ORDINANCE NO. 07-63

AN ORDINANCE APPROVING OF A REZONING TO AMEND THE ADOPTED DEVELOPMENT TEXT FOR PROPERTY ZONED B-4 (GENERAL BUSINESS DISTRICT) WITH A PUD (PLANNED UNIT DEVELOPMENT) OVERLAY LOCATED AT THE SOUTHWEST CORNER OF US 36 AND HOUK ROAD AND KNOWN AS THE WILLOWBROOK DEVELOPMENT.

WHEREAS, the Planning Commission at its meeting of June 6, 2007 recommended approval of a Rezoning to amend the adopted Development Text for property zoned B-4 (General Business District) with a PUD (Planned Unit Development) Overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development, (PC 07-019), and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Rezoning to amend the adopted Development Text for property zoned B-4 (General Business District) with a PUD (Planned Unit Development) Overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development, be the same and is hereby confirmed, approved, and accepted.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION: YEAS 7 NAYS 0 ABSTAIN 0

PASSED: June 25, 2007 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: Cindy Moore
CITY CLERK

Windell Wheeler
MAYOR

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: PC 07-019, 07-017, 07-016
REQUEST: Multiple Reviews
PROJECT: Willowbrook Retail Development
MEETING DATE: June 6, 2007

APPLICANT/OWNER

Medrock LLC
3895 Stoneridge Lane
Dublin, OH 43017

Civil and Environmental Consultants
8740 Orion Place, Suite 100
Columbus, OH 43240

REQUEST

PC07-019: A request by Medrock LLC for approval of a Rezoning to amend the adopted Development Text for property zoned B-4 (General Business District) with a PUD (Planned Unit Development) overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development.

PC07-017: A request by Medrock LLC for approval of a Preliminary Subdivision Plat for a Retail development on property zoned B-4 (General Business District) with a PUD (Planned Unit Development) overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development.

PC07-016: A request by Medrock LLC for approval of a Preliminary Development Plan for Medrock LLC for a Retail development on property zoned B-4 (General Business District) with a PUD (Planned Unit Development) overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development.

PROPERTY LOCATION & DESCRIPTION

The parcel is located on the Southwest corner of US 36 and Houk Road. The property is zoned is B-4 (General Business District) with a PUD (Planned Unit Development) overlay. The property to the west is zoned R-3 (Single-Family Residential), the property to the south is zoned R-6 (Multi-Family Residential) with a PUD overlay, the properties to the east are a mix of R-3 (Single-Family Residential) and B-4(General Business District) with a PUD overlay and the property to the north has township zoning.

BACKGROUND

The applicant proposes to construct a retail shopping development on 24.72 acres located at southwest corner of State Route 36 and Houk Road. This site is part of a 282 acre tract that was annexed to the City of Delaware in 1999 and is generally known as Willowbrook and consisting of Millbrook, Adalee Park and other residential subdivisions. Willowbrook received approval of a Planned Unit Development with text that was revised November 18, 1999 and is attached. The site is generally flat and vacant land. The development is laid out in the Sub-Areas. Sub-Area A which is 16.58 acres, located off a private access road and Houk Road. Sub-Area A could include a larger retail development as well as a gas station. Sub-Area B which fronts U.S. 36, includes 6 outlots on a total of 8.66 acres. The application was tabled at the May 2, 2007 meeting in order to allow Staff, the applicant and commission to continue to work on the text.

STAFF ANALYSIS

- **GENERAL**: The Preliminary Development Plan is consistent with the Conceptual Plan that generally received positive feedback from the Planning Commission.
- **DEVELOPMENT TEXT:** Since the last Planning Commission meeting Staff has been working with the applicant to complete the Development Text. The submitted site plans are reflective of the Development Text each end user will go through development plan review. The preliminary plan as shown indicates 16.58 acres in Sub-Area A and 8.66 acres in Sub-Area B. The preliminary plan indicates 6 outlots but the outlots could potentially be combined in the future.
- **DENSITY/INTENSITY**: The Willowbrook PUD development is a mixed use development consisting of 393 single family lots and 578 multi-family units ranging in density from 3.19 du/ac to 9.07 du/ac. The development also includes 22.14 acres of light industrial area and 37.72 acres of mixed commercial and retail commercial areas. The retail/commercial area is what the applicant is requesting preliminary review for. The development is split into two Sub-areas. Sub-Area A proposes one lot 16.58 acres for larger retail uses and Sub- Area B proposes 6 outlots ranging from 1.04 acres to 2.69 acres in size.
- **ENGINEERING**: The Applicant needs to obtain final 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.

The Engineering Department is completing a Technical Review for this proposal. This review outlines preliminary engineering comments related to transportation, storm water management, water distribution, sanitary sewer collection, and other items. This report will be available at the Planning Commission meeting.

- **ROADS AND TRAFFIC**: The applicant proposes entrances off of State Route 36 and Houk Road with a private road to internally connect the retail areas. Staff recommends the applicant have shared access to the housing project located at the southern part of Sub-Area A.
- **USES**: The sub-area for "retail commercial" and "mixed commercial" would allow the uses listed as permitted and conditional uses in the B-4 District including.

A. Uses. The following uses shall be considered permitted or conditionally permitted uses as represented in the chart below by P, or C, respectively, and as defined by attached 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 B-4 Zoning Code, as applicable. This text shall prevail in the event of any conflicts between the text and the Zoning Code with respect to development standards.

2) 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 such conditional use except as where modified through this development text.

3) Accessory Uses and Structures. Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

B. Land Use Category Table and Text Clarification:

Land Use Category	**Willowbrook Retail Site**
(a) Office and Professional Services	
(1) Offices – administrative, business and professional	P
(2) Financial institutions, banks	P
(3) Medical and dental offices, health and allied services	P
(b) Retail and Services	
Retail and service establishments with a gross floor area of 100,000 SF and not to exceed 150,000 SF.	P
(1) Retail and service establishments in completely enclosed buildings with a minimum gross floor area of less than 100,000 SF.	P
(2) Restaurant – table service	P
(3) Restaurant – counter service	P

Land Use Category	Willowbrook Retail Site
(4) Veterinary office (no outside run or outside kennel)	P
(5) Veterinary hospital (no outside run or outside kennel)	P
(c) Automotive and Transportation	
(1) Gasoline station with or without convenience store	P
(2) Automotive service station	P
(3) Stand-Alone ATM Facility	P
(4) Drive-thru facility associated with any principal permitted, limited, or conditionally permitted use	P
(5) Car wash (accessory to principal use)	P
(d) Outdoor Display/Storage	
(1) Outdoor display	P
(2) Outdoor storage	P
(3) Garden Center	P
(e) Community Facilities	
(1) Schools, trade, business or cultural arts	P
(1) Public cultural institutions and art galleries	P
(2) Day care center, child/adult	P
(3) Public safety & service facility	P
(4) Public utility substation or distribution facility	C
(b) Recreation and Entertainment	
(1) Indoor recreation and amusement (such as indoor theater, bowling alley, arcade, billboard parlor, assembly hall and party center)	C
(2) Public parks and playgrounds	P
(3) Health club	P

1) Retail or Service Establishment with a Gross Floor Area of Greater than 100,000 Square Feet and not to Exceed 150,000 Square Feet. Unless modified within this text all requirements of Chapter 1148, as attached to this text, shall be met.

   a Sections 1148.05(bb)(2). Only if all requirements of the Landscaping and Screening Section of this text are fulfilled as they relate to the mounding and landscaping plan along South Houk Road, these provisions shall not apply.

b Sections 1148.05(bb)(3) and 1148.05(bb)(5). Only if all requirements of the Landscaping and Screening Section of this text are fulfilled as they relate to the mounding and landscaping along South Houk Road and the southern property line shared with residential zoning, these provisions shall not apply to the rear elevation facing the south and west property borders except that visual interest and undulating roof heights shall be incorporated for any portions of the rear elevation not screened from view at the time of the landscaping installation.

2) Veterinary Office (with no outside run or outside kennel) and Veterinary Hospital (with no outside run or outside kennel). Such uses shall meet all requirements of the then current Zoning Code and be limited to household pets prohibiting on-site services to livestock, goats, equine, and other non-domesticated animals.

3) Gasoline Station (with or without convenience store). Such use shall meet all requirements of the then current Zoning Code, and be designed in a manner that substantially limits the view of fueling pumps from the public right-of-way. Any canopy or weather cover associated with this use shall be designed in manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, and shall not include exposed metal support columns. Moreover, no gas station use shall be permitted on the westernmost out parcel.

4) Automotive Service Station. Such use shall meet all requirements of the then current Zoning Code and be located to the side or rear (opposite the public right-of-way) of the principal building if accessory to a principal use or building. The building whether detached or attached to the building containing the principal use shall be designed in a manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, including the provision of 100% transparent vehicular doors.

5) Stand-Alone ATM Facility. Such use shall not be located along any public right-of-way and limited to areas interior to the overall development. The use shall be located in a manner that does not unreasonably disrupt traffic or pedestrian circulation. The building housing the ATM shall be designed and landscaped in a manner consistent with overall design of the inline retail center building(s) located within Sub-Area A of the Willowbrook Retail Site and to minimize its presence.

6) Drive-Thru Facility Associated with any Principal Permitted, Limited, or Conditionally Permitted Use. Such use shall meet all requirements of the then current Zoning Code. A covered pick-up area may be permitted in the front of the principal building. Any canopy or weather cover associated with this use shall be designed in manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, and shall not include exposed metal support columns.

7) Car Wash (accessory to principal use). Such use shall meet all requirements of the then current Zoning Code. The building whether detached or attached to the building containing the principal use shall be designed in a manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, including the provision of 100% transparent vehicular doors.

8) Outdoor Storage & Outdoor Display. The following standards shall apply for outdoor storage and outdoor display:

a. Permanent outdoor storage and outdoor display in any parking area in front of the building is prohibited.

b. For businesses larger than 100,000 square feet in gross floor area, or for the anchor store(s) if less than 100,000 square feet, seasonal outdoor display is permitted in parking areas to the front of the building for live vegetation only (mulch, soil, seeds, or other items may be permitted in the parking area on the side of the building with

Final Development Plan approval). Such area shall be limited to area determined with the Final Development and in no case exceed 10% of the gross floor area in aggregate area per business, not unreasonably disrupt traffic or parking, be generally located in front of the Garden Center, or on the side of the Garden Center, be enclosed by decorative fencing to be approved with the Final Development Plan, bound on both ends by landscaped parking islands, and all pricing signs oriented towards the interior of the area.

c. Outdoor display of seasonal merchandise is permitted in the walkway area in front of and to the side of the building in limited areas defined on the Final Development Plan provided a minimum pedestrian walkway of 5 feet in width is maintained between the front of the building and parking spaces or drive aisle. Such areas shall be limited to such seasonal for sale merchandise such as lawnmowers, grills, sheds, snowblowers, and other items defined on the Final Development Plan. In no case shall any vending machines, ice boxes, palletized items, bulk material, or other similar items be permitted in such outdoor display areas. Additionally, no items may be mounted to the side of the building and display heights shall not exceed 6 feet in height.

d. Outdoor storage of palettes, appliances to be recycled, or other items that are not for sale is permitted only at the rear of the building provided the outdoor storage area is limited to an area defined on the Final Development Plan, is demarcated in a manner that adequately contains the item(s) to be stored, and is screened from view of any public right-of-way or private access drive with mounding and landscaping providing year round 100% opacity.

9) Garden Center. Garden Centers are considered structures, which are attached to the principal building and enclosed on four sides for the purposes of displaying garden related items, vegetation, bulk materials, or other items. Such structures shall be substantially similar in design with the overall development of Willowbrook Retail Site including being fully integrated into the principal building design within Sub-Area "A". The enclosures shall be designed in a manner that substantially limits the view of any item within the Garden Center. In no case shall any item contained with the Garden Center extend above the height of the enclosure.

10) Public Utility Substation or Distribution Facility. Such use shall meet all requirements of the then current Zoning Code and shall be landscaped to block all public views.

- **PARKING AND CIRCULATION**: The applicant has shown the circulation pattern of the internal road but not the parking and circulation for all of lots 1-6. These will be provided at the time of the development plan review of each outlot and Sub-Area A. A gas station may not be provided in any case but is being planned for at this time.
- **BIKE PATHS AND PEDESTRIAN ROUTES**: The applicant's proposed plan indicates an 8 foot pedestrian route along State Route 36 and along Houk Road. The applicant has provided for recreational and alternative transportation opportunities throughout the planned development and links to points outside the development in the development text but these have not been indicated on the development plan.
- **DESIGN**: The applicant has not submitted elevations for the retail development and doesn't have to for this text. The applicant will need to provide elevations and building material samples with the Final Development as required by code. This property serves as a western Gateway to the City of Delaware and will be required to comply with the accepted Gateway and Corridors Plan.
- **TREE REPLACEMENT**: The tree replacement plan is not required until the Final Development Plan submittal, but there are only minimal existing trees on this site.
- **LANDSCAPING**: The applicant must submit and obtain approval of a Landscaping Plan from the Shade Tree Commission.
- **PHASING**: The plans and text indicate that all infrastructure for the project will be done in phase one. Each lot will then be developed individually, but the applicant has not indicated any phasing on the preliminary development plan or plat, beyond noting Sub-Area A and B.

STAFF RECOMMENDATION (PC 07-019 REZONING)

Staff recommends approval of a Rezoning to amend the adopted Development Text for property zoned B-4 (General Business District) with a PUD (Planned Unit Development) overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development.

STAFF RECOMMENDATION (PC 07-016 PRELIMINARY DEVELOPMENT PLAN)

Staff recommends approval of a Preliminary Development Plan for Medrock LLC for a Retail development on property zoned B-4 (General Business District) with a PUD (Planned Unit Development) overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development with the following conditions that:

1. The applicant needs to obtain preliminary and final engineering approvals, including any stormwater 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 must have bike path/pedestrian path connectivity. Although that has been covered in the development text, the plan needs to reflect this.
3. The applicant will need to work with the Engineering Department on approval of access points onto Houk Road and ensure coordination with the purposed housing development to the south.
4. The signage master plan and the landscape plan must be in conformance with the Gateways and Corridor plan.

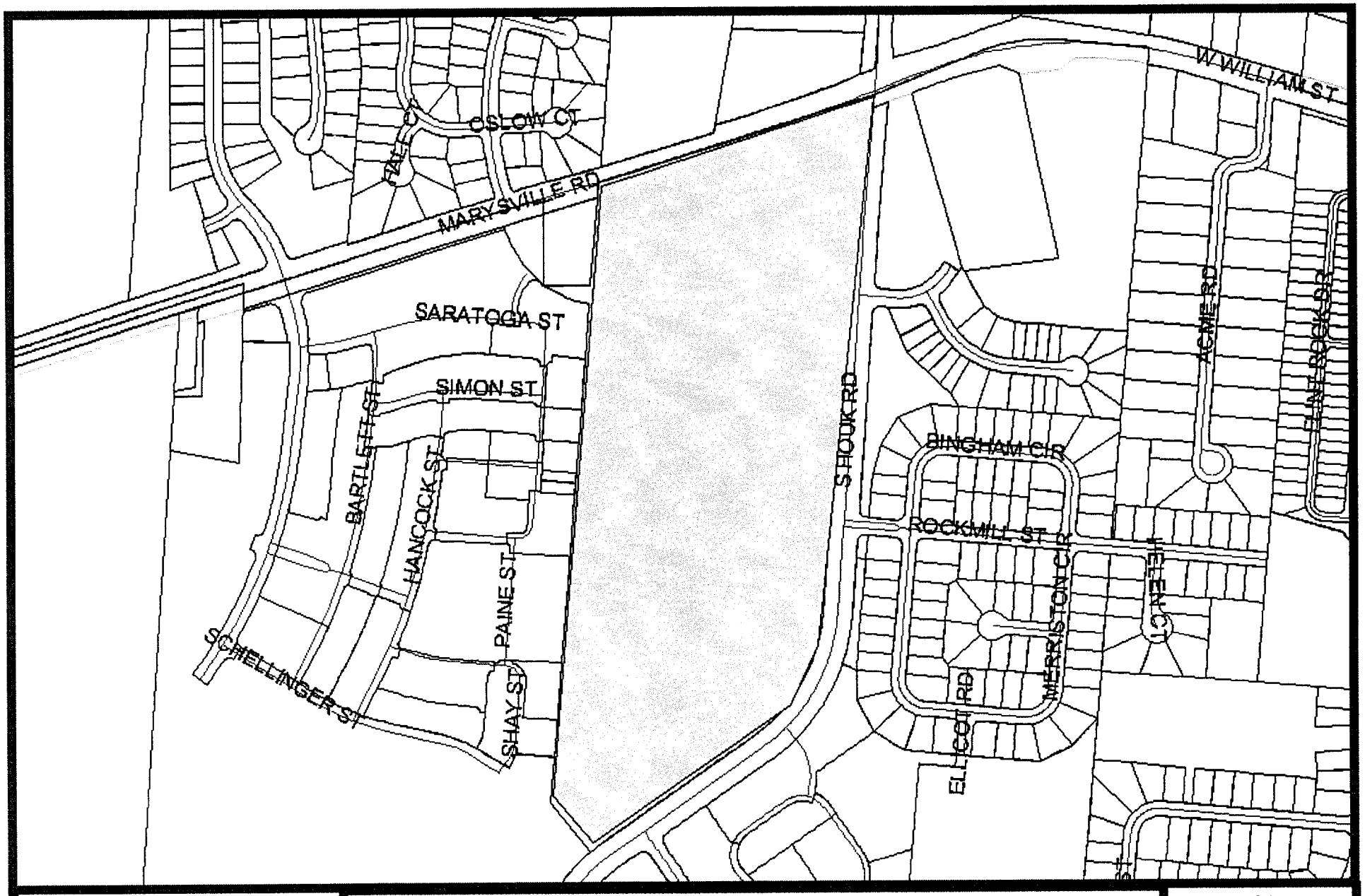
STAFF RECOMMENDATION (PC 07-017 PRELIMINARY SUBDIVISION PLAT)

Staff recommends approval of a Preliminary Subdivision Plat for Medrock LLC for a Retail development on property zoned B-4 (General Business District) with a PUD (Planned Unit Development) overlay located at the Southwest corner of US 36 and Houk Road and known as the Willowbrook development with the following conditions that:

1. The applicant needs to obtain final engineering approvals, including any stormwater 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. Any outstanding comments from the Preliminary Engineering Technical Review must be fulfilled by approval of this request.

CONCLUSIONS

- The proposed Rezoning meets the criteria for approval with the approval conditions and is in conformance with the goals and objectives of the Comprehensive Plan.
- The proposed development is in conformance with the Zoning Code with the approval conditions.
- The proposed development meets the criteria for approval of a Preliminary Development Plan with the approval conditions.



