighting while ensuring a safe development, landscaping for the perimeter and interior of a site (including potentially buffering surrounding land uses). Sidewalks and / or bikepaths are also generally required to be installed with any development. Signage is regulated and is generally allowed on a building and via ground mounted and landscaped monument signs in accordance with our Gateway & Corridor Plan. Part of the review will also ensure emergency vehicle access, including large fire apparatus.