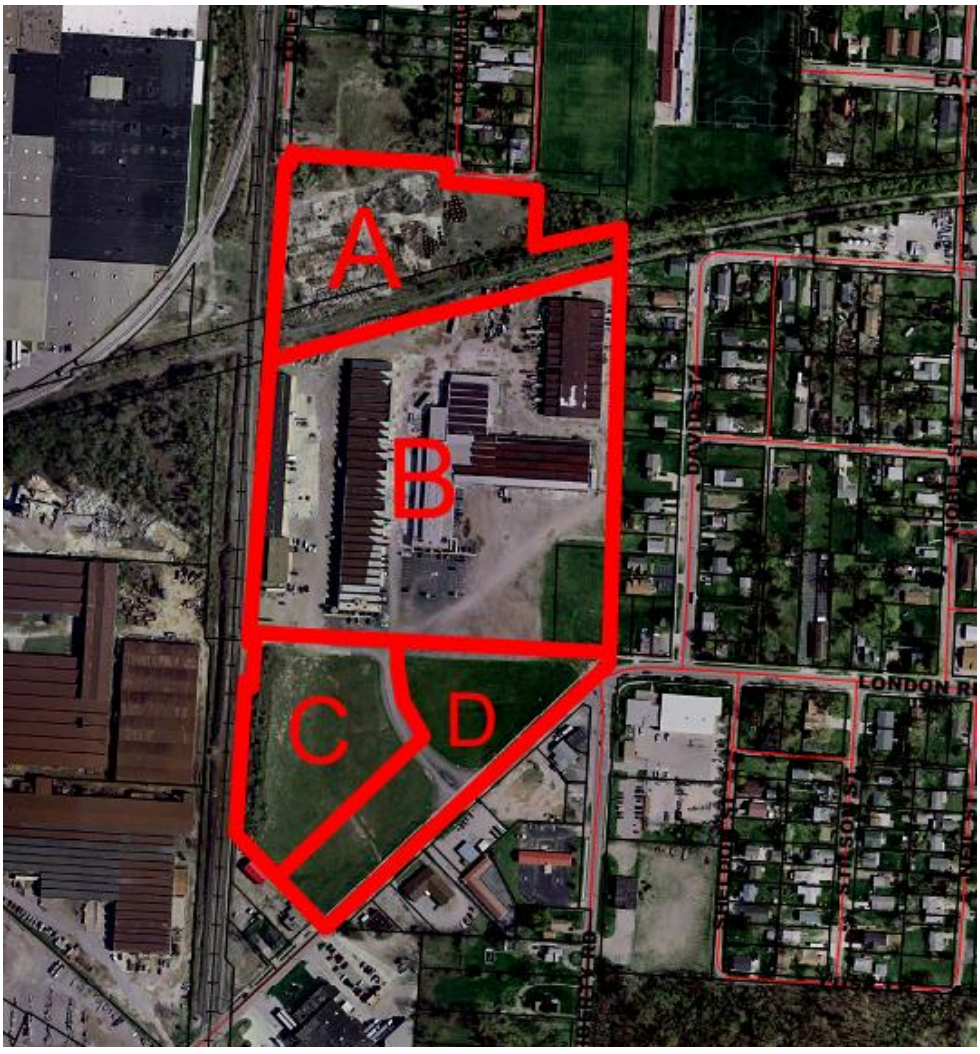
HOWALD INDUSTRIAL PARK, INC.
PLANNED MIXED USE DEVELOPMENT TEXT
320 LONDON ROAD DELAWARE, OHIO
(Approximately 27.79 Acres)

1. DESCRIPTION OF DEVELOPMENT

Howald Industrial Park, Inc. is proposing to rezone their subject 27.79 acres which encompasses all or portions of seven parcels from M-2 (General Manufacturing District) to M-2 PMU (General Manufacturing with a Planned Mixed Use Overlay District) to provide light and heavy manufacturing, commercial and office uses within the proposed 4 sub-districts (A-D) of the subject site. The subject site extends from just north of the former railroad track properties near Toledo Street and Tod Street to London Road and from just west of the David Humphrey's ESQ 2nd Addition Subdivision westward to the CSX railroad tracks.



2. GENERAL DEVELOPMENT STANDARDS

Purpose and Intent. It is the intent of this Development Text to provide a mixed use development which includes existing and proposed light and heavy manufacturing, commercial and office uses located within four sub-districts (A-D) with compatible and common site elements, architectural design, signage and amenities. This development text represents the zoning requirements for this area unless otherwise noted.

a. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this Development Text, all new development will be in conformance with the then current Codified Ordinances and City Policy while the existing development is permitted as constructed.

b. The City and the Applicant have entered into several agreements relative to this area.

    i. One such agreement is titled "Memorialization, Ratification, and Amendment of Prior Agreements and Agreement to Grant Easement" dated November 19, 2004. (See attached Exhibit B-1)
    ii. Another such agreement is titled "Agreement" (also and alternatively referred to as the 'City Agreement') effective August 16, 2013. The subject development in this text is subject to this agreement and shall comply with said agreement. (See attached Exhibit B-2).
    iii. To the extent there is a conflict between this Zoning text and either agreement referenced above, said agreement shall control.

c. **Limitations.** Nothing in this Development Text shall be construed to prohibit additional restrictions or requirements from being placed on the approval of any Final Development Plan.

d. **Major Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent major modification to this Plan shall only be permitted by resubmission and approval of a revised Plan through the procedures set forth in the Zoning Code.