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PC07-016---PC07-018
Willowbrook Retail Development
Multiple requests

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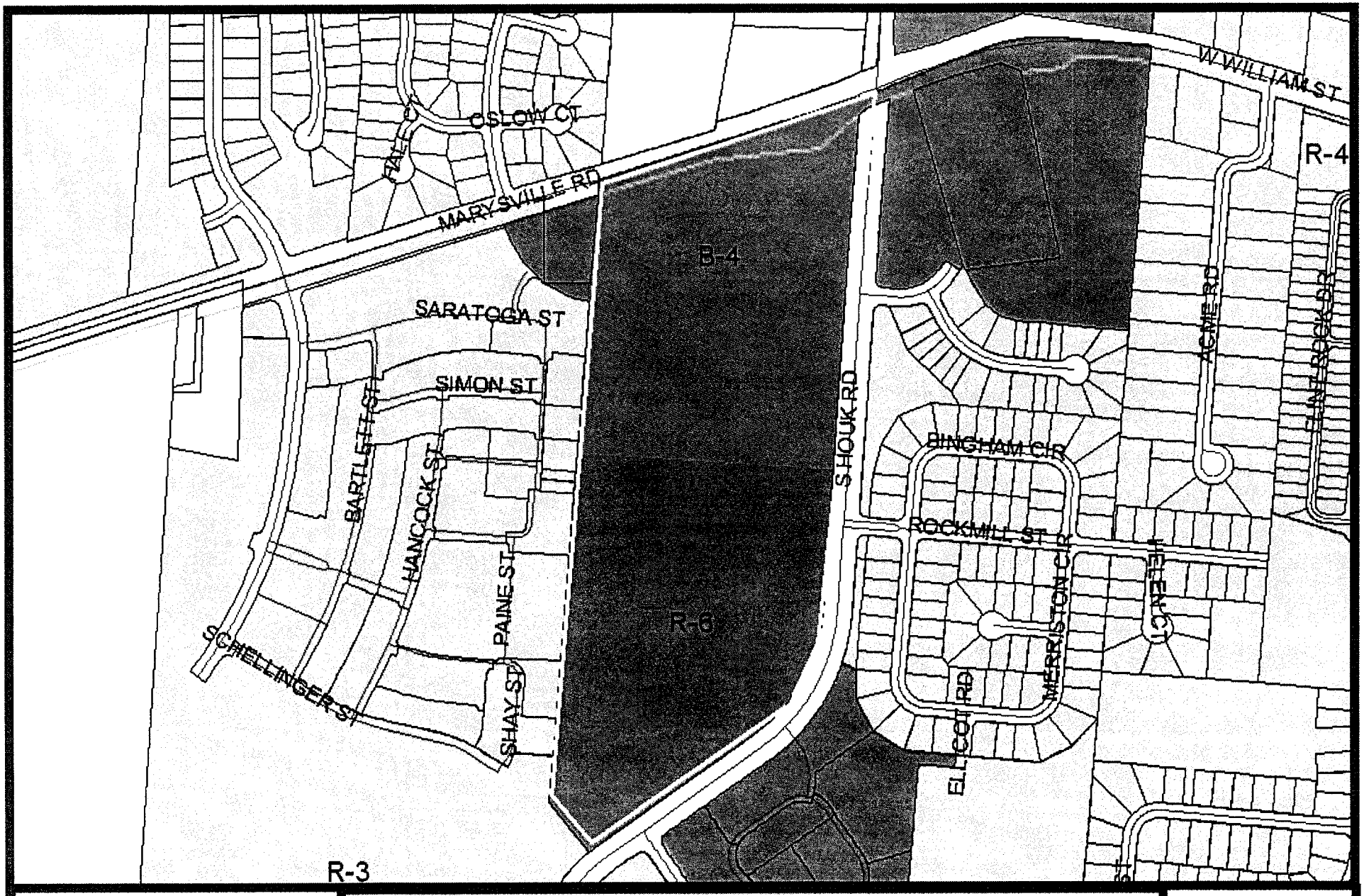

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PC07-016---PC07-018
Willowbrook Retail Development
Multiple requests

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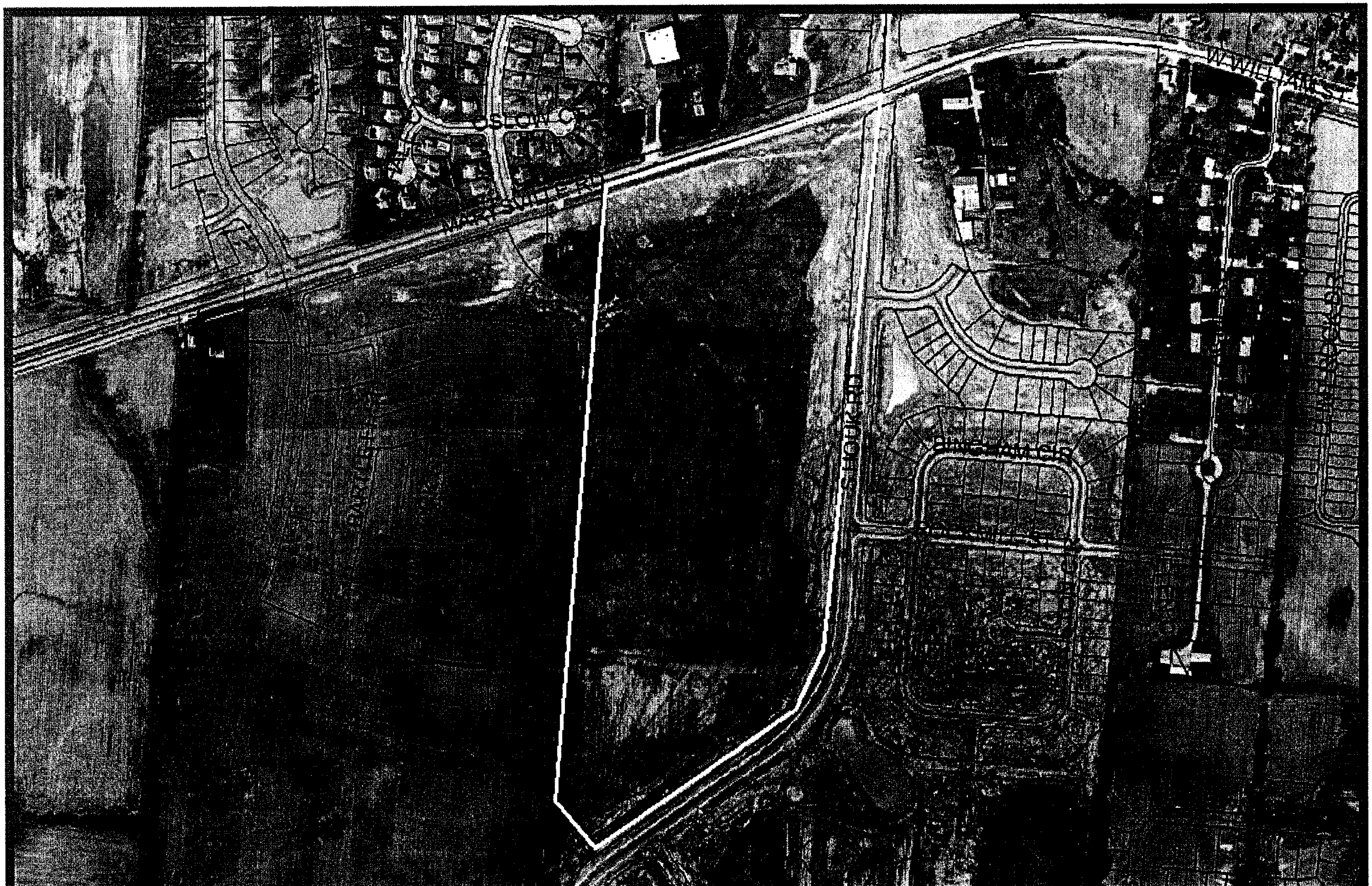
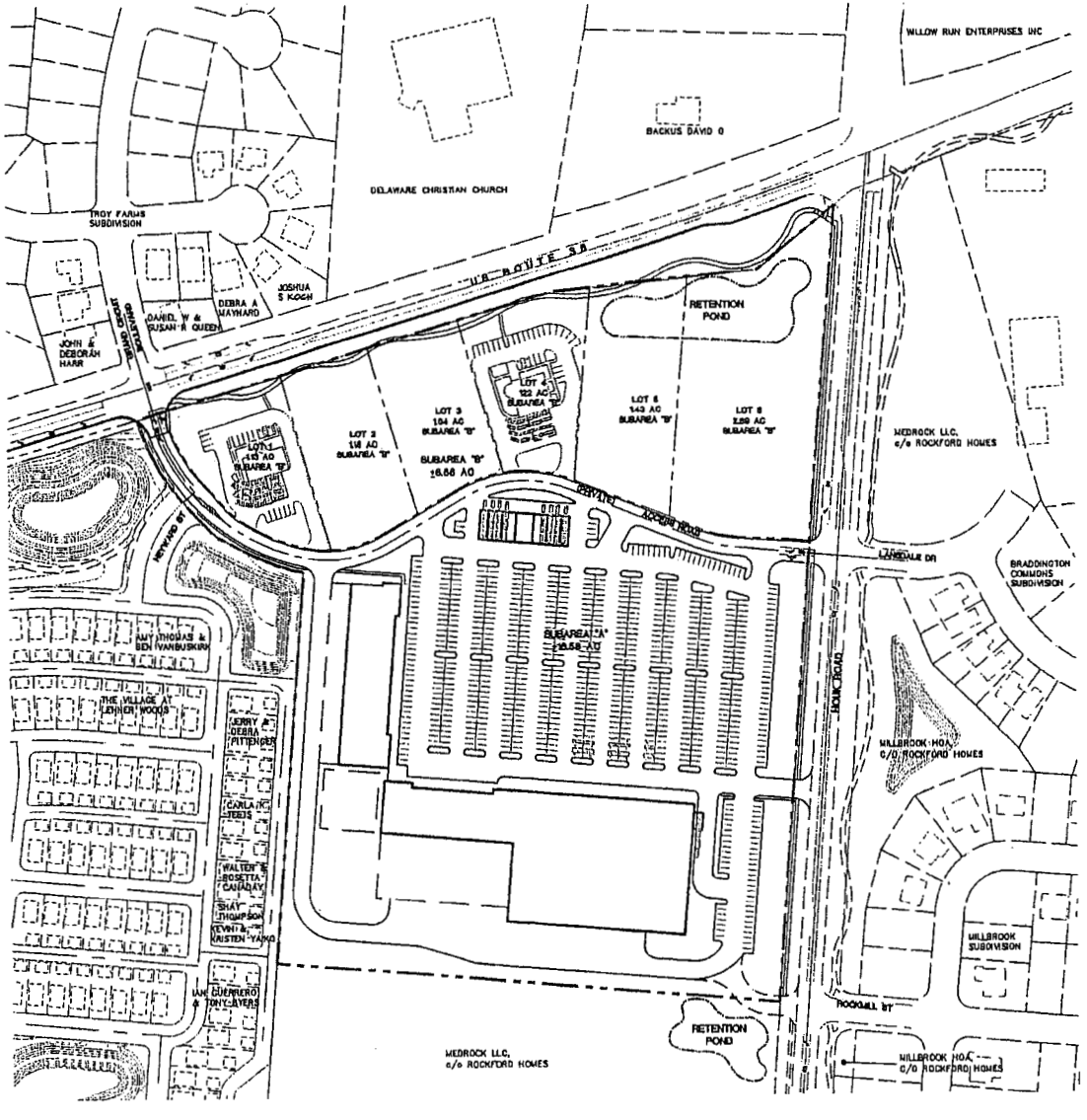
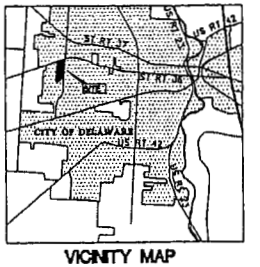


PC07-016---PC07-018
Willowbrook Retail Development
Multiple requests

WILLOWBROOK RETAIL DEVELOPMENT

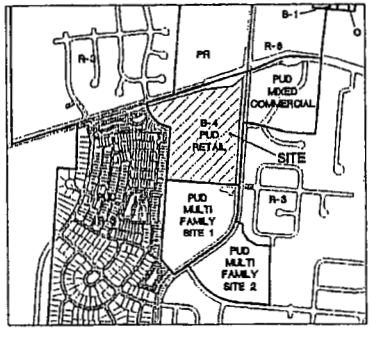
PRELIMINARY DEVELOPMENT PLAN
CITY OF DELAWARE, OHIO





VICINITY MAP
NOT TO SCALE

ZONING MAP
SCALE: 1" = 750'



OWNER/DEVELOPER
MEDROCK LLC
3885 STONERIDGE LANE
DUBLIN, OHIO 43017
614-923-4052

ENGINEER/SURVEYOR
ENVIRONMENTAL CONSULTANTS, INC
8740 ORION PLACE, SUITE 100
ORION OFFICE PARK
COLUMBUS, OHIO 43240
PHONE: (614) 540-6633
FAX (614) 540-6638

SCALE IN FEET
0 100 200

INDEX OF SHEETS

DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT CITY OF DELAWARE — DATE

CITY ENGINEER CITY OF DELAWARE — DATE

APPROVED BY THE PLANNING COMMISSION ON _____ DATE

REVISION RECORD

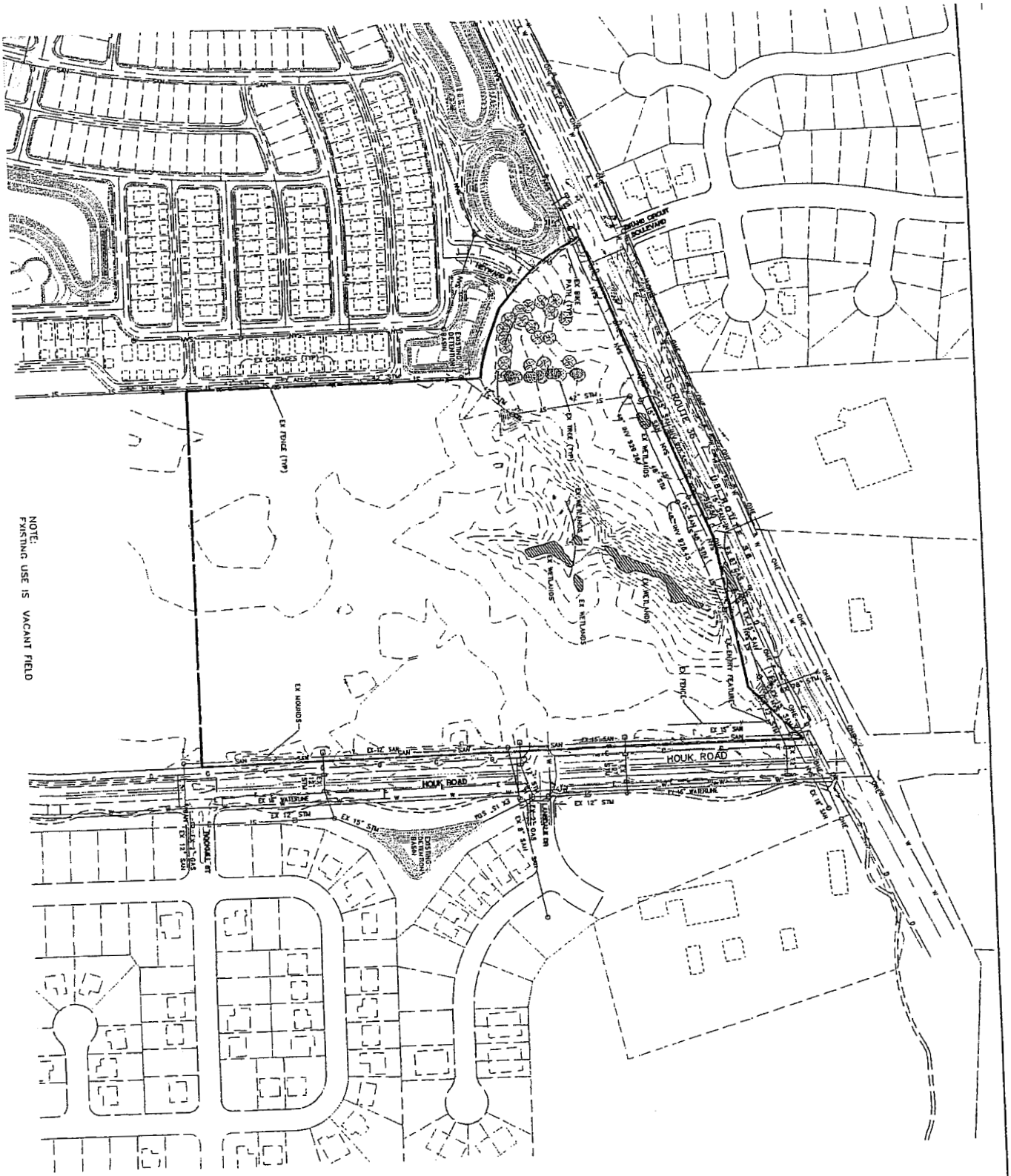
NUMBER	DATE	DESCRIPTION OF REVISION

DATE: MARCH 2007
SCALE: AS NOTED
DWN. BY: MJ
CHKD. BY: EJW
APP. BY:

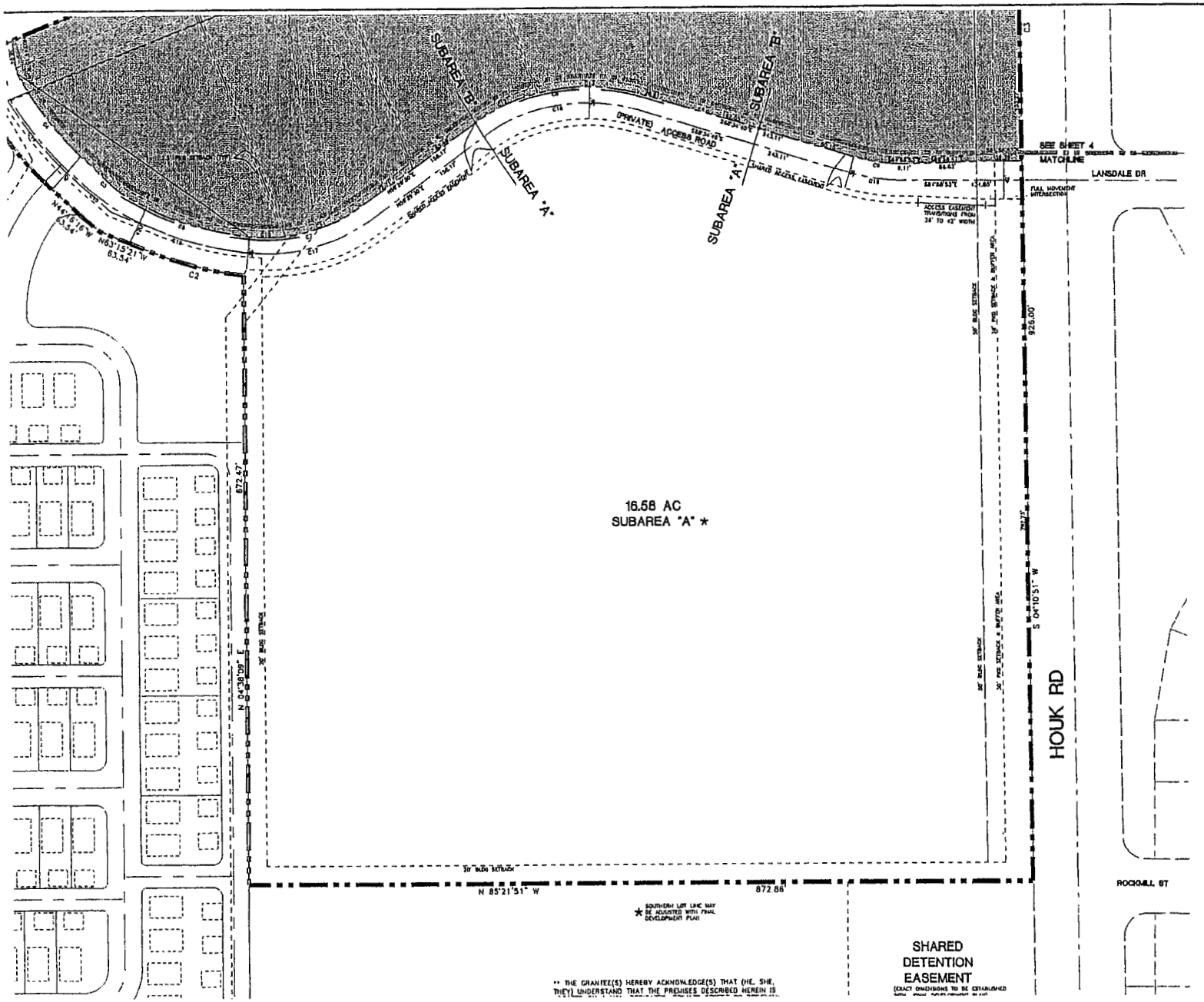
WILLOWBROOK RETAIL DEVELOPMENT
TITLE SHEET
CITY OF DELAWARE, DELAWARE COUNTY, OHIO

Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100
Columbus, OH 43240
(614) 540-6633 • (888)598-6808
Cincinnati, OH Pittsburgh, PA Indianapolis, IN Nashville, TN

PROJECT NO.
082057



PROJECT NO. 062057	Civil & Environmental Consultants, Inc. 8740 Orion Place, Suite 100 Columbus, OH 43240 (614) 540-6633 · (888)598-6808 Cincinnati, OH Pittsburg, PA Indianapolis, IN Nashville, TN	WILLOWBROOK RETAIL DEVELOPMENT EXISTING CONDITONS CITY OF DELAWARE, DELAWARE COUNTY, OHIO		DATE: MARCH 2007 SCALE: AS NOTED DWN BY: BJ CHKD. BY: EJW APP BY:	REVISION RECORD: NUMBER / DATE / DESCRIPTION OF REVISION



COMMERCIAL SITE DATA

SUBAREA "B"

PARCEL 1:	1.13± AC
PARCEL 2:	1.15± AC
PARCEL 3:	1.04± AC
PARCEL 4:	1.22± AC
PARCEL 5:	1.43± AC
PARCEL 6:	2.89± AC
SUBAREA "A":	16.56± AC
	26.24± AC TOTAL

CURVE DATA

C1	L=183.08 R=360.00 Δ=27°36'18" Tan=93.35 Chord= 181.32	C11	L=80.23 R=182.00 Δ=28°24'17" Tan=40.96 Chord=89.31
C2	L=106.38 R=360.00 Δ=15°53'21" Tan=53.63 Chord= 105.04	C12	L=77.57 R=218.00 Δ=20°23'15" Tan=39.20 Chord=77.16
C3	L=42.03 R=5050.00 Δ=0°28'37" Tan=21.02 Chord= 105.04	C13	L=120.02 R=218.00 Δ=31°32'35" Tan=61.57 Chord=118.51
C4	L=133.18 R=231.00 Δ=33°03'15" Tan=67.51 Chord=132.29	C14	L=142.23 R=352.00 Δ=23°09'03" Tan=72.19 Chord=141.26
C5	L=47.57 R=331.44 Δ=8°13'24" Tan=23.83 Chord=47.53	C15	L=50.04 R=356.52 Δ=8°02'31" Tan=25.06 Chord=50.00
C6	L=148.40 R=337.00 Δ=25°24'01" Tan=75.85 Chord=148.18	C16	L=157.93 R=355.00 Δ=25°39'34" Tan=80.30 Chord=156.65
C7	L=130.30 R=182.00 Δ=41°01'15" Tan=68.08 Chord=127.54	C17	L=143.19 R=200.00 Δ=41°01'15" Tan=74.82 Chord=140.15
C8	L=197.59 R=218.00 Δ=51°55'31" Tan=106.18 Chord=190.89	C18	L=181.27 R=200.00 Δ=51°55'31" Tan=97.40 Chord=175.13
C9	L=52.11 R=182.00 Δ=16°24'13" Tan=26.23 Chord=51.93	C19	L=57.26 R=200.00 Δ=16°24'13" Tan=28.83 Chord=57.06
C10	L=40.07 R=182.00 Δ=12°36'57" Tan=20.12 Chord=39.99		

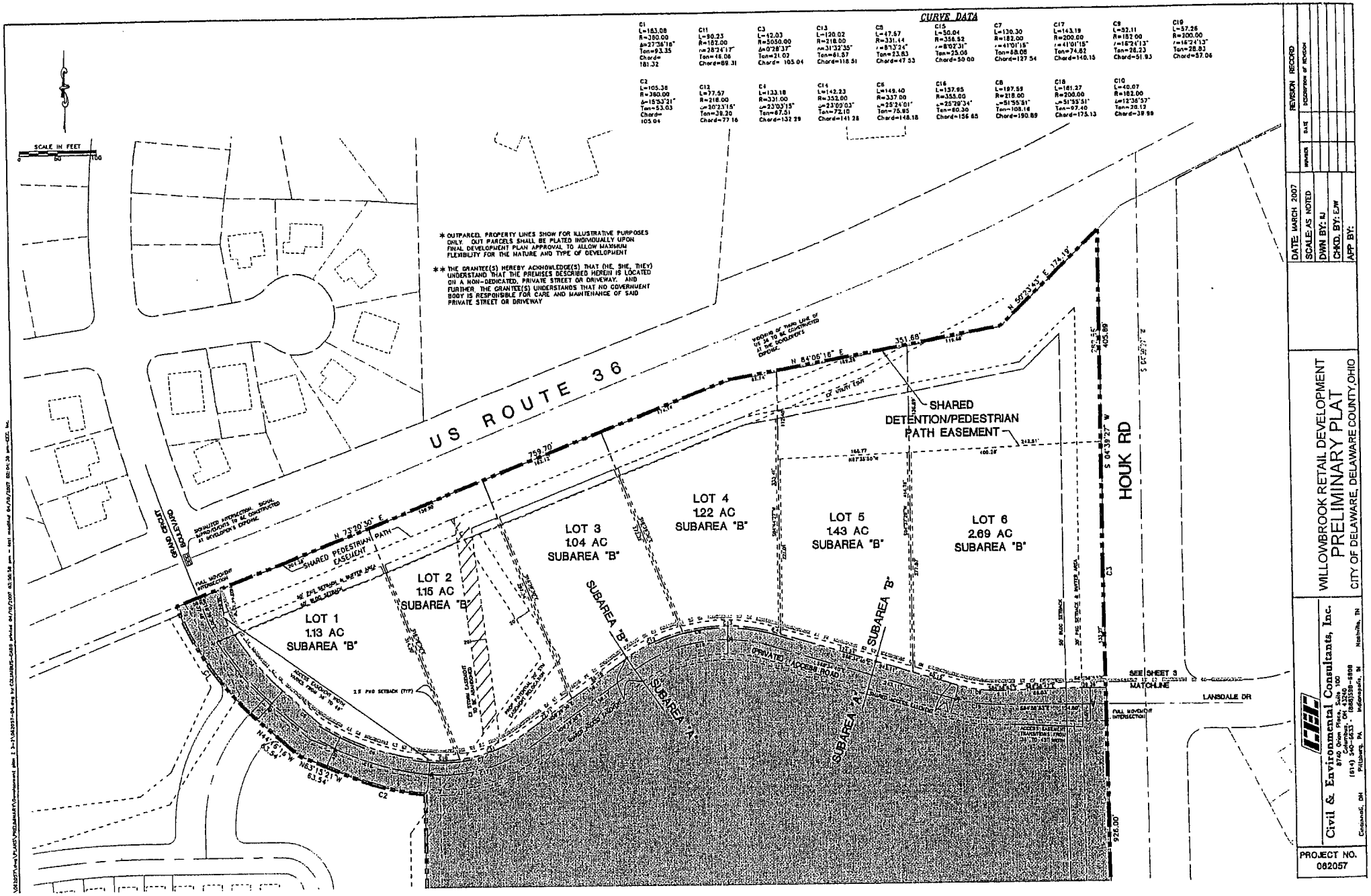
REVISION RECORD			
MARK	DATE	DESCRIPTION OF REVISION	

DATE: MARCH 2007
SCALE: AS NOTED
DWN BY: MJ
CHKD. BY: CAW
APP BY:

WILLOWBROOK RETAIL DEVELOPMENT
PRELIMINARY PLAT
CITY OF DELAWARE, DELAWARE COUNTY, OHIO

Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100
Columbus, OH 43240
(614) 540-6633 • FAX (800)366-6808
Cincinnati, OH Pittsburgh, PA Indianapolis, IN Nashville, TN

PROJECT NO.
062057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C3 L=42.03 R=3050.00 Δ=0°28'37" Tan=21.02 Chord=105.04
C13 L=120.02 R=218.00 Δ=31°32'35" Tan=61.57 Chord=118.51
C5 L=47.67 R=331.14 Δ=8°13'24" Tan=23.83 Chord=47.63
C15 L=50.04 R=356.52 Δ=8°02'31" Tan=25.06 Chord=50.00
C7 L=130.30 R=182.00 Δ=41°01'15" Tan=68.08 Chord=127.54
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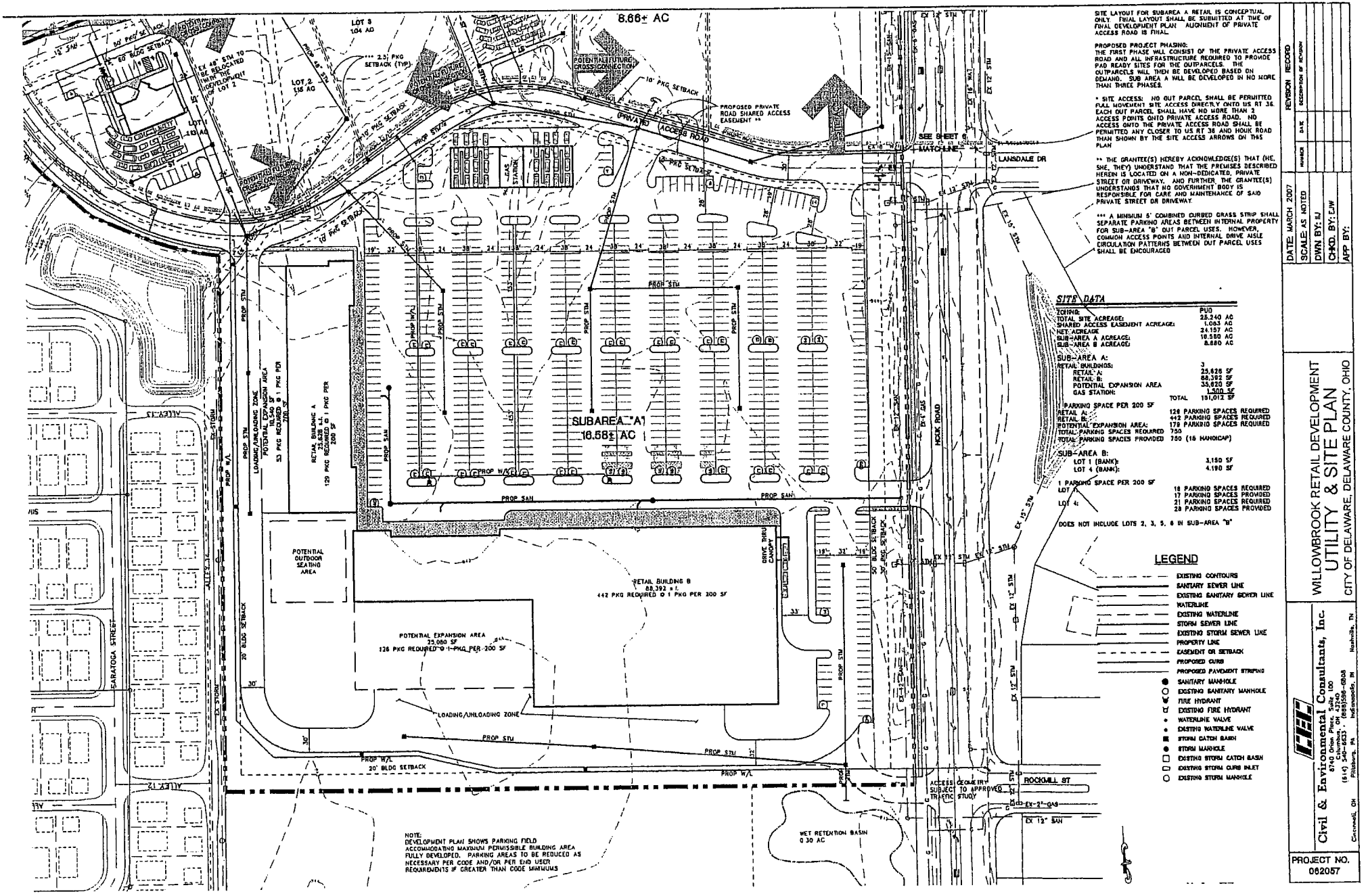
C9 L=82.11 R=182.00 Δ=18°24'13" Tan=26.23 Chord=51.93
C19 L=57.26 R=200.00 Δ=16°24'13" Tan=28.83 Chord=57.06
C2 L=105.38 R=380.00 Δ=15°53'21" Tan=53.03 Chord=105.04
C12 L=77.57 R=218.00 Δ=20°23'15" Tan=39.20 Chord=77.16
C4 L=133.18 R=331.00 Δ=23°03'15" Tan=67.51 Chord=132.29
C14 L=142.23 R=352.00 Δ=23°09'03" Tan=72.10 Chord=141.28
C6 L=149.40 R=337.00 Δ=25°24'01" Tan=75.85 Chord=148.18
C16 L=137.95 R=353.00 Δ=25°29'34" Tan=69.30 Chord=136.85
C8 L=197.59 R=218.00 Δ=51°55'51" Tan=105.14 Chord=190.89
C18 L=181.27 R=200.00 Δ=51°55'51" Tan=97.40 Chord=175.13
C10 L=40.07 R=182.00 Δ=12°36'53" Tan=20.12 Chord=39.99
SCALE IN FEET
0 50 100
* OUTPARCEL PROPERTY LINES SHOW FOR ILLUSTRATIVE PURPOSES ONLY. OUT PARCELS SHALL BE PLATED INDIVIDUALLY UPON FINAL DEVELOPMENT PLAN APPROVAL TO ALLOW MAXIMUM FLEXIBILITY FOR THE NATURE AND TYPE OF DEVELOPMENT
** THE GRANTEE(S) HEREBY ACKNOWLEDGE(S) THAT (HE, SHE, THEY) UNDERSTAND THAT THE PREMISES DESCRIBED HEREIN IS LOCATED ON A NON-DEDICATED, PRIVATE STREET OR DRIVEWAY. AND FURTHER THE GRANTEE(S) UNDERSTANDS THAT NO GOVERNMENT BODY IS RESPONSIBLE FOR CARE AND MAINTENANCE OF SAID PRIVATE STREET OR DRIVEWAY
US ROUTE 36
HOUK RD
GRAND BOULEVARD
SHARED DETENTION/PEDESTRIAN PATH EASEMENT
SHARED PEDESTRIAN PATH EASEMENT
LOT 1 1.13 AC SUBAREA "B"
LOT 2 1.15 AC SUBAREA "B"
LOT 3 1.04 AC SUBAREA "B"
LOT 4 1.22 AC SUBAREA "B"
LOT 5 1.43 AC SUBAREA "B"
LOT 6 2.69 AC SUBAREA "B"
SUBAREA "A"
SUBAREA "B"
PROPOSED ACCESS ROAD
LANSDALE DR
SEE SHEET 3 MATCHLINE
759.70'
N 75°20'30" E
N 84°06'16" E 351.68'
N 50°33'43" E 174.19'
S 04°39'27" W 405.89'
S 04°39'27" W 925.00'
N44°16'16"W 63.54'
N85°13'21"W 63.54'
C2
DATE: MARCH 2007
SCALE: AS NOTED
DWN BY: MJ
CHKD. BY: EJW
APP BY:
REVISION RECORD
NUMBER | DATE | DESCRIPTION OF REVISION
WILLOWBROOK RETAIL DEVELOPMENT
PRELIMINARY PLAT
CITY OF DELAWARE, DELAWARE COUNTY, OHIO
Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100
Columbus, OH 43240
(614) 540-6633 FAX (614) 540-6808
Cincinnati, OH Nashville, TN
Pittsburg, PA Indianapolis, IN
PROJECT NO. 062057



SITE LAYOUT FOR SUBAREA A RETAIL IS CONCEPTUAL ONLY. FINAL LAYOUT SHALL BE SUBMITTED AT TIME OF FINAL DEVELOPMENT PLAN. ALIGNMENT OF PRIVATE ACCESS ROAD IS FINAL.

PROPOSED PROJECT PHASING:
THE FIRST PHASE WILL CONSIST OF THE PRIVATE ACCESS ROAD AND ALL INFRASTRUCTURE REQUIRED TO PROVIDE PAD READY SITES FOR THE OUTPARCELS. THE OUTPARCELS WILL THEN BE DEVELOPED BASED ON DEMAND. SUB AREA A WILL BE DEVELOPED IN NO MORE THAN THREE PHASES.

* SITE ACCESS: NO OUT PARCEL SHALL BE PERMITTED FULL MOVEMENT SITE ACCESS DIRECTLY ONTO US RT 36. EACH OUT PARCEL SHALL HAVE NO MORE THAN 2 ACCESS POINTS ONTO PRIVATE ACCESS ROAD. NO ACCESS ONTO THE PRIVATE ACCESS ROAD SHALL BE PERMITTED ANY CLOSER TO US RT 36 AND HOUK ROAD THAN SHOWN BY THE SITE ACCESS ARROWS ON THIS PLAN

** THE GRANTEE(S) HEREBY ACKNOWLEDGE(S) THAT (HE, SHE, THEY) UNDERSTAND THAT THE PREMISES DESCRIBED HEREIN IS LOCATED ON A NON-DEDICATED, PRIVATE STREET OR DRIVEWAY, AND FURTHER THE GRANTEE(S) UNDERSTANDS THAT NO GOVERNMENT BODY IS RESPONSIBLE FOR CARE AND MAINTENANCE OF SAID PRIVATE STREET OR DRIVEWAY.

*** A MINIMUM 5' COMBINED CURBED GRASS STRIP SHALL SEPARATE PARKING AREAS BETWEEN INTERNAL PROPERTY FOR SUB-AREA "B" OUT PARCEL USES. HOWEVER, COMMON ACCESS POINTS AND INTERNAL DRIVE AISLE CIRCULATION PATTERNS BETWEEN OUT PARCEL USES SHALL BE ENCOURAGED

SITE DATA

ZONING:		PUD
TOTAL SITE ACREAGE:		25.240 AC
SHARED ACCESS EASEMENT ACREAGE:		1.083 AC
NET ACREAGE		24.157 AC
SUB-AREA A ACREAGE:		16.580 AC
SUB-AREA B ACREAGE		8.880 AC
SUB-AREA A:		
RETAIL BUILDINGS:		
RETAIL A:		25,626 SF
RETAIL B:		88,392 SF
POTENTIAL EXPANSION AREA		35,820 SF
GAS STATION:		1,500 SF
	TOTAL	151,012 SF
1 PARKING SPACE PER 200 SF		
RETAIL A:		128 PARKING SPACES REQUIRED
RETAIL B:		442 PARKING SPACES REQUIRED
POTENTIAL EXPANSION AREA:		179 PARKING SPACES REQUIRED
TOTAL PARKING SPACES REQUIRED		750
TOTAL PARKING SPACES PROVIDED		750 (16 HANDICAP)
SUB-AREA B:		
LOT 1 (BANK):		3,150 SF
LOT 4 (BANK):		4,190 SF
1 PARKING SPACE PER 200 SF		
LOT 1:		16 PARKING SPACES REQUIRED
		17 PARKING SPACES PROVIDED
LOT 4:		21 PARKING SPACES REQUIRED
		28 PARKING SPACES PROVIDED

DOES NOT INCLUDE LOTS 2, 3, 5, 6 IN SUB-AREA "B"

LEGEND

- EXISTING CONTOURS
- SANITARY SEWER LINE
- EXISTING SANITARY SEWER LINE
- WATERLINE
- EXISTING WATERLINE
- STORM SEWER LINE
- EXISTING STORM SEWER LINE
- PROPERTY LINE
- EASEMENT OR SETBACK
- PROPOSED CURB
- PROPOSED PAVEMENT STRIPING
- SANITARY MANHOLE
- EXISTING SANITARY MANHOLE
- FIRE HYDRANT
- EXISTING FIRE HYDRANT
- WATERLINE VALVE
- EXISTING WATERLINE VALVE
- STORM CATCH BASIN
- STORM MANHOLE
- EXISTING STORM CATCH BASIN
- EXISTING STORM CURB INLET
- EXISTING STORM MANHOLE

NOTE:
DEVELOPMENT PLAN SHOWS PARKING FIELD ACCOMMODATING MAXIMUM PERMISSIBLE BUILDING AREA FULLY DEVELOPED. PARKING AREAS TO BE REDUCED AS NECESSARY PER CODE AND/OR PER END USER REQUIREMENTS IF GREATER THAN CODE MINIMUMS

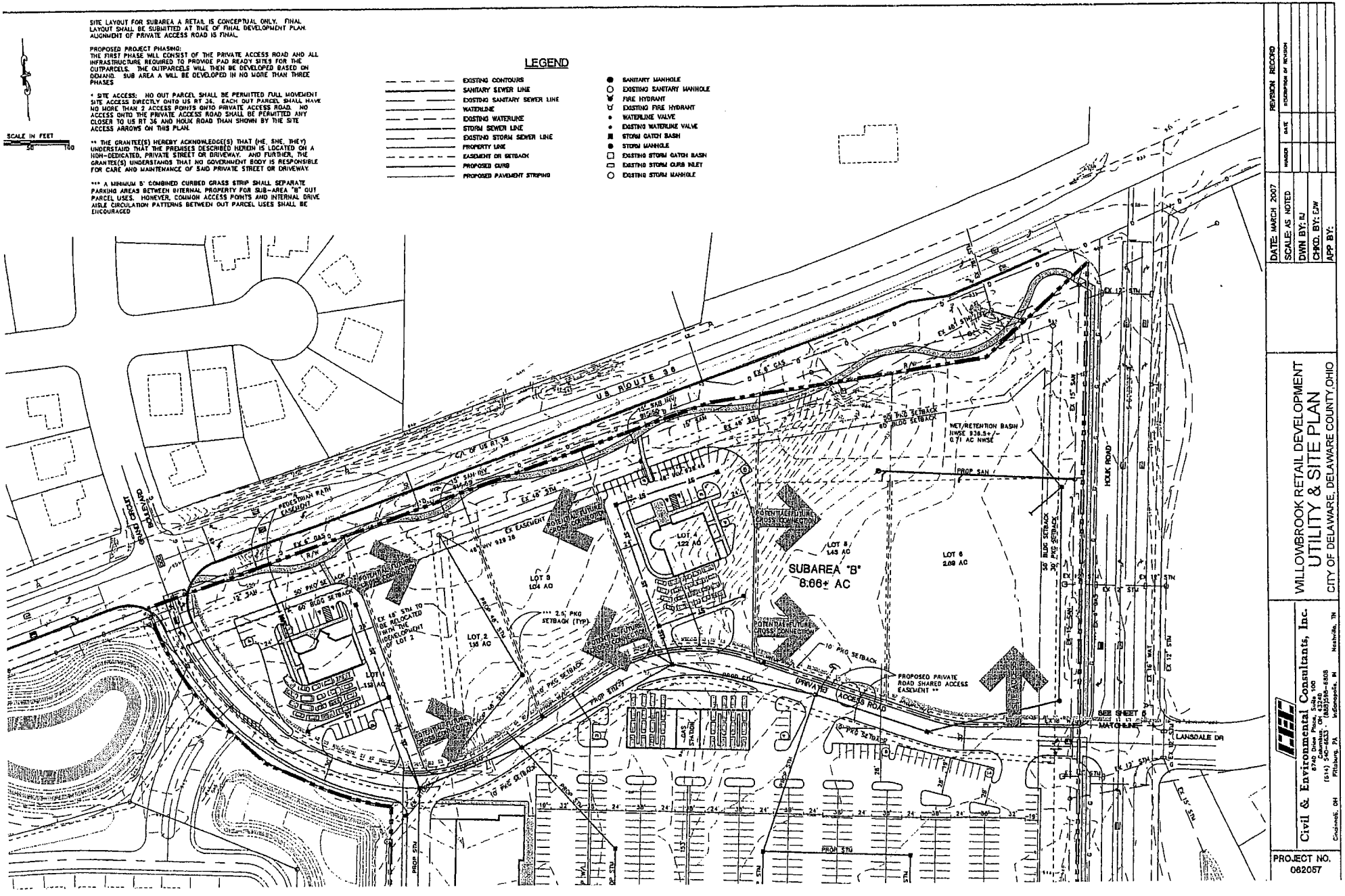
REVISION RECORD			
	DATE	DESCRIPTION OF REVISION

DATE: MARCH 2007
SCALE: AS NOTED
DWN BY: MJ
CHKD. BY: EJW
APP BY:

WILLOWBROOK RETAIL DEVELOPMENT
UTILITY & SITE PLAN
CITY OF DELAWARE, DELAWARE COUNTY, OHIO

Civil & Environmental Consultants, Inc.
614 Corporate Way, Suite 100
Columbus, OH 43240
(614) 540-6633 · (888)598-6808
Cincinnati, OH · Pittsburg, PA · Indianapolis, IN · Nashville, TN

PROJECT NO.
062057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PROPOSED PROJECT PHASING: THE FIRST PHASE WILL CONSIST OF THE PRIVATE ACCESS ROAD AND ALL INFRASTRUCTURE REQUIRED TO PROVIDE PAD READY SITES FOR THE OUTPARCELS. THE OUTPARCELS WILL THEN BE DEVELOPED BASED ON DEMAND. SUB AREA A WILL BE DEVELOPED IN NO MORE THAN THREE PHASES
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SCALE IN FEET
0 50 100
LEGEND
EXISTING CONTOURS
SANITARY SEWER LINE
EXISTING SANITARY SEWER LINE
WATERLINE
EXISTING WATERLINE
STORM SEWER LINE
EXISTING STORM SEWER LINE
PROPERTY LINE
EASEMENT OR SETBACK
PROPOSED CURB
PROPOSED PAVEMENT STRIPING
SANITARY MANHOLE
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FIRE HYDRANT
EXISTING FIRE HYDRANT
WATERLINE VALVE
EXISTING WATERLINE VALVE
STORM CATCH BASIN
STORM MANHOLE
EXISTING STORM CATCH BASIN
EXISTING STORM CURB INLET
EXISTING STORM MANHOLE
US ROUTE 36
C/L OF US RT. 36
HOLK ROAD
LANSDALE DR
SUBAREA "B"
8.66± AC
LOT 1 1.13 AC
LOT 2 1.35 AC
LOT 3 1.04 AC
LOT 4 1.22 AC
LOT 5 1.43 AC
LOT 6 2.09 AC
WET/RETENTION BASIN NWSE 838.5+/- 0.71 AC NWSE
PROPOSED PRIVATE ROAD SHARED ACCESS EASEMENT **
PRIVATE ACCESS ROAD
60' BLDG SETBACK
50' PKG SETBACK
10' PKG SETBACK
*** 2.5' PKG SETBACK (TYP.)
POTENTIAL FUTURE CROSS CONNECTION
EX 48" STM TO BE RELOCATED WITH REDEVELOPMENT OF LOT 2
SEE SHEET 3 FOR MATCHLINE
REVISION RECORD
NUMBER
DATE
DESCRIPTION OF REVISION
DATE: MARCH 2007
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APP BY:
WILLOWBROOK RETAIL DEVELOPMENT
UTILITY & SITE PLAN
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Civil & Environmental Consultants, Inc.
6740 Dobie Road, Suite 100
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Cincinnati, OH Pittsburg, PA Indianapolis, IN Nashville, TN
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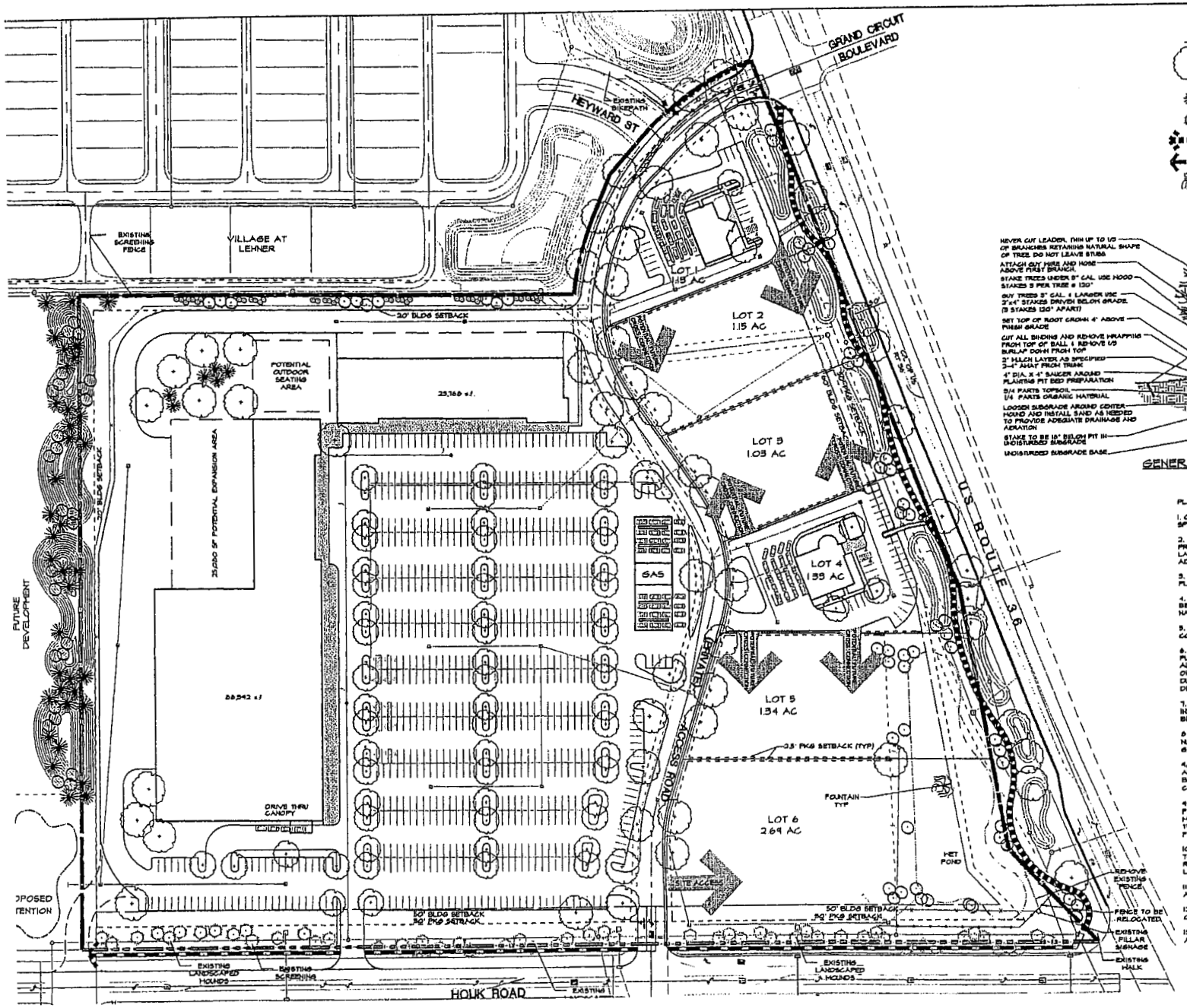


LEGEND

- PROPOSED DECIDUOUS TREES
- PROPOSED EVERGREEN TREES
- EXISTING EVERGREEN TREES
- 8.0' BIGYCLE PATH / PEDESTRIAN
- 5.0' SIDEWALK
- PROPOSED FOUNTAIN

DETAIL ①
GENERAL TREE PLANTING STAKING
N.T.S.

PLANTING NOTES

1. CONSULT PLANT SCHEDULE FOR PLANT SIZES AND SPECIFICATIONS.
2. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES PRIOR TO INSTALLATION. NOTIFY LANDSCAPE ARCHITECT IF FIELD CONDITIONS WARRANT ADJUSTMENT OF PLANT LOCATIONS.
3. CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANS. PLANT LIST QUANTITIES ARE FOR CONVENIENCE ONLY
4. ALL SHRUB AND GROUND COVER BEDS (EXISTING AND NEW) TO BE MULCHED WITH A MINIMUM OF 3 INCHES OF DOUBLE SHREDDED HARDWOOD MULCH
5. COORDINATE PLANT INSTALLATION WITH IRRIGATION CONSTRUCTION.
6. CONTRACTOR TO PROVIDE A FULL 1 YEAR GUARANTEE ON ALL PLANTS INSTALLED AND PROVIDE COMPLETE MAINTENANCE ON ALL WORK DONE BEGINNING ON THE DAY OF APPROVAL FROM OWNER'S REPRESENTATIVE AND CONTINUING FOR A THREE MONTH DURATION AT WHICH TIME OWNER'S REPRESENTATIVE WILL DECLARE JOB ACCEPTANCE.
7. EACH PLANTING TO BE FREE FROM DISEASE, INSECT INFESTATION AND MECHANICAL INJURIES AND, IN ALL RESPECTS, BE READY FOR FIELD PLANTING.
8. ALL PLANTS TO CONFORM TO THE AMERICAN STANDARD FOR NURSERYMEN STOCK (ANSI-Z60.1-2004) IN REGARDS TO SIZING, GRADING AND B&B SPECIFICATIONS.
9A. PLANTING HOLES TO BE DUG A MINIMUM OF THREE THE WIDTH AND 6-8 INCHES DEEPER THAN THE SIZE OF THE ROOT BALL OF BOTH SHRUB AND TREE AND TO BE AMENDED WITH ORGANIC SOIL CONDITIONER. (I.E. NATURES HELPER OR PRO MIX)
9B IN AREAS WHERE BEDROCK OR HEAVILY COMPACTED ROCK FILL IS ENCOUNTERED, THE PLANTING HOLES ARE TO BE DUG TO A MINIMUM OF THREE TIMES THE WIDTH AND ONE FOOT DEEPER THAN THE SIZE OF THE ROOT BALL. NOTIFY LANDSCAPE ARCHITECT IF FIELD CONDITIONS WARRANT ADJUSTMENT OF PLANT LOCATIONS.
10. EXISTING GRASS TO BE REMOVED IF PRESENT, AND TOPSOIL TO BE SPREAD SMOOTH AND HAND-RAKED TO REMOVE ALL ROCKS AND DEBRIS LARGER THAT 1 INCH IN DIAMETER PRIOR TO LAYING SOD OR SEEDING
11. ALL CHANGES TO DESIGN OR PLANT SUBSTITUTIONS ARE TO BE AUTHORIZED BY THE LANDSCAPE ARCHITECT.
12. TOPSOIL MIX TO BE 5 PARTS SCREENED TOPSOIL AND 1 PART ORGANIC MATERIAL (I.E. NATURE'S HELPER OR PRO MIX)
13. MIN. 6" CLEAN TOPSOIL TO BE PLACED ON ALL DISTURBED AND LANDSCAPE AREAS AND SLOPES 2:1 (H:V) OR FLATTER.

REVISION RECORD

NUMBER	DATE	DESCRIPTION OF REVISION

DATE: MARCH 2007
SCALE: AS NOTED
DWN BY: DKN
CHKD. BY:
APP BY:

WILLOWBROOK RETAIL DEVELOPMENT
CONCEPT LANDSCAPE PLAN
CITY OF DELAWARE, DELAWARE COUNTY, OHIO

Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100
Columbus, OH 43240-2033
(614) 540-6633
Cincinnati, OH
Pittsburg, PA
Indianapolis, IN
Nashville, TN

PROJECT NO.
082057

WILLOWBROOK FARM TRACT PUD
RETAIL SITE PUD TEXT

Delaware, Ohio

Property Location: SW Corner of US 36 and S. Houk Rd.

Owner / Applicant: Medrock LLC

Date of Text: May 23, 2007

Application No. PC07-019

1. **Description of Development**

   Medrock LLC, as developer of the +/- 282-acre Willowbrook Farm Tract PUD located on the west side of the City, is proposing to construct a neighborhood / community-scale retail shopping center development on that portion of the PUD development tract previously identified as the "Retail Site", being +/- 25.24 acres situated at the SW corner of US 36 and S. Houk Rd.

2. **General Development Standards**

   A. Purpose and Intent. It is the intent of this development text to serve as **a** supplemental amendment to the Willowbrook Farm Tract – Planned Unit Development text, PC 99-24 & PC99-25, dated August 3, 1999 in order to provide further refinement and clarification of the proposed development of the "Retail Site" as delineated on the "Willowbrook Tract Development Plan". As such, this development text shall serve to establish the general site layout and preliminary construction phasing, common architectural design, streetscape, signage, lighting, and pedestrian amenity standards and criteria that will define the nature and general character of the development to provide for compatibility both within the site-specific development and in relation to the overall Willowbrook Tract and neighboring development areas. This development text shall therefore represent the zoning requirements for this area (the "Retail Site") unless otherwise noted. Except as otherwise noted, amended, changed, or revised by the terms of this Retail Site PUD Text, the original development agreement attached hereto in Addendum "A" and incorporated herein shall remain in full force and effect provided that whenever this text and that of Addendum "A" conflict this text shall govern. Further, except as revised by the terms of this Retail Site PUD Text, the revised traffic study, and any resulting road and highway changes agreed upon by the parties, the original US 36 & Houk Road Widening Plans, Houk Road Street, Storm and Water Improvement Plan, and Willowbrook Farm Tract Master Landscape Plan are incorporated by reference as if fully set out at length herein and remain in full force and effect as fully as if set out at length herein.

   B. Conformance with Codified Ordinances and City Policy. Unless otherwise noted, exempted or modified within this development text, all development will be

constructed and provided in conformance with the Codified Ordinances and City Policy in effect at the time of application (the "then 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. Applicant reserves the right to make modifications to the component limitations and restrictions within this Development Text upon such additional restrictions or requirements included within any Final Development Plan as agreed upon by the Applicant and the City.