    Major modification for the purposes of this Development Text shall mean any modification of the approved Plan, as determined by the Director of Planning & Community Development that results in:

    a. Any major increase in the non-residential building area.
    b. A major change in the approved location of land uses or land use sub-areas.
    c. Any substantial alteration of the basic geometry, including right-of-way width, and/or operational characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and pedestrian paths that results in a change in operating characteristics or character.

e. **Minor Modifications.** Once a Final Development Plan has been approved, any subsequent minor modification to this Plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Plan.

Minor modification for the purposes of this Development Text shall mean any modification of the approved Plan, as determined by the Director of Planning & Community Development that results in:

a. A modification that is not considered a major modification by this Development Text or by determination of the Director of Planning & Community Development.
b. Any increase of less than 10% in the non-residential building area.
c. A minor change in the approved location of land uses or land use sub-areas.
d. A minor alteration of the basic geometry, including right-of-way width, and/or operational characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and pedestrian paths that results in a change in operating characteristics or character.
e. Minor structural alterations that do not alter the overall design intent for buildings.

f. **Preliminary and Final Development Plans.** The existing buildings and site conditions are considered to be a Final Development Plan condition while any proposed building and site features would considered to be in a Preliminary Development Plan condition as shown on the approved plan with this text. A Final Development Plan would be required for any element deemed preliminary or any change to be deemed major as required by this text or revised plans from the current conditions which would have to the approved by the Planning Commission and City Council.

g. **Tree Removal and Replacement.** Any tree removal shall achieve compliance with Chapter 1168 Tree Preservation Regulations. At this time, there are not any qualifying existing trees on this site.

h. **Utilities**. The existing utilities throughout the site would be utilized where feasible. Any new utilities shall achieve compliance with the City of Delaware requirements. In addition, storm water management on new developments shall achieve compliance with City requirements (see 2.k as to storm water management as to existing developments).

i. **Comprehensive Sign Plan .** The Applicant shall prepare and submitted for review and approval by Staff a Comprehensive Sign Plan consistent with this text and Zoning Code Section 1165.16-c. All signs shall thereafter be in conformance with any approved Comprehensive Sign Plan. The Comprehensive Sign Plan shall show the sign scheme for each building, including size, illumination, and general and consistent 'sign band' locations. Further, the Comprehensive Sign Plan may include

up to 2 ground mounted signs with no more than 6 tenant panels each and generally oriented along London Rd only. The ground mounted signs shall be landscaped, monument base sign types consistent with the Gateway and Corridor Plan and shall be no higher than 12-15 feet from average grade including the monument base which shall be approximately 3 ft. high. These sign may be internally illuminated. Each individual building tenant shall be allowed one wall sign which may be internally illuminated and generally located in the sign band area over the primary entrance. Final design, materials, locations, restrictions and details are to be included within the Comprehensive Sign Plan. In the absence of an approved Comprehensive Sign Plan for the entire development, the base Zoning Code requirements for signs and any adopted plans and policies shall control.

j. Bike Path. The applicant would deed a bike path easement, as per the agreement and generally shown on Exhibit L herein, that extends from the proposed vacated railroad right of way on the northeastern portion of the site to approximately the south end of Tod Street. Additionally, to provide for a potential future bike path connection from Columbus Avenue west to Toledo Street, the applicant has reserved a bike path easement over the property previously owned by the applicant and currently owned by Sargent (519-344-05-019-001). The applicant has agreed to and will, upon approval of this rezoning and the required Comprehensive Sign Plan and such becoming fully effective, assign the easement across the Sargent property to the City. The applicant will also execute the necessary steps and/or document the crossing of its portion of vacated Toledo Street to ensure the bike path connection to the public portion of Toledo Street at the same time. In additional any temporary easements to construct the bike path would be required. As part of the aforementioned City Agreement and upon approval of this rezoning Howald will deed to the City a bike path easement plus any temporary easements necessary to construct the bike path. Additionally, as the Agreement provides, relevant to the bike path, Howald will contribute Fourteen Thousand Dollars ($14,000) to the City toward the bike path construction.

k. **Storm Sewer and Storm Water Management.** Existing systems are adequate for the existing development. Any new improvement or construction must meet all City development and storm water standards in effect at the time of permit application.

l. **Fencing and Landscaping**. The subject rezoning application shall supersede any previous City Council, Planning Commission and/or BZA approvals. BZA Case 04-061 permitted fence variances and waived the landscape requirements for the current Howald Industrial Park. The existing fencing has been installed per approvals previously obtained. The new fencing and landscaping requirements are addressed in the development text for each sub-area.

m. **Other City Development Requirements.** The proposed Howald Industrial Park shall achieve compliance with all other department development requirements including building, engineering, utility, police and fire departments.