D. Preliminary Development Plan Approval Process; Construction Phasing. The development text herein, together with the Preliminary Development Plan, the "Willowbrook Tract Master Landscape Plan", the "Gateways & Corridors Plan" and the text and documents referred to in Section 2A above, shall serve to establish the general site layout and construction phasing, common architectural design, streetscape, signage, lighting, and pedestrian amenity standards and criteria that will define the nature and general character of the overall development planning area. Once approved, the Preliminary Development Plan shall identify the approximate locations of building placement and massing, permissible building areas and densities, locations for points of ingress/egress, approximate lot boundaries within the development's Sub-Areas, and commitments as to the general architectural style and theme for the overall development from which Final Development Plan(s) shall be derived. Final Development Plan(s) approval of the "Retail Site" planning area may occur over multiple phases of construction, provided that each phase is in general conformance to the approved Preliminary Development Plan.

E. Major Modifications. Once a Preliminary and/or 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 Preliminary and/or 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 Preliminary and/or Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Major changes in the approved location of land uses or land use sub-areas.

(2) Substantial alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of sidewalks and/or pedestrian paths that results in a change in operating characteristics or character.

F. Minor Modifications. Once a Preliminary and/or Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only require submission and approval by the Director of Planning and Community Development of a Final Development Plan for that portion of the "Retail Site" under development consideration. Minor modification for the purposes of this text shall mean any modification of the approved Preliminary Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any modification that is not reasonably considered a major modification by this development text or by reasonable determination of the Director of Planning & Community Development.

(2) Any increase of less than 10% in the non-residential building area; including any increase of not more than 10% of land area for the entire (Retail site") as added to the southern property boundary.

(3) Minor change in the approved location of land uses or land use sub-areas. Lots 1 thru 6 may be combined to create a minimum of 4 and maximum of 6 out parcels.

(4) Minor alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of sidewalks and/or pedestrian paths that results in a change in operating characteristics or character.

(5) Minor structural alterations that do not alter the overall design intent of the building(s).

3. Development Sub-Areas

The overall area comprising the "Retail Site" shall be separated into two main Sub-Areas to represent distinct areas of development.

A. Sub-Area "A" shall provide for a permissible building area for the construction of inline multi-tenant shopping center building(s) or a single, "large box" user consisting of a retail floor area not to exceed 150,000 square feet for either use, the requisite parking field and delivery drive aisle / loading & service areas for those building(s), and a potential fuel station out-parcel, and the main east-west drive aisle providing access to the parking field and to Sub-Area "B". As noted within the Willowbrook Farm Tract PUD Text, the southern property boundary for Sub-Area "A" is not fixed at this time in order to allow for design flexibility of the retail center components. The design and alignment for the main east-west drive aisle shall establish the northern property boundary line for Sub-Area "A" (and southern property boundary for Sub-Area "B"). It is anticipated that Sub-Area A shall not be less than ten (10) acres in total area.

B. Sub-Area "B" shall consist of the northern 8.66 acres, more or less, of the "Retail Site" planning area, and shall allow for the subdivision of up to six out-parcel lots for free-standing retail and service uses, as well as a retention basin area to provide regional storm water management for the Willowbrook Retail Site and serve as a focal point water amenity. The out parcel uses within Sub-Area "B" may include multi-tenant structures. Each of the out parcel lots to be created within Sub-Area "B" shall be accessed via the main access drive at the northern boundary of Sub-Area "A" through a reciprocal easement agreement (REA). In addition, a limited access movement (right-in / right-out only) intersection to US 36 in the approximate center of the Sub-Area "B" planning area shall be permitted if requested by applicant or such end-user subject to traffic study analysis and approval by the City Engineer in compliance with the terms of the Memorandum of Understanding relating to access management and design parameters. Sub-Area "B" out parcel property boundaries delineated on the Preliminary Development Plan are for illustrative purposes only and subject to change depending upon the characteristics and design criteria needs of the end user.

4. Development Standards

A. Uses. The following uses shall be considered permitted or conditionally permitted uses as represented in the chart below by P, or C, respectively, and as defined by attached 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 B-4 Zoning Code, as applicable. This text shall prevail in the event of any conflicts between the text and the Zoning Code with respect to development standards.

2) 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 such conditional use except as where modified through this development text.

3) Accessory Uses and Structures. Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

B. Land Use Category Table and Text Clarification:

Land Use Category	**Willowbrook Retail Site**
(a) Office and Professional Services	
(1) Offices – administrative, business and professional	P
(2) Financial institutions, banks	P
(3) Medical and dental offices, health and allied services	P
(b) Retail and Services	
Retail and service establishments with a gross floor area of 100,000 SF and not to exceed 150,000 SF.	P
(1) Retail and service establishments in completely enclosed buildings with a minimum gross floor area of less than 100,000 SF.	P
(2) Restaurant – table service	P
(3) Restaurant – counter service	P

Land Use Category	Willowbrook Retail Site
(4) Veterinary office (no outside run or outside kennel)	P
(5) Veterinary hospital (no outside run or outside kennel)	P
(c) Automotive and Transportation	
(1) Gasoline station with or without convenience store	P
(2) Automotive service station	P
(3) Stand-Alone ATM Facility	P
(4) Drive-thru facility associated with any principal permitted, limited, or conditionally permitted use	P
(5) Car wash (accessory to principal use)	P
(d) Outdoor Display/Storage	
(1) Outdoor display	P
(2) Outdoor storage	P
(3) Garden Center	P
(e) Community Facilities	
(1) Schools, trade, business or cultural arts	P
(1) Public cultural institutions and art galleries	P
(2) Day care center, child/adult	P
(3) Public safety & service facility	P
(4) Public utility substation or distribution facility	C
(b) Recreation and Entertainment	
(1) Indoor recreation and amusement (such as indoor theater, bowling alley, arcade, billboard parlor, assembly hall and party center)	C
(2) Public parks and playgrounds	P
(3) Health club	P

1) Retail or Service Establishment with a Gross Floor Area of Greater than 100,000 Square Feet and not to Exceed 150,000 Square Feet. Unless modified within this text all requirements of Chapter 1148, as attached to this text, shall be met.

a Sections 1148.05(bb)(2). Only if all requirements of the Landscaping and Screening Section of this text are fulfilled as they relate to the mounding and landscaping plan along South Houk Road, these provisions shall not apply.

b Sections 1148.05(bb)(3) and 1148.05(bb)(5). Only if all requirements of the Landscaping and Screening Section of this text are fulfilled as they relate to the mounding and landscaping along South Houk Road and the southern property line shared with residential zoning, these provisions shall not apply to the rear elevation facing the south and west property borders except that visual interest and undulating roof heights shall be incorporated for any portions of the rear elevation not screened from view at the time of the landscaping installation.

2) Veterinary Office (with no outside run or outside kennel) and Veterinary Hospital (with no outside run or outside kennel). Such uses shall meet all requirements of the then current Zoning Code and be limited to household pets prohibiting on-site services to livestock, goats, equine, and other non-domesticated animals.

3) Gasoline Station (with or without convenience store). Such use shall meet all requirements of the then current Zoning Code, and be designed in a manner that substantially limits the view of fueling pumps from the public right-of-way. Any canopy or weather cover associated with this use shall be designed in manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, and shall not include exposed metal support columns. Moreover, no gas station use shall be permitted on the westernmost out parcel.

4) Automotive Service Station. Such use shall meet all requirements of the then current Zoning Code and be located to the side or rear (opposite the public right-of-way) of the principal building if accessory to a principal use or building. The building whether detached or attached to the building containing the principal use shall be designed in a manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, including the provision of 100% transparent vehicular doors.

5) Stand-Alone ATM Facility. Such use shall not be located along any public right-of-way and limited to areas interior to the overall development. The use shall be located in a manner that does not unreasonably disrupt traffic or pedestrian circulation. The building housing the ATM shall be designed and landscaped in a manner consistent with overall design of the inline retail center building(s) located within Sub-Area A of the Willowbrook Retail Site and to minimize its presence.

6) Drive-Thru Facility Associated with any Principal Permitted, Limited, or Conditionally Permitted Use. Such use shall meet all requirements of the then current Zoning Code. A covered pick-up area may be permitted in the front of the principal building. Any canopy or weather cover associated with this use shall be designed in manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, and shall not include exposed metal support columns.

7) Car Wash (accessory to principal use). Such use shall meet all requirements of the then current Zoning Code. The building whether detached or attached to the building containing the principal use shall be designed in a manner that is substantially similar with the architectural design components of the inline retail center building(s) of the Willowbrook Retail Site, including the provision of 100% transparent vehicular doors.

8) Outdoor Storage & Outdoor Display. The following standards shall apply for outdoor storage and outdoor display:

a. Permanent outdoor storage and outdoor display in any parking area in front of the building is prohibited.

b. For businesses larger than 100,000 square feet in gross floor area, or for the anchor store(s) if less than 100,000 square feet, seasonal outdoor display is permitted in parking areas to the front of the building for live vegetation only (mulch, soil, seeds, or other items may be permitted in the parking area on the side of the building with Final Development Plan approval). Such area shall be limited to area determined with the Final Development and in no case exceed 10% of the gross floor area in aggregate area per business, not unreasonably disrupt traffic or parking, be generally located in front of the Garden Center, or on the side of the Garden Center, be enclosed by decorative fencing to be approved with the Final Development Plan, bound on both ends by landscaped parking islands, and all pricing signs oriented towards the interior of the area.

c. Outdoor display of seasonal merchandise is permitted in the walkway area in front of and to the side of the building in limited areas defined on the Final Development Plan provided a minimum pedestrian walkway of 5 feet in width is maintained between the front of the building and parking spaces or drive aisle. Such areas shall be limited to such seasonal for sale merchandise such as lawnmowers, grills, sheds, snowblowers, and other items defined on the Final Development Plan. In no case shall any vending machines, ice boxes, palletized items, bulk material, or other similar items be permitted in such outdoor display areas. Additionally, no items may be mounted to the side of the building and display heights shall not exceed 6 feet in height.

d. Outdoor storage of palettes, appliances to be recycled, or other items that are not for sale is permitted only at the rear of the building provided the outdoor storage area is limited to an area defined on the Final Development Plan, is demarcated in a manner that adequately contains the item(s) to be stored, and is screened from view of any public right-of-way or private access drive with mounding and landscaping providing year round 100% opacity.

9) Garden Center. Garden Centers are considered structures, which are attached to the principal building and enclosed on four sides for the purposes of displaying garden related items, vegetation, bulk materials, or other items. Such structures shall be substantially similar in design with the overall development of Willowbrook Retail Site including being fully integrated into the principal building design within Sub-Area "A". The enclosures shall be designed in a manner that substantially limits the view of any item within the Garden Center. In no case shall any item contained with the Garden Center extend above the height of the enclosure.

10) Public Utility Substation or Distribution Facility. Such use shall meet all requirements of the then current Zoning Code and shall be landscaped to block all public views.

C. Lot Standards. The following standards shall apply for lot standards and coverage.

Lot Standards	Willowbrook Retail Site
(a) Minimum lot area	1 acre
(b) Minimum lot width and frontage*	100 ft.
(c) Maximum building coverage**	40%
(d) Maximum lot coverage**	70%

* Lot frontage requirement may be met by providing the minimum frontage along cross access easements connecting to public streets.

** Building and Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Retail Site and converted to a percentage. Collectively, lot coverage on all parcels within the Retail Site shall average 70%.

D. Building Setback Standards. The following standards shall apply for minimum building setbacks. Decorative architectural elements such as canopies and overhangs shall be permitted to encroach into any setback provided that no encroachment shall exceed 5 feet.

Minimum Building Setbacks	Willowbrook Retail Site
(a) Setback from US 36	60 ft.
(b) Setback from S. Houk Rd.	50 ft.
(c) Side setback for lots along US 36 (Sub-Area B)	(1)*
(d) Setback from Main Access Drive pavement	20 ft. **
(e) All other Side and Rear setbacks	20 ft. **

(1) * No internal lot side yard setbacks shall be required except as per the building code requirements and as approved on the Final Development Plan.

** Applies to Sub-Area "A" buildings only.

E. Parking Setbacks. The following standards shall apply for minimum parking setbacks. Parking setbacks include any parking space, and parking lot circulation aisle. Invasion for parking within the setback will be permitted as set forth in the current zoning code.

Minimum Parking Setbacks	Willowbrook Retail Site
(a) Setback from US 36	50 ft.

(b) Setback from South Houk Road	30 ft.
(c) Side Setback for Lots along US 36 (Sub-Area B)	(1) *
(d) Setback from Main Access Drive pavement	10 ft.
(e) All other Side and Rear setbacks	2.5 ft.

(1) * A minimum 5' combined curbed grass strip shall separate parking areas between internal property lines for Sub-Area "B" out parcel uses. However, common access points and internal drive aisle circulation patterns between out parcel uses shall be encouraged.

F. Maximum Building Height. The maximum height of any building or structure in Sub-Area "A" shall be 45 feet as measured from finished floor elevation to the highest point of the roof. For Sub-Area "B" (out parcels uses), the maximum heights shall be 35 feet.

G. Building Design. All buildings regardless of use shall meet the building design requirements of Section 1143.11 and consist of brick and/or cultured stone or similar approved products as the exterior material except rear / side elevations screened from view. Stucco and EIFS may be used as an accent material only. To create a cohesive and unified design throughout the development, each building in Sub-Area "A" shall be consistent in overall design, color, material, and architectural pattern and include similar and/or repeating a pattern of design elements such as cupolas, wind vanes, dormers, detailed and well defined cornices on flat roof structures, columns, awnings, or other elements as determined through the Final Development Plan review process. Building designs within Sub-Area "B" shall permit prototypical designs of regional or national vendors, but shall employ architectural design criteria as above to provide an element of unity of design for the entire "Retail Site" development. In addition, all buildings on out-parcel uses in Sub-Area "B" shall require four-sided architectural design characteristics and treatments as determined through the Final Development Plan review process.

a) When the façade elevation wall of a building faces a public right-of-way, or the main parking area, or is within 45 degrees of facing a public right-of-way, a minimum of forty percent (40%) of such wall area, on the ground floor, shall have the appearance of display-type windows. The bottom edge of such windows shall not be higher than three (3) feet above grade. All such windows may be opaque.

b) Walls shall have no more than twenty (20) feet of continuous wall length devoid of windows, on any ground floor, unless the wall includes architectural features such as piers, columns, defined bays or an undulation of the building, so that a pedestrian scale, rhythm, and visual interest is created.

c) Walls that meet the following criteria shall be exempt from the requirements of (a) and (b) above:

1. Two walls of adjacent business uses face one another and are separated by not more than 40 feet, or, two walls face one another, are separated by not more than 40 feet and the space between the two walls is used for servicing the buildings.

2. The wall faces an area devoted solely to loading and delivery and the wall is substantially screened from view from all public rights-of-way, parking areas, and abutting residential areas.

d) "Split-faced block material construction shall be permitted on wall meeting the criteria of c) (2) above within Sub-Area "A".

e) Accessory structures such as enclosures for dumpsters, refrigeration and freezing units, and other similar structures shall consist of brick and/or cultured stone or similar approved products as the exterior material and be designed in a consistent and cohesive manner to the principal building in which it serves. Sub-Area "A" accessory structures located along the rear elevations of the building(s) within the loading zone and not visible from any public right-of-way or adjacent residential property may be screened with split-faced block as such material to the extent that such material is utilized on the building(s) rear elevations.

f) Rooftop Mechanical Equipment shall be screened from public view from all sides of the building through the use of parapets, equipment screens, or other screening measures as deemed appropriate.

H. Parking and Circulation. Parking shall be provided in the general configuration as shown on the Preliminary Development Plan within Sub-Area "A". Final counts for parking spaces to be provided shall be determined with the Final Development Plan for Sub-Area "A" construction. Parking for the future out parcel development of Sub-Area "B" is not delineated within the Preliminary Development Plan at this time, but shall be self-contained to meet the minimum parking space requirements of the current Zoning Code for each out parcel lot unless adjusted downward by recommendation of the Planning Commission as hereinafter set forth. In addition, common access points and internal drive aisle circulation patterns between out parcel uses shall be encouraged.

Notwithstanding the above, the Planning Commission encourages the reduction of the required amount of parking by up to 30% and encourages shared parking opportunities where the locations and uses make sense in order to minimize the overall amount of parking on-site. Where necessary for connectivity and access management throughout the development and to adjacent properties, cross access easements shall be provided. No overnight parking (10:00pm to 7:00am) shall be permitted, except parking for employees and trucks docked in the loading facility, which shall not have their engines or cooling units running, shall be allowed. This includes, but is not limited to, RVs and thru-trucks. Overnight parking is defined as any qualifying vehicle parked on-site not longer than four (4) hours.

Traffic circulation patterns for the Retail Site development shall generally follow the configuration delineated within the Preliminary Development Plan as attached. Specific components of that plan shall be evaluated by a traffic study analysis per the Memorandum of Understanding (MOU) dated February 26, 2007 in order to determine adequacy and functionality of the preliminary design. Such specific components include:

1) Northern Drive Aisle; Main Ingress / Egress – As shown on the Preliminary Development Plan and as mentioned previously within this text, the overall site shall be divided into two individual use areas by a main drive aisle separating the inline retail shopping center space within Sub-Area "A" from the out parcel use development within Sub-Area "B". This drive aisle will serve as the primary point of ingress /egress for the development with full movement intersections proposed at S. Houk Rd. (adjacent to the intersection with Lansdale Drive) and at US 36 across from Grand Circuit Blvd. This drive aisle shall be privately owned and maintained by the Sub-Area "A" parcel ownership in connection with Reciprocal Easement Agreements (REA) with the out parcel uses to be located within Sub-Area "B". Layout and pavement widths for the drive aisle are as indicated within the Preliminary Development Plan. It is anticipated that the intersection of the private drive aisle with US 36 at Grand Circuit Blvd. will be signalized.

2) Additional S. Houk Road Access. Two (2) additional points of access to S. Houk Rd are delineated within the Preliminary Development Plan. A northern ingress / egress point shall provide access to the main storefront portion of the inline retail center building(s). A secondary access point further south shall provide direct access to the loading and service areas behind the inline retail center building(s). This secondary access point may be combined to form a shared point of entry for a future use of the adjacent Multi-Family Site #1.

3) The Applicant hereby acknowledges that it shall be the responsibility of the developer to construct and pay the cost of any modifications to the existing roadway infrastructure as determined to be required through the traffic impact and design study which result from the impact of the subject development. Such improvements anticipated to be required include, but are not limited to: 1) A widening, to 3 lanes, of that portion of US 36 W. between Grand Circuit Blvd. and the Houk Rd. intersections; 2) Signal improvements to the Grand Circuit Blvd. intersection, along with any associated re-striping, utility relocations, and signal timing/interconnect adjustments; 3) any deceleration lane improvements required for the potential limited movement access point addressed in Section 3-B above; and 4) any modifications to the existing US 36 & Houk Road intersection warranted by the TIS and directly attributable to this development. The timing for the construction of such improvements shall be incorporated into a development agreement to be provided with any Final Development Plan approval.

I. Landscaping and Screening. All landscaping shall meet the requirements of the then current Zoning Code, the recommendations within the "Gateways & Corridors Plan", and the "Willowbrook Tract Master Landscape Plan" unless modified herein.

1) Intermittent low, undulating earthen mounds measuring 2 to 4 feet in height shall be constructed along that portion of the site's US 36 frontage west of the retention basin. This mound system shall be coordinated with the pedestrian path system to be located in this area and supplemented with landscape plantings in general conformance with the "Willowbrook Tract Master Landscape Plan". This landscape treatment will serve to provide visual interest along the US 36 corridor and screening the parking areas within the Sub-Area "B" out parcels while accommodating the retail and service uses needs for arterial exposure. An

existing landscape treatment that includes project identification pillars (Adalee Park) and fencing shall be eliminated and/or modified in connection with the development of the Retail Site.

2) A retention basin shall be constructed within the northeast corner of Sub-Area "B". The retention basin shall also be coordinated with the pedestrian path, mounding and landscape planting treatments in item H (1) above to tie into the linear parkway system that exists along the S. Houk Rd. corridor. A fountain, rock outcroppings, and stone retaining walls may be utilized in creating a major focal point for the development consistent with the planning criteria specified within the "Gateway and Corridor Plan" and as utilized throughout the overall Willowbrook PUD development.

3) Landscape treatments along the S. Houk Rd. corridor shall be in general conformance with the "Willowbrook Tract Master Landscape Plan" and shall be comprised of a combination of earthen mounding, landscape plantings in a mix of deciduous, evergreen, and ornamental trees with rock outcrop accent features. Opacity shall be somewhat higher than along the US 36 corridor in providing screening for the side elevations of the buildings and parking field within Sub-Areas "A" and "B".

4) Landscape treatments along the western property boundary south of the access drive aisle shall be limited to those treatments deemed necessary to supplement an existing 6' board fence installed within the adjacent Village at Lehner Woods development immediately to the west as per the approved Final Development Plan.

5) The development's southern property boundary, wherever determined, is adjacent to proposed multi-family residential use. Accordingly, landscape treatments along the southern property boundary shall consist of an intermittent undulating earthen mound ranging from eight (8) to twelve (12) feet in height as measured from the rear service drive aisle roadway elevation to block views of the loading and service facilities. A mix of deciduous, evergreen, and ornamental tree plantings shall be provided on top of the mound system consistent with the South Houk Rd. corridor landscape treatments within the "Willowbrook Tract Master Landscape Plan" at a minimum opacity of 60% at the time of installation. Since the Applicant is the owner of the adjacent residentially zoned property, the mounding and landscape treatments described above may be installed on the adjacent residential property within a designated landscape buffer easement at the discretion of the Applicant provided the decision is made prior to the approval of the first Final Development Plan for either property. Installation of such landscape treatment shall occur concurrent with the development of Sub-Area "A" or residential development to the south, whichever occurs first.

6) Street trees placed every 40 feet on center shall be provided along all private access drives and wherever such drives are adjacent to parking spaces landscaping in conformance with Section 1166.09(b) shall be provided. Street trees shall also be provided in any median and placed every 40 feet on center.

7) Parking lots will be landscaped in a manner that minimizes the direct views of expanses of parking spaces and encourages safe vehicular movement, at a

minimum, as depicted on the approved Preliminary Development Plan. Each landscaped island within the parking lot shall be planted with two trees.

8) Wherever possible along building frontages with a pedestrian walkway a mix of year-round and seasonal foundation plantings, benches and/or other street furniture, shall be provided as well as tree wells or planters of other similar plantings included in the pedestrian walkway.

9) Ground mounted equipment, except in the loading area and rear portions of the buildings, shall be screened from view using plant materials, opaque decorative fencing, or mounding providing 100% year round opacity.

10) All landscaping shall be maintained in a healthy state. Any dead or diseased material shall be removed and replaced with like material within six months or the next available planting season, whichever occurs first. The size of the replacement material shall equal the size of the original material when it was originally installed. Minimum size of all trees at installation shall be 2-1/2-inch caliper for deciduous, six (6) feet in height for evergreen.

J. Tree Removal and Replacement. Tree removal and replacement criteria per Chapter 1168 have been addressed within the overall development of the Willowbrook Farm Tract PUD. Credits for tree replacement shall include tree plantings previously and/or to be provided as a part of the "linear parkway" landscape treatments along the S. Houk Rd. and US 36 corridors and the buffering landscape treatment to contiguous residential uses.

K. Open Space Requirement. The overall Willowbrook Tract PUD text refers to a requirement for a site-specific open space of 2.55 acres. Applicable sections of the then-current Zoning Ordinance required both an open space and a parkland dedication requirement for the total acreage comprising any PUD development. The design parameters for the Willowbrook Farm Tract PUD obliged the developer to meet those requirements through: 1) the reservation of two areas within the southern portion of the overall development for dedication as future parkland; and 2) the requirement for the reservation of "site-specific" open space comprising the landscaped setback areas (including the tree lawn portions of the road rights-of-way) and retention facilities in the creation of a "linear parkway" system along the US 36 and South Houk Road corridors as conceptually delineated within the "Willowbrook Tract Master Landscape Plan". The overall development's parkland dedication requirement has been met through the transfer of a 21.116-acre tract as well as a 6.784-acre woodlot for future regional park purposes. The acreage comprising the Retail Site area shall, upon final platting, provide for landscape, detention, and pedestrian pathway easements along S. Houk Rd. and US 36 in providing for the conceptual linear parkway system open space requirements identified.

L. Pedestrian Connectivity. Pedestrian connectivity will be provided both within and throughout the Retail Site to other sub-areas of the overall development. Sidewalks and Pedestrian Paths shall be provided as shown on the Preliminary Development Plan and/or as delineated within the "Willowbrook Tract Master Landscape Plan". Specifically, such pedestrian connectivity improvements shall include: a) an 8 foot wide asphalt pedestrian path along the US 36 frontage from S. Houk Rd. west to a connection with the existing such path within the Village at Lehner Woods

development; b) a 5 foot wide concrete sidewalk along the South Houk Road frontage; c) Concrete sidewalks of varying widths (minimum 5 feet) along the *south* side of the private access drive aisle (separating the out-parcels from the main inline retail center buildings) to and along the storefronts of the retail center buildings to the public sidewalk in (b) above. d) Pedestrian connectivity to the out parcel uses in Sub-Area "B" fronting US 36 shall be from connection points from the 8' Pedestrian path to the parking field for such out parcel lot use outlined in (a) above. Said connections may be either concrete or asphalt construction.

M. Lighting. Building, site, and accent lighting shall be provided in accordance with the then current Zoning Code, except as indicated herein. All parking lot lighting fixtures in Sub-Areas "A" and "B" shall be "cut-off" fixtures of a consistent design and color scheme appropriate to the overall design of the development as per the approved Final Development Plan. No lighting fixture shall be mounted higher than 28 feet in height. All ground mounted accent lighting shall be hidden in landscaping and directed in a manner that does not affect visibility. All non-security site and building lighting will be turned off one hour following close of business in accordance with tenant's operational requirements. Any use with a 24-hour operation shall provide a lighting plan that minimizes site and building lighting during non-peak nighttime hours.

N. Signage. A comprehensive sign plan shall be provided and approved in conformance Section 1165.16(c) and the first Final Development Plan. All signs in each development Sub-Area shall be in conformance with the approved comprehensive sign plan. The comprehensive sign plan shall meet the following requirements and, unless noted below, shall meet the current Zoning Code:

(1) All Signs. All signs shall be designed and located in a manner that is appropriate and consistent with the overall design of each Sub-Area and the Gateways & Corridors Plan. The applicant or developer shall not be required to install or pay for a "gateway sign" as set forth in the Gateway and Corridor Plan. Signage within the overall "Retail Site" development shall consist of: a) Development Identification Signage; b) wall-mounted signage; and c) directional and traffic control signage. Overall project construction signage shall be permitted on a temporary basis relating to future development within the overall PUD development (such signage presently exists on site).

(2) Comprehensive Signage Evaluation. All signs within the development shall be evaluated with respect to conformance to size computations and design criteria at an overall site comprehensive level in determining appropriateness. Variations to sign criteria may be utilized in "trading off" components such as size requirements for wall-mounted signage in lieu of maximum size or height for monument signage, for example.

(3) Signage Locations. Identification signage for the inline retail building(s) within Sub-Area "A" shall be permitted at major access points to the overall development in addition to subordinate advertising signage (panels) on the main Project Identification signage to be located in proximity of the retention facility within Sub-Area "B". All such signage shall be appropriately located as determined through the comprehensive sign plan review but need not comply with the "building setback" requirements established for the site.

(4) Development Identification Signage. Development identification signs shall be of the highest quality and design and serve as part of overall entry features to the development. Development identification signs may be provided at areas depicted on the comprehensive sign plan. The development identification signage may be permitted to include up to three accessory tenant panel signs as approved on the comprehensive sign plan.

(5) Wall Signs. Wall signs shall be integrated into the overall design of the building on which the sign is attached in an area established as part of the building design approval for the purpose of mounting a wall sign.

(6) Other Signs. A temporary marketing/for sale or lease sign plan shall be provided as part of the comprehensive sign plan for the development. All other signs shall meet the then current Zoning Code. Except for 7 days and only for a grand opening (initial opening of the business), no streamers, balloons, spinners, other air activated devices, billboards, search lights, or other temporary or permanent signs or attraction devices shall be permitted.

ADDENDUM "A"

Willowbrook Farm Tract - Planned Unit Development Text

dated August 3, 1999

[Attach Willowbrook Farm Tract PUD Text here]

FINAL

City of Delaware

Rezoning Application # PC99-24, PC99-25

The Willowbrook Farm Tract - Planned Unit Development

SITE:	Being 282± acres located on the south side of US 36 at the intersection of US 36 and Houk Road, west of Acme Road, and consisting of all of parcels 519-330-02-031-000 (164.571 acres) and 419-220-01-025-000 (117.407 acres)
EXISTING ZONING DISTRICT:	A-1, Agricultural, City of Delaware, Delaware, OH
PROPOSED ZONING DISTRICT:	PUD, Planned Unit Development
OWNER:	Medrock LLC c/o Dan Horne, 7464 Badenoch Drive, Dublin, OH 43017, (614) 792-3760
APPLICANT:	Medrock LLC c/o Dan Horne, 7464 Badenoch Drive, Dublin, OH 43017, (614) 792-3760
DATE:	August 3, 1999 Revised 11/18/99 bsh

1. BACKGROUND: The 282± acre tract was annexed recently to the City of Delaware and is zoned A-1, Agricultural.

The site is located on the south side of US 36 at the intersection of US 36 and Houk Road with 1600± feet of frontage on US 36 and extending over 5,600± feet south to the Conrail railroad tracks, which railroad tracks form the southeastern boundary of the site. Existing South Houk Road terminates at US 36 on the north side of the site and Houk Road is located 600± feet south of the south property line. The site is generally flat and presently used for agricultural purposes other than a 10± acre wooded area located near the southern end of the site. Adjacent property to the east and west is undeveloped. Abutting property to the east is in the City of Delaware and is zoned PUD, Planned Unit Development permitting a 585 dwelling unit single and multi-family development at 4.4 dwelling units per acre. Abutting land to the west is in the City of Delaware and a proposal for single family development is anticipated.

2. CITY OF DELAWARE - COMPREHENSIVE PLAN:

The existing City of Delaware Comprehensive Plan recommends limited and medium density residential uses and industrial uses for the site.

Applicant believes the Conrail railroad tracks located adjacent to the southeast property line and existing M-2, General Manufacturing zoning located south of the subject site provides a natural north planning boundary for the large industrial uses permitted by the existing M-2, General Manufacturing zoning

district. Given existing residential zoning adjacent to the subject site to the east and anticipated residential zoning to the west, it would be undesirable to extend general industrial zoning onto the subject site. To provide a major north/south arterial on the west side of the City of Delaware, the city wants Houk Road extended from US 36 to the south property line of the site. The construction of Houk Road will involve dedicating over 14 acres of land (5% of the site acreage) and over $*,***,*** dollars. Applicant has designed the development proposal to address City of Delaware objectives of building this link of the desired north/south arterial, while also providing a land use plan reflecting appropriate land uses and densities given an arterial road system and the huge development costs associated with the site. The size of the parcel, existing arterial frontage, proposed construction of Houk Road to provide the desired north/south arterial and protection of this tract from abutting industrial uses to the south all warrant an amendment of the City of Delaware Comprehensive Plan and the use of the PUD, Planned Unit Development District. The development proposal utilizes classical/traditional land planning locating more intensive uses adjacent to the points of entry into the planned development with land use intensity decreasing as distance from the points of entry to the site and arterial rights of way increases and buffering external impacting factors to progress from more intensive to less intensive uses farther from the centers of activity.

In November 1998, applicant initiated an amendment of the Comprehensive Plan to reflect the completion of Houk Road and a more desirable, community oriented land use plan given the size, location and qualities of the site and adjacent development. The City of Delaware Planning Director and Planning and Zoning Commission generally concur with the proposed change in the Comprehensive Plan. Applicant believes the pending Comprehensive Plan amendment will be concluded soon with action by Council. This application to rezone is in compliance with the Comprehensive Plan, as proposed to be amended.

3. INTRODUCTION: Pursuant to the provisions of Chapter 1169, PUD, Planned Unit Development, of the Planning and Zoning Code of the City of Delaware, applicant hereby applies to rezone a 282± acre tract of land, located on the south side of US 36 at the intersection of US 36 and Houk Road, west of Acme Road, and as further described in the legal description submitted with this application, to the PUD, Planned Unit Development District.

The purpose of the PUD, Planned Unit Development District regulations, as stated in Chapter 1169, is to provide for maximum opportunity for orderly large-scale developments which will benefit the community as a whole by offering a greater choice of living environments, quality architectural design, a wider range of development plans featuring a complimentary blending of land uses and open space, and to develop a more unified approach with respect to the mixture of uses and their adaptation to topographical and geological features, recreational opportunities and transportation needs.

Applicant has designed an integrated land plan for the site that

provides a variety of single family, multi-family and condominium housing, commercial, and light industrial uses with extensive road improvements, landscaping and open space. The proposed arterial and collector road system bisects the site and establishes the basis of identifying land use relationships and specific land use areas.

4. DEVELOPMENT PLAN:

The site will generally be developed in accordance with the development plans titled "Willowbrook Tract Development Plan", "Willowbrook Tract Master Landscape Plan" and "Willowbrook Houk Road Street Sections Plan", all dated August _____, 1999 and signed by Dan Horne, Managing Partner, Medrock LLC. Applicant anticipates full build-out of the 282± acre site occurring over a minimum of 10 - 15 years. The purpose of the "Willowbrook Tract Development Plan" is to illustrate general site development parameters with respect to arterial and collector road systems, the general location of proposed land uses and various forms of residential, commercial and light industrial uses, in addition to parkland, open space and site landscaping. Due to the anticipated build-out period, it may be necessary from time to time to make adjustments to the development plan.

a) "Willowbrook Tract Development Plan":

The "Willowbrook Tract Development Plan" includes 13 separate areas for proposed residential, commercial, industrial and parkland development oriented in relationship to existing roads and the collector road network proposed as part of this development. The residential areas include three (3) separate single family tracts, an area for two-family and/or common wall housing and four (4) areas for multi-family and/or condominium development. The approximate location, relationship to road systems and open space/parkland areas of each land use area are delineated on the "Willowbrook Tract Development Plan", including proposed maximum density for residential areas. The development plan establishes development standards for each area. Site specific development plans, including comprehensive landscape plans, building designs and construction materials will be provided as part of final development plans for each area for approval by the Planning Commission in accordance with the provisions of Section 1169, City of Delaware Planning and Zoning Code.

b) "Willowbrook Tract Master Landscape Plan":

The developer will create and administer a "Willowbrook Tract Master Landscape Plan" for the proposed South Houk Parkway corridor. The "Willowbrook Tract Master Landscape Plan" will establish a comprehensive landscape design for the entire South Houk Parkway thoroughfare, utilizing an integrated "linear parkway" system including extensive open spaces, ponds, specialty mounding, landscape screening and hardscape entry identification elements along a pedestrian/bike trail system linking residential, recreational and shopping opportunities within the development and southwest quadrant area. A formal landscape plan identifying the critical project elements and specifying various plant material and identification components will be provided with the submittal

of final development plan. It is anticipated that various drawings and plans, such as the drawing titled "Willowbrook Houk Road Street Sections Plan", will be developed as components of the "Willowbrook Tract Master Landscape Plan" to provide more detail of specific landscape treatment of specific areas as final development plans are developed for specific areas of the Willowbrook development.

c) Concept Statements and Final Development Plans:

Concept descriptions are provided for multi-family residential, commercial and industrial land use components of the Willowbrook Planned Unit Development proposal and are for the purpose of providing additional insight into the nature and character of these areas in the PUD development concept. Specific site layout for these areas is not provided at the time of zoning because it is anticipated that the full build-out of the Willowbrook development will be a minimum of 10- 15 years. Actual development will be subject to prevailing market conditions at the time actual construction is proposed. Applicant acknowledges that all future site development shall be subject to approval by the Planning Commission per Section 1169, City of Delaware, Planning and Zoning Code, which approval shall include site-specific concept, preliminary and final development plans per the site densities and approximate locations of development areas as denoted on the "Willowbrook Tract Master Plan".

5. ROAD IMPROVEMENTS:

a) Houk Road:

Houk Road will be a "center piece" of the development providing a modern landscaped arterial corridor for through traffic and to service residents/employees in the development. Houk Road shall be constructed to extend Houk Road from US 36 to the present south property line of the subject site.

1) Dedication, Phasing, Construction Specifications, Controlled Access and Cost Sharing:

Houk Road shall be a one hundred (100) foot right of way with land dedicated to the City of Delaware with each road construction phase. Applicant anticipates building Houk Road in phases which shall be identified between applicant and the City of Delaware. Applicant anticipates using different types of street lighting to distinguish the Houk Road arterial and other public streets.

Within the one hundred (100) foot right of way , there shall be 36 feet of pavement with curb to curb width of 40 feet and one (1) lane in each direction with a center turn lane.

Access to Houk Road shall be controlled with access points

corresponding to public streets and curb cuts for major land uses. Curb cuts shall be spaced a minimum of 200 feet centerline to centerline unless otherwise approved by the City of Delaware. There shall be no direct vehicular access to Houk Road from any single family or two family lot

The anticipated cost of Houk Road construction is over $*,***,*** in 1999 dollars. The traffic analysis of the proposed Planned Unit Development indicates that only 40% of estimated Houk Road traffic will be generated by this development. Due to the huge acreage required even to provide the right of way for Houk Road, in addition to the construction costs, and provision of Houk Road for 60% non-site generated traffic, applicant anticipates negotiating of a cost sharing agreement or other development considerations with the City of Delaware.

2) East/West Collectors:

Two (2) major east/west collector roads shall be developed to provide efficient on-site circulation of vehicles to/from Houk Road and also to coordinate traffic circulation with adjacent developments to the east and west by providing access to Houk Road. The two (2) major collector roads shall be located approximately as indicated on the "Willowbrook Tract Development Plan". These collectors shall consist of a sixty (60) foot right of way with thirty two (32) feet of pavement and thirty six (36) feet curb to curb.

5. PUBLIC UTILITIES:

Public water, public sanitary sewer service shall be provided by the City of Delaware. A series of ponds, as shown on the "Willowbrook Tract Master Plan", shall be constructed to provide storm water retention based on site drainage engineering studies to address drainage/retention requirements and to provide scenic open space with water features.

6. PERMITTED LAND USES AND DEVELOPMENT STANDARDS:

RESIDENTIAL

The residential component of the Willowbrook tract will provide a range of styles and sizes of housing thereby creating life-style housing choices. Permitted residential uses include three (3) different single family areas, a two family dwelling area that may also be Common Wall Houses, and four (4) areas of multifamily or condominium residential uses, which uses shall generally be located as indicated on the "Willowbrook Tract Development Plan". Public and private park(s) and open space shall be permitted in any residential area of the Planned Unit Development. All residential accessory uses or structures, as defined in Section 1121.0203, City of Delaware, Delaware Zoning Code (CDZC), shall be permitted in any residential area of the development, subject to development standards itemized in Section 1133.06, Accessory Uses in R Districts (CDZC) and a maximum height of fifteen (15) feet. In addition to the standards established by this development plan, all single family residential areas shall be deed restricted to establish additional development controls/standards for each residential area. Deed restrictions shall be provided to the Planning Commission for review with the final development plans for specific areas of the site.

Overall residential density for all residential uses shall not exceed eight (8) units per net acre of residential area. In addition to all residentially developed areas, all open space, parkland and detention/retention areas may be used for calculating permitted dwelling units within residential areas.

1) Single Family and Two Family Residential Areas and Development Standards:

There shall be three (3) single family use areas and one (1) two family use area, as denoted on the "Willowbrook Tract Master Plan", distinguished by lot size, dwelling size, and density to provide a variety of single family home ownership opportunities, in addition to two family dwellings. The two family area may also be developed as Common Wall Houses, in accordance with Section 1138.05, Common Wall Houses. In addition to the following density and development standards commitments, all single family and two family areas shall be separately deed restricted to establish additional development controls and restrictive covenants. The three (3) single family dwelling and the two family dwelling development areas and respective development standards are as specified in Table 1. Other than as specified in Table 1, development standards shall be the applicable standards of the Delaware City Code.

I) General Description of Single Family Areas:

Each of the three (3) single family areas will be developed as separate subdivisions with unique identities and characteristics thereby creating various "niches" of single family housing choices and opportunities within the Willowbrook development.

1) Single Family Area "A": This area will consist of a maximum of 124 single family dwellings. Minimum dwelling size is as established in Table 1 and the range of house sizes is anticipated to be 1,300 - 1,900 square feet. Features of this neighborhood will include a landscaped entry with identifying monuments, central access to the landscaped pedestrian/bike trail leading to area neighborhood park(s), lot and street tree planting, uniform mailbox styles, an architectural control policy to encourage tasteful exterior color combinations and discouraging the repetitive use of similar color schemes and house styles in close proximity to each other.

2) Single Family Area "B": This area will consist of a maximum of 181 single family dwellings. Minimum dwelling size is as established in Table 1 and the range of house sizes is anticipated to be 1,400 -2,300 square feet. This neighborhood will include extensive identity landscape elements, proximity to area regional park and wooded preserve, lot and street tree planting, upgraded uniform mailbox styles, an architectural control policy to encourage tasteful exterior color combinations and discouraging the repetitive use of similar color schemes and house styles in close proximity to each other.

3) Single Family Area "C": This area will consist of a maximum of 88 single family dwellings. Minimum dwelling size is as established in Table 1. Due to the location of this area, it is anticipated that this area will be developed as an extension of the proposed Carson Tract, so development guidelines should be consistent with the Carson tract proposal.

Table 1. Single Family and Two Family Areas and Development Standards

	Single Family Area "A"	Single Family Area "B"	Single Family Area "C"	Two Family Area
Gross Acreage	35.03	56.71	23.23	6.07
Open Space (acres)	2.75	3.01	0.0	0.0
Maximum Number of Lots	124	181	88	17 (34 dwelling units)
Density (dwelling units/gross acre)	3.54 124 DU	3.19 180.9 DU	3.79 88.04 DU	5.60 [illegible]
Permitted Uses	One (1) single family dwelling per lot with normal and customary accessory buildings and structures Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space	One (1) single family dwelling per lot with normal and customary accessory buildings and structures Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space	One (1) single family dwelling per lot with normal and customary accessory buildings and structures Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space	One two family dwelling per lot with normal and customary accessory buildings and structures Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space Common Wall Houses, in accordance with Section 1138.05
Typical Lot Size:	60' x 120'	65' x 120'	60' x 120'	80' x 120'
Minimum Width	60'	60'	60'	75'
Minimum Area (square feet)	7,000	7,500	7,000	10,000

Minimum Dwelling size (square feet), in accordance with Section 1121.0249(a), Floor Area (Residential Floor Area) (See Footnote 1)	One Story Dwelling: 1,300 Two Story Dwelling: 1,400	One Story Dwelling: 1,400 Two Story Dwelling: 1,800	One Story Dwelling: 1,300 Two Story Dwelling: 1,400	One Story Dwelling: 900 sq. ft./ unit Two Story Dwelling: 1,000 sq. ft./ unit
Building Setbacks: Houk Road Houk Road - corner lots All other public streets Side Yard - Total/Minimum Rear Yard	 50 feet 30 feet 25 feet 15 feet/6 feet 30 feet	 50 feet 30 feet 25 feet 15 feet/6 feet 30 feet	 50 feet 30 feet 25 feet 15 feet/6 feet 30 feet	 50 feet 30 feet 25 feet 15 feet/6 feet 30 feet
Maximum Lot Coverage, in accordance with Section 1121.0265, Lot Coverage	40%	40%	40%	40%
Height, in accordance with Section 1121.0221, Building Height	Maximum 2 ½ stories, not to exceed 35 feet	Maximum 2 ½ stories, not to exceed 35 feet	Maximum 2 ½ stories, not to exceed 35 feet	Maximum 2 ½ stories, not to exceed 35 feet
Required Parking	2 spaces with minimum one (1) car garage	2 spaces with minimum two (2) car garage	2 spaces with minimum one (1) car garage	2 spaces with minimum one car garage per dwelling unit
Landscaping/Tree Planting/Entry Features	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Trees - one (1) tree per lot front, two (2) trees per side yard, spaced 60± feet Subdivision entry feature with landscaping and signage	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Trees - one (1) tree per lot front, two (2) trees per side yard, spaced 60± feet Subdivision entry feature with landscaping and signage	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Trees - one (1) tree per lot front, two (2) trees per side yard, spaced 60± feet Subdivision entry feature with landscaping and signage	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Trees - two (2) trees per lot front, two (2) trees per side yard, spaced 40± feet
Sidewalks	In accordance with City of Delaware Code	In accordance with City of Delaware Code	In accordance with City of Delaware Code	In accordance with City of Delaware Code

Fences	Wood, stone or masonry materials, except black wire mesh may be used in conjunction with split rail fencing. No fencing of any type shall be permitted on any lot that abuts Houk Road	Wood, stone or masonry materials, except black wire mesh may be used in conjunction with split rail fencing. No fencing of any type shall be permitted on any lot that abuts Houk Road	Wood, stone or masonry materials, except black wire mesh may be used in conjunction with split rail fencing. No fencing of any type shall be permitted on any lot that abuts Houk Road	Wood, stone or masonry materials, except black wire mesh may be used in conjunction with split rail fencing. No fencing of any type shall be permitted on any lot that abuts Houk Road
Miscellaneous	uniform mailbox guidelines	upgraded uniform mailbox guidelines	N/A	
Architectural Control Policy	encourage tasteful exterior color combinations and discourag the repetitive use of similar color schemes and house styles in close proximity to each other.	encourage tasteful exterior color combinations and discourage the repetitive use of similar color schemes and house styles in close proximity to each other.	N/A	N/A
Residents Association	A Residents Association shall be formed with provisions to allow mandatory dues for maintenance of common areas/features	A Residents Association shall be formed with provisions to allow mandatory dues for maintenance of common areas/features	A Residents Association shall be formed with provisions to allow mandatory dues for maintenance of common areas/features	

Footnote 1: A total of 393 single family dwellings are permitted in single family Sub-Areas A, B and C. A minimum of fifty-five (55) percent of the two (2) family dwellings built in Sub-Areas A, B and C shall be a minimum of 1,800 square feet.

B) Multi-Family and Condominium Residential Uses:

The following is description of the general concept for the multi-family and condominium residential uses in addition to the development standards for these areas. The uses and development standards for the multi-family and condominium development areas are as itemized in Table 2. Other than as specified in Table 2, development standards shall be the applicable standards of the Delaware City Code. In addition to the density and development standards commitments itemized in this development text, all residential areas shall be separately deed restricted to establish additional development controls and restrictive covenants.

The following general concept descriptions are for the purpose of providing additional insight into the nature and character of these areas in the PUD development concept. Specific site layout for these areas is not provided at the time of zoning because it is anticipated that the full build-out of the Willowbrook development will be a minimum of 10- 15 years. Actual development will be subject to prevailing market conditions at the time actual construction is proposed. Applicant acknowledges that all future site development shall be subject to approval by the Planning Commission per Section 1169, City of Delaware, Planning and Zoning Code, which approval shall include site-specific concept, preliminary and final development plans per the site densities and approximate locations of development areas as denoted on the "Willowbrook Tract Master Plan".

1) General Concept of Multi-Family and Condominium Residential Uses:

Three (3) multi-family areas and one (1) condominium area are planned in the development. The multi-family and condominium areas further provide alternative housing choices distinguished by style of building design, density, rental and ownership choices, with use areas as denoted on the "Willowbrook Tract Master Plan".

1) Multi-Family Area 1:

The anticipated use of Multi-Family Area 1 is a 186 dwelling unit apartment community. The buildings shall be clustered in a campus-style arrangement thereby allowing for site specific open space areas as described on the "Willowbrook Tract Master Plan". Anticipated building types are a mix of 1, 2 and possibly 3 bedroom garden and townhouse style units, not exceeding two (2) stories in height with detached garage units and additional open air parking. A pool, community house and other on-site community amenities are anticipated. Exterior building materials shall include the use of some natural materials, such as brick, cedar or stone. Units will not be subsidized for rental requirements. Units will not be subsidized for rental requirements.

2) Multi-Family (Condominium) Area 2:

The anticipated use of Multi-Family Area 2 is a condominium community not to exceed eighty (80) dwelling units. The buildings shall be clustered in a campus-style arrangement thereby allowing for site specific open space areas as described on the "Willowbrook Tract Master Plan". The buildings shall be clustered in a campus-style arrangement thereby allowing for site specific open space areas as described on the "Willowbrook Tract Master Plan". Anticipated building types are one (1) story four (4) unit buildings

with attached garages. The community may offer other on-site amenities, such as a pool. Exterior building materials shall include the use of some natural materials, such as brick, cedar or stone. Units within Area 2 will be offered for sale as permitted by condominium laws of the State of Ohio.

2) Multi-Family Area 3:

The use of Multi-Family Area 3 is either Senior-Citizen Apartment (Congregate Care Housing) or condominium dwelling units with a maximum of 140 dwelling units. The buildings shall be clustered in a campus-style arrangement thereby allowing for site specific open space areas as described on the "Willowbrook Tract Master Plan". Exterior building materials shall include the use of some natural materials, such as brick, cedar or stone. Units within Area 2 will be offered for sale as permitted by condominium laws of the State of Ohio. Condominium units within Area #3 (if constructed) will be offered for sale as permitted by Condominium Laws of the State of Ohio.

3) Multi-Family Area 4:

The use of Multi-Family Area 4 is for "specialty" or "niche" housing that will add another dimension to housing alternatives in this community. Housing developed in Area 4 will be Villa Homes (clustered single family condominium dwelling units), common-wall attached homes, townhouses or a combination thereof. Regardless of development style, dwelling units in Area 4 will be offered as condominiums for sale as permitted under the laws of the State of Ohio. The site may include on-site community amenities, such as a pool, depending on the style of dwelling unit development. The total number of dwelling units in Area 4 shall not exceed 155. The buildings shall be clustered in a campus-style arrangement thereby allowing for site specific open space areas as described on the "Willowbrook Tract Master Plan". Exterior building materials shall include the use of some natural materials, such as brick, cedar or stone. It is anticipated that the design of this site shall largely be a function of the design and use patterns of the adjacent regional park to the east and industrial uses to the south and east in that site design for this area will need to incorporate features to buffer the dwelling units from adjacent uses.

Table 2: Multi-family/Condominium Areas and Development Standards:

	Multi-Family Area "1"	Multi-Family (Condo) Area "2"	Multi-Family Area "3"	Multi Family Area "4"
Gross Acreage	20.51	13.33	17.24	21.45
Open Space	3.12	1.01	2.13	3.19
Total Dwelling Units	186	80	140	155
Density (dwelling units/gross acre)	9.07	6.00	8.00	7.25
Permitted Uses	Multi-family residential with normal and customary accessory buildings and structures Single family dwellings Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space Day Care Center Uses of 1139.03, except (e), (f)	Condominium residential with normal and customary accessory buildings and structures Single family dwellings Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space Day Care Center Uses of 1139.03, except (e), (f)	Multi-family residential with normal and customary accessory buildings and structures Single family dwellings Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space Day Care Center Uses of 1139.03, except (e), (f)	Multi-family residential with normal and customary accessory buildings and structures Single family dwellings Home Occupations and other accessory uses in accordance with City of Delaware Code Model Unit(s) and/or construction trailer(s) in accordance with City of Delaware Code Parkland (public or private) and open space Day Care Center Uses of 1139.03, except (e), (f)
Building Setbacks: Houk Road, Cobblestone				

Drive, Boulder Drive All other public streets All internal private streets Perimeter Yard	30 feet from right of way 25 feet 25 feet from pavement 25 feet	30 feet from right of way 25 feet 25 feet from pavement 25 feet	30 feet from right of way 25 feet 25 feet from pavement 25 feet	30 feet from right of way 25 feet 25 feet from pavement 25 feet
Maximum Lot Coverage, in accordance with Section 1121.0265, Lot Coverage	40%	40%	40%	40%
Height, in accordance with 1121.0221, Building Height	Maximum 2 ½ stories, not to exceed 35 feet	Maximum 2 ½ stories, not to exceed 35 feet	Maximum 2 ½ stories, not to exceed 35 feet	Maximum 2 ½ stories, not to exceed 35 feet
Required Parking/dwelling unit	2 spaces	2 spaces	2 spaces	2 spaces
Landscaping/Site Landscaping/Entry Features	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Landscaping in accordance with City of Delaware Code Apartment entry feature with landscaping and signage	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Landscaping in accordance with City of Delaware Code Apartment entry feature with landscaping and signage	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Landscaping in accordance with City of Delaware Code Apartment entry feature with landscaping and signage	Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan Street Landscaping in accordance with City of Delaware Code Apartment entry feature with landscaping and signage
Sidewalks	In accordance with City of Delaware Code	In accordance with City of Delaware Code	In accordance with City of Delaware Code	In accordance with City of Delaware Code
Lighting	In accordance with Chapter 1172, Exterior Lighting Standards	In accordance with Chapter 1172, Exterior Lighting Standards	In accordance with Chapter 1172, Exterior Lighting Standards	In accordance with Chapter 1172, Exterior Lighting Standards
Fences	Wood, stone or masonry materials, except black wire mesh may be used in conjunction with split rail fencing.	Wood, stone or masonry materials, except black wire mesh may be used in conjunction with split rail fencing.	Wood, stone or masonry materials, except black wire mesh may be used in conjunction with split rail fencing.	Wood, stone, masonry or PVC materials, except black wire mesh may be used in conjunction with split rail fencing.

7). PERMITTED LAND USES AND DEVELOPMENT STANDARDS:

COMMERCIAL

1) Introduction:

The following general concept descriptions are for the purpose of providing additional insight into the nature and character of these areas in the PUD development concept. Specific site layout for these areas is not provided at the time of zoning because it is anticipated that the full build-out of the Willowbrook development will be a minimum of 10- 15 years. Actual development will be subject to prevailing market conditions at the time actual construction is proposed. Applicant acknowledges that all future site development shall be subject to approval by the Planning Commission per Section 1169, City of Delaware, Planning and Zoning Code, which approval shall include site-specific concept, preliminary and final development plans per the site densities and approximate locations of development areas as denoted on the "Willowbrook Tract Master Plan".

2) General Concept:

The commercial component of the planned development will provide a range of commercial services, products and employment opportunities through the use of two (2) distinct commercial areas. The two (2) commercial areas are "Retail Commercial" and "Mixed Commercial", as delineated on the "Willowbrook Tract Development Plan". The "Mixed Commercial" area is located at the Southeast corner of US 36 and Houk Road, as proposed to be constructed. Applicant anticipates a variety of commercial uses including retail, office and institutional uses. Applicant anticipates strip mall retail development with outlots in the "Retail Commercial" area. Applicant anticipates mixed use commercial uses in the "Mixed Commercial" area, to include clustered lot configuration with uses such as office(s), bank, day care, nursing home, restaurants and retail. Commercial uses adjacent to existing single family development will be light commercial/institutional uses, such as office, nursing home, etc. Commercial uses shall generally be located as indicated on the "Willowbrook Tract Development Plan". Public and private park(s) and open space shall be permitted in any commercial area of the planned development. All accessory structures and uses normally and customarily associated with commercial uses shall be permitted.

3) Commercial Uses and Development Standards:

The two (2) commercial development areas and respective development standards are outlined in Table 3. These standards are intended as guidelines pending determination of specific site development and final plan approval by the Planning Commission. Other than as specified in Table 3, development standards shall be the applicable standards of the Delaware City Code.

Table 3. Commercial Uses and Development Standards

	"Mixed Commercial"	"Retail Commercial"
Gross Acreage	13.0 (Note: does not include 5.072 acre tract fronting Houk Road)	24.72
Open Space	2.92	2.55
Permitted Uses	All uses permitted in Chapter 1144, B-3 Community Business District, Section 1144.02, Permitted Uses and Section 1144.03, Conditional Uses, and all uses of Chapter 1145, B-4, General Business District, Section 1145.02, Permitted Uses, except the following: commercial greenhouse, wholesale bakeries, used automobile sales as a principal use, building material yards, equipment rental yard, storage and sale of grain or livestock feed as a principal use, storage and warehousing yards, drive-in theaters, carpenter shops, electrical, plumbing and heating shops, soft drink and milk distribution station, trucking and motor freight terminals, carting express or hauling establishments and all uses of Chapter 1155, Adult Entertainment Businesses.	All uses permitted in Chapter 1144, B-3 Community Business District, Section 1144.02, Permitted Uses and Section 1144.03, Conditional Uses, and all uses of Chapter 1145, B-4, General Business District, Section 1145.02, Permitted Uses, except the following: commercial greenhouse, wholesale bakeries, used automobile sales as a principal use, building material yards, equipment rental yard, storage and sale of grain or livestock feed as a principal use, storage and warehousing yards, drive-in theaters, carpenter shops, electrical, plumbing and heating shops, soft drink and milk distribution station, trucking and motor freight terminals, carting express or hauling establishments and all uses of Chapter 1155, Adult Entertainment Businesses.
Density (maximum)	8,000 square feet/gross acre	10,000 square feet/gross acre
Setbacks: Building Setbacks: US 36 Houk Road All other public streets From residential zoning Parking Setbacks: US 36 Houk Road All other public streets From residential zoning	 60 feet 50 feet 25 feet 25 feet 50 feet 35 feet 10 feet 20 feet	
Landscaping	Willowbrook Tract Master Landscape Plan, Houk Road Corridor	Willowbrook Tract Master Landscape Plan, Houk Road Corridor

Parking Setback Treatment Parking Lot Landscaping	Landscape Plan Street Landscaping in accordance with City of Delaware Code Parking setback areas shall contain grass or other live plant material. Parking setback areas contiguous to residential zoning shall provide parking lot screening to a minimum of 5 feet high and 75% opacity through the use of plant material, walls, fences and/or mounding. Trees shall be planted in the parking setback areas adjacent to residential zoning to provide additional visual separation of uses. In accordance with Section 1161.04, General Landscaping Requirements for Parking Lots.	Landscape Plan Street Landscaping in accordance with City of Delaware Code Parking setback areas shall contain grass or other live plant material. Parking setback areas contiguous to residential zoning shall provide parking lot screening to a minimum of 5 feet high and 75% opacity through the use of plant material, walls, fences and/or mounding. Trees shall be planted in the parking setback areas adjacent to residential zoning to provide additional visual separation of uses. In accordance with Section 1161.04, General Landscaping Requirements for Parking Lots.
Size, ratio and type of parking and loading facilities	In accordance with City of Delaware code Contiguous commercial parking lots shall be designed to provide through access to coordinated points of ingress/egress from the commercial areas. No loading docks shall be permitted to directly face US 36 or Houk Road. All loading docks shall be screened with wall(s) and/or plant material to a minimum height of eight (8) feet and 75% opacity.	In accordance with City of Delaware code Contiguous commercial parking lots shall be designed to provide through access to coordinated points of ingress/egress from the commercial areas. No loading docks shall be permitted to directly face US 36 or Houk Road. All loading docks shall be screened with wall(s) and/or plant material to a minimum height of eight (8) feet and 75% opacity.
Parking lot lighting	In accordance with City of Delaware Code Chapter 1172, Exterior Lighting Standards	In accordance with City of Delaware Code Chapter 1172, Exterior Lighting Standards
Lot coverage, as defined in Section 1121.0265, Lot Coverage	40% BLDG?	40% Definition no longer exists
Height	40 feet	40 feet
Signage	In accordance with City of Delaware Code	In accordance with City of Delaware Code

8). PERMITTED LAND USES AND DEVELOPMENT STANDARDS:

LIGHT INDUSTRIAL

1) Introduction:

The following general concept descriptions are for the purpose of providing additional insight into the nature and character of these areas in the PUD development concept. Specific site layout for these areas is not provided at the time of zoning because it is anticipated that the full build-out of the Willowbrook development will be a minimum of 10- 15 years. Actual development will be subject to prevailing market conditions at the time actual construction is proposed. Applicant acknowledges that all future site development shall be subject to approval by the Planning Commission per Section 1169, City of Delaware, Planning and Zoning Code, which approval shall include site-specific concept, preliminary and final development plans per the site densities and approximate locations of development areas as denoted on the "Willowbrook Tract Master Plan".

2) General Concept:

The light industrial component of the planned development will provide a buffer to more intensive industrial property to the south and west of the site and will provide business and employment opportunities within the planned development. There are two light industrial areas referenced as "Light Industrial Area 1" and "Light Industrial Area 2" on the "Willowbrook Tract Development Plan". Both areas are located contiguous to the south property line of the tract at the southerly terminus of Houk Road, with "Light Industrial Area 1" and "Light Industrial Area 2" being on the west and east side of Houk Road, respectively. Light Industrial Areas 1 and 2 are designed to provide a transitional land use between residential land uses in the development north of Light Industrial Areas 1 and 2 and heavy industrial zoning (M-2, General Manufacturing) located south of and contiguous to the planned development. The land use relationship to the heavy industrial area to the south is potentially detrimental to the planned development and needs to be buffered with less intensive non-residential uses. In establishing Light Industrial Areas 1 and 2, applicant is establishing less intensive non-residential uses with increased development standards to buffer the planned development from uses to the south and provide appropriate relationships progressing north on the planned development site.

3) Industrial Uses and Development Standards:

The two (2) light industrial areas and their respective development standards are outlined in Table 4. These standards are intended as guidelines pending determination of specific site development and final plan approval by the Planning Commission. Other than as specified in Table 4, development standards shall be the applicable standards of the Delaware City Code.

Table 4. Light Industrial Use Areas and Development Standards.

	Light Industrial Area 1	Light Industrial Area 2
Gross Acreage	8.37	13.77
Open Space	1.54	1.74
Permitted Uses	All uses permitted in Chapter 1147, M-1, Light Manufacturing District, Section 1147.02, Permitted Uses, and 1147.04, Accessory Uses, of the CDZC, excluding the following uses: all uses of the B-4, General Business District, and uses in Section 1147.02(i) accessory uses and structures incidental to the principle use public and/or private parkland and open space	All uses permitted in Chapter 1147, M-1, Light Manufacturing District, Section 1147.02, Permitted Uses, and 1147.04, Accessory Uses, of the CDZC, excluding the following uses: all uses of the B-4, General Business District, and uses in Section 1147.02(i) accessory uses and structures incidental to the principle use public and/or private parkland and open space
Density (Maximum)	10,000 gross square feet of building per net acre of site	10,000 gross square feet of building per net acre of site
Setbacks: Building Houk Road All other public streets Side and Rear Yard Contiguous to residential zoning All other side and rear yards Parking All public streets Side and rear property lines Contiguous to residential zoning All other side and rear yards	 75 feet 25 feet 75 feet 50 feet 25 feet 25 feet 10 feet	 75 feet 25 feet 75 feet 50 feet. 25 feet 25 feet 10 feet
Height, as defined in 1121.0221, Building Height	40 feet	40 feet

Size, Ratio and Type of Parking and Loading Facilities	In accordance with City of Delaware Code No loading docks shall be permitted to directly face Houk Road. All loading docks shall be screened in accordance with Section 1166.08(a), Screening Standards, CDZC and in addition, loading docks shall be screened from Houk Road with wall(s) and/or plant material to a minimum height of eight (8) feet and 75% opacity. The rear or side face of a wall with loading dock(s) shall be setback a minimum of 100 feet from residential zoning.	In accordance with City of Delaware Code No loading docks shall be permitted to directly face Houk Road. All loading docks shall be screened in accordance with Section 1166.08(a), Screening Standards, CDZC and in addition, loading docks shall be screened from Houk Road with wall(s) and/or plant material to a minimum height of eight (8) feet and 75% opacity. The rear or side face of a wall with loading dock(s) shall be setback a minimum of 100 feet from residential zoning.
Lighting	In compliance with Chapter 1172, Exterior Lighting Standards, CDZC, and parking lot lighting not to exceed 24 feet in height when located within 50 feet of residential zoning, and parking lot lighting being further subject to a minimum 20 foot setback from residential zoning.	In compliance with Chapter 1172, Exterior Lighting Standards, and parking lot lighting not to exceed 24 feet in height when located within 50 feet of residential zoning, and parking lot lighting being further subject to a minimum 20 foot setback from residential zoning.
Outside Storage	Fully screened from view to the full height of the storage using live plant material, mounding and/or fencing other than chain link, sheet metal or comparable materials. No outside storage shall be located in any required yard or in advance of the required or established Houk Road building setback.	Fully screened from view to the full height of the storage using live plant material, mounding and/or fencing other than chain link, sheet metal or comparable materials. No outside storage shall be located in any required yard or in advance of the required or established Houk Road building setback.
Signage	In accordance with City of Delaware code	In accordance with City of Delaware code
Houk Road curb cuts	minimum 200 feet centerline spacing	minimum 200 feet centerline spacing
Environmental Treatment/Landscaping	In accordance with the Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan and Street Landscaping in accordance with City of Delaware Code Required parking setbacks shall be maintained in live plant material Dumpsters - Dumpsters shall be screened in accordance with	In accordance with the Willowbrook Tract Master Landscape Plan, Houk Road Corridor Landscape Plan and Street Landscaping in accordance with City of Delaware Code Required parking setbacks shall be maintained in live plant material Dumpsters - Dumpsters shall be screened in accordance with

	the provisions of Section 1166.08(b), CDZC.	the provisions of Section 1166.08(b), CDZC.

9) PARKLAND DEDICATION, BICYCLE/PEDESTRIAN TRAIL SYSTEM AND OPEN SPACE:

1) PARKLAND DEDICATION: Parkland dedication is required at the rate of 10% of net residential acreage. Net residential acreage is estimated at 160± acres, thereby requiring dedication of 16± acres. Applicant proposes dedication to the City of Delaware total parkland of 29.40 acres consisting of a 21.35 acre tract and a 8.05 acre tract. Parkland shall be dedicated as indicated on the "Willowbrook Tract Master Development Plan".

2) BICYCLE/PEDESTRIAN TRIAL SYSTEM: The Planned Unit Development will include a bicycle and pedestrian trail system to provide recreational and alternative transportation opportunities throughout the planned development and links to points outside the development. The bicycle/pedestrian trail system shall consist of an eight (8) foot wide asphalt path constructed on the east side of the entire length of Houk Road, the north side of Cobblestone Drive, the south side of Boulder Drive and in the open space of multi-family area # 2 and Single Family Area "A".

3) OPEN SPACE: The PUD, Planned Unit Development District requires a minimum of 15% of gross acreage of the PUD to be devoted to open space or 42.3 acres on this 282± acre site. Applicant is making a huge investment in right of way improvements with Houk Road alone encompassing over 14± acres of land to be deeded for right of way and total right of way dedication estimated at 38.3± acres. The " Willowbrook Tract Development Plan" designates major areas of open space/parkland and creates a development theme of continuity of landscape corridors, bicycle/pedestrian trails and water features exceeding 15% of the development. Open space is indicated on the "Willowbrook Tract Master Development Plan". Under the provisions of Chapter 1169, Planned Unit Development, Section 1169.10, Common Open Space Required, applicant further plans to build a pedestrian/bicycle trail along the east side of Houk Road and various other roads, thereby providing pedestrian and bicycle linkages throughout the site. Under the provisions of Section 1169.10, applicant requests the Planning Commission approve the inclusion of right of way with bicycle/pedestrian trails toward open space requirements.

10) MISCELLANEOUS COMMITMENTS APPLICABLE TO ALL DEVELOPMENT AREAS:

1) Street Tree Planting: A Street Tree Planting program will be developed in accordance with the provisions of Section 1166.07, Street Tree Planting Requirements. CDZC.

2) Underground Wiring: All wiring in the development shall be underground, unless a public utility requires wiring in a particular instance to be above ground.

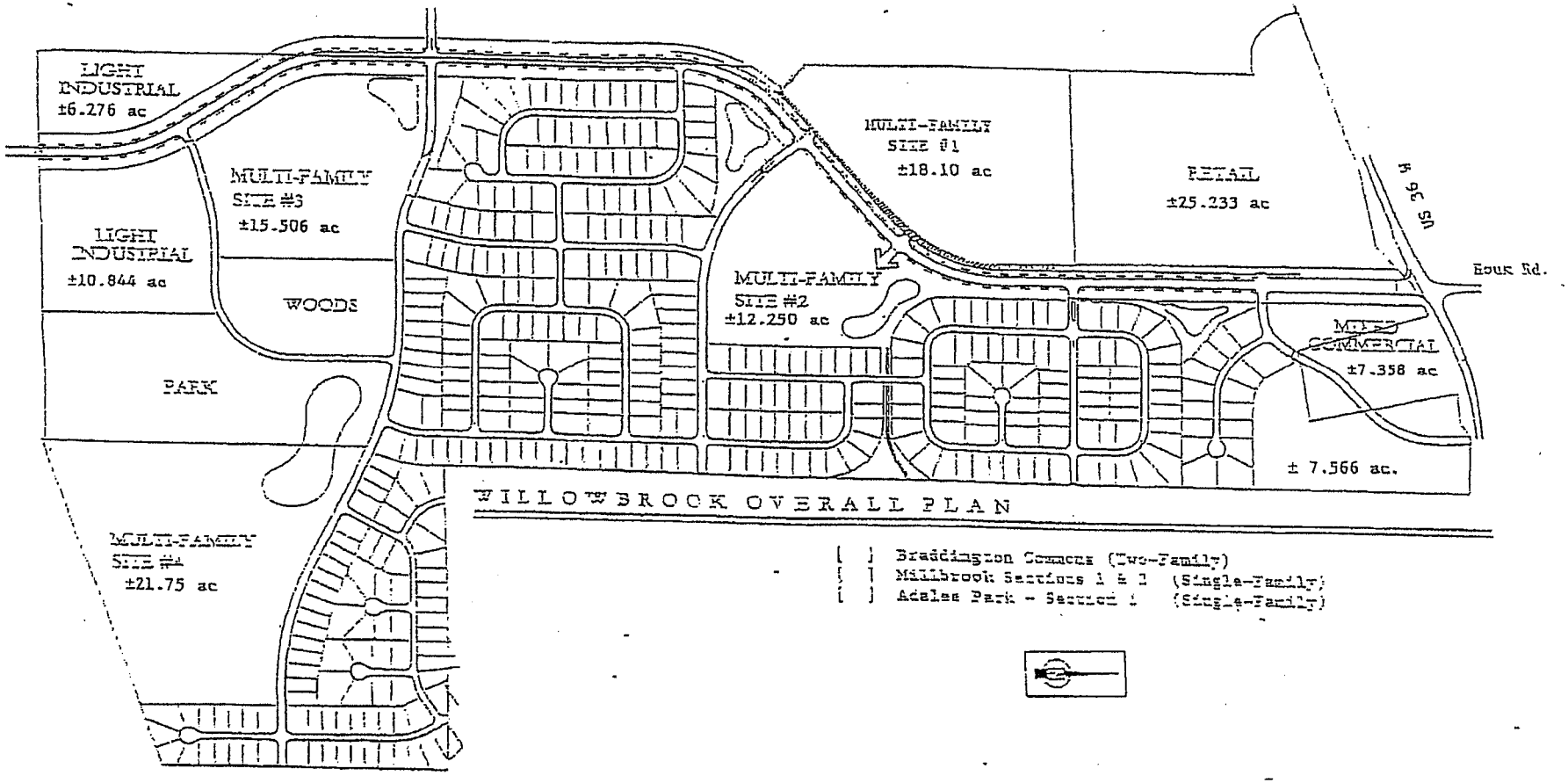
c) Severability/Future Rezoning Applications: The subject area is being divided into use areas that reflect land uses and development standards which are

believed to be appropriate for each use area. However, development of this tract will occur over an extended period of time and it may be necessary to adjust or augment the uses and/or development standards in the future. Each land use type (residential, commercial, industrial), individual land use areas and individual building sites within land use areas may be independently separated for rezoning or amendment at a future time.

4) Land Use Area Designations: All acreage for all land uses is preliminary and is subject to change with final engineering of areas and specific uses.

5) Unusual Infrastructure Costs Born By Developer - Benefits accruing to City of Delaware: Unlike either adjacent tract of land to the east or west, applicant is

expected to dedicate over 14 acres of land for arterial road right of way, in addition to other right of way that will be used for collectors that largely benefit abutting property owners by providing access to future Houk Road, develop over one (1) mile of arterial roadway while being responsible for only 40% of trip generation on the resulting arterial; provide open space based on gross acreage rather than net developable acreage and comply with oversized utility extensions that will benefit other property owners and the City of Delaware. All of these factors and others cause applicant to be at a competitive disadvantage while the costs applicant is expected to bear cause benefits to accrue to the City of Delaware. In light of these factors, applicant will be negotiating with the City of Delaware for off setting consideration given the benefits the City of Delaware and third parties will receive from this development.


LIGHT INDUSTRIAL
±6.276 ac
MULTI-FAMILY SITE #3
±15.506 ac
LIGHT INDUSTRIAL
±10.844 ac
WOODS
PARK
MULTI-FAMILY SITE #4
±21.75 ac
MULTI-FAMILY SITE #1
±18.10 ac
RETAIL
±25.233 ac
US 36 H
Bouk Rd.
MULTI-FAMILY SITE #2
±12.250 ac
COMMERCIAL
±7.358 ac
± 7.566 ac.
WILLOWBROOK OVERALL PLAN
[ ] Braddington Commons (Two-Family)
[ ] Millbrook Sections 1 & 2 (Single-Family)
[ ] Azalea Park - Section 1 (Single-Family)

PRELIMINARY ENGINEERING TECHNICAL REVIEW

☐ ANNEX/REZONING ☐ CONCEPT PLAN ▒ PRELIM DEVEL PLAN ☐ OTHER

PROJECT	Willowbrook Retail	
LOCATION	SW Corner of US 36/Houk	
DEVELOPER	Medrock	
PREPARED BY	JSS	**DATE: 04/26/07**

This report is provided to serve as an overview of critical (red flag) technical issues associated with the proposed development project. The comments are to be considered general in nature and are presented in order to identify critical technical matters that require specific consideration during the planning and engineering review process. The report is not intended to identify all technical requirements and issues, and additional comments are to be expected following the submission of a complete set of engineering plans and associated supporting reports and technical documentation, for a detailed review by the City Engineering Department. Preliminary Technical Reviews are performed during initial project development phases only.

Transportation Overview

1.	**Impact on existing roadways, intersections, pavement condition:** Proposed development plan reflects four (4) access points and one future access point along Houk. US 36: Full access across from Grand Circuit (existing curb cut). It appears the concept of a RIRo between these points has been eliminated by the applicant. The engineering department would like to continue discussing the RIRO with the applicant. Houk Rd: The access across from Lansdale Drive is approvable however; the traffic study will determine the appropriate allowable turning movements. The access shown between Lansdale and Rockmill is not approvable as full access, which we have stated in the past. The future access across from Rockmill does appear to have proper spacing and could be a full access.
2.	**Traffic impact study (TIS) considerations:** A draft of the new TIS has been received by the Engineering Department but has not yet been fully reviewed. Of main interest are signal warrant analysis, level of service, access management/safety (especially along Houk Road) and impacts to existing US 36/Houk Road signal. The access points (and turning movement limitations) should be fixed and approved by Engineering prior to City Council approval of the preliminary development plan.
3.	**Right-of-way (ROW) requirements:** Additional ROW may be required along US 36 and at the SW corner of US 36/Houk Road to remove the irregular alignment of the existing ROW.
4.	**New roadway infrastructure requirements:** Improvements to US 36 to accommodate proposed development may include new mast arm signal at Grand Circuit and a continuation of the US 36 widening improvements to Houk Road (as previously designed). Signal design must include coordination (timing plan and equipment) with other signals along US 36. The striping shown at proposed access point across from Lansdale Drive should be removed until the approved TIS determines the allowable turning movements at all proposed access points.
5.	**Special pedestrian & bikeway facilities**: see Planning staff report

Sanitary Sewer Collection

1.	**Availability of sewer access adjacent to site:** Sanitary sewer service will be provided by the existing 15" sanitary sewer along US 36 (Lots 1-4). Sanitary sewer extension from the 12" on Houk within the proposed development (for Lots 5 and 6) will be public as well as the line extended from Houk to service Subarea A.
2.	**Required off-site sewer line extensions:** none
3.	**Tributary area considerations:** It appears the tributary area for any proposed public main extensions will be the boundaries of the proposed development.

Storm Water Control

1.	**Tributary area considerations and requirements:** A preliminary stormwater management report was recently submitted and is currently under review.
2.	**Existing storm water conditions and issues:**
3.	**BMP requirements**: BMP requirements, as required by OEPA, shall be utilized. A sediment and erosion control plan shall be submitted outlining these BMPs.

	Water Distribution System
1.	**Availability of water supply access adjacent to site.** : The site will be served by a new internal looping network of public water mains. The new water mains must be connected to the existing 16" water main along Houk Road and most likely will need to be looped into the existing 16" water main along US 36. The latest version of the layout does not comply with this requirement.
2.	**Required off-site water line extensions**: none anticipated, with the exception of looping connections beneath Houk Road and US 36.
3.	**Tributary area considerations**: A water model will be required for this development to ensure proper water main sizing, and to verify maximum fire flow requirements can be met.
	Special Land Development Requirements
1.	Note the increase in Utility Capacity Fees effective 1/1/07.
2.	
3.	
4.	