3. SUB-AREAS

The project is divided into four sub-areas (A-D) to represent the distinct areas of the development.

- Sub-Area A, located on the northern portion of the subject is part of the former foundry site and the abandoned "Springfield Branch" railroad right-of-way (per the City agreement the railroad right-of-way would be granted to the applicant from the City with a reverter clause allowing the railroad track owner to take ownership of the right-of-way at their discretion), will be a transition area of fenced parking and storage of semi-tractor trailers, equipment and materials within the fenced confines. A new second access point to the Park from Toledo Street will be provided in this sub-area.
- Sub-Area B is located in the center of the subject area and encompasses the existing six buildings and a future seventh building per the Preliminary Development Plan. The proposed uses for this sub-area will contain light and heavy manufacturing, commercial and office uses.
- Sub-Area C, which is located south of Sub-Area B and adjacent to the existing railroad tracks. This portion of the site is currently vacant with a proposed future 41,668 square foot building adjacent to the CSR railroad tracks and parking lot with uses ranging from light and heavy manufacturing to commercial and office uses.
- Sub-Area D, located along London Road, includes the existing main entrance drive from London Road into the subject site. Two proposed future buildings fronting London Road, which contain approximately 58,332± square feet, will be for general and light manufacturing uses along with commercial and office uses.

4. SUB-AREA A

a. **Permitted Uses.** Permitted uses are permitted by right and shall meet all development standards specified within this Development Text or the Zoning Code, as applicable.

b. **Conditionally Permitted Uses.** In addition to all standards specified within this development text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.

c. **Accessory Uses and Structures.** Accessory uses, which are considered allowed uses, include those uses that are customarily incidental and secondary to the principal use of the land. Such uses include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	**Sub-Area A**
(1) Warehouse or indoor storage facility	P

Land Use Category	Sub-Area A
(2) Parking lots and garages	P
(3) Truck, farm, recreational vehicles – storage	P
(4) Distribution facility/truck terminal	P
(5) Storage above-ground of flammable liquids	C
(6) Outdoor storage – general materials	P
(7) Outdoor storage of fleet vehicles for operation of principal use	P
(8) Outdoor storage of equipment	P

d. Prohibited Use. No adult entertainment uses shall be permitted.

6. **Building Setback Standards**

The following standards shall apply for minimum building setbacks for new buildings. 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	Sub-Area A
a) Setback from Tod Street	30 ft.
b) Setback from Side or Rear Lot Line A. Adjacent to a non-residential district B. Adjacent to a residential district	 20 ft. 50 ft.
c) Minimum spacing between buildings	30 ft.

7. **Maximum Building Height.** The maximum height of any building or structure shall be 50 feet as measured from finished floor elevation to the highest point of the roof.

8. **Building Design.** All new buildings shall comply with Chapter 1171.03 Building Design Criteria.

9. **Parking Setbacks.** Parking and storage of materials with zero setback along Tod Street is approved as an existing use. The following standards minimum parking setbacks shall apply to any new construction or improvements.

Minimum Parking Setbacks	Sub-Area A

Minimum Parking Setbacks	Sub-Area A
(1) Setback from street right-of-way	
a. Adjacent to a residential district	50 ft.
b. Adjacent to a non-residential district	0 ft.
(2) Setback from rear and side lot line	
a. Adjacent to a residential district	30 ft.
b. Adjacent to a non-residential district	0 ft.

10. **Landscaping and Screening**. The buffering adjacent to the residential districts shall comply with Chapter 1166 Landscaping and Screening Requirements except that the screening adjacent to non-residential districts is permitted to be a fence to match the existing fence. The subject fence shall be 6ft. to 8 ft. high with vertical hedge-link privacy filler and would be located along the far eastern edge of the parking area adjacent to the vacant lot to the south of the Ohio Wesleyan University soccer field and along TodStreet. An 8 ft. chain link fence without filler shall be placed along the western boundary between Sub-Area A and the CSX railroad tracks.

11 **Access.** Secondary ingress and egress to Sub-Area A (which has already been installed) is through a not to exceed 30 ft. wide entrance located at the south end of Toledo Street at the northwest corner of Sub-Area A to Sub-Area B. The access drive will be gated in order to control access into Sub-Area B (the parking and storage areas within Sub-Area A will be individually fenced and gated.) The primary access to Sub-Area A will be through the main entrance from London Road.

13 **Parking Surfaces**. The parking area for trucks and equipment and outdoor storage of materials are as constructed and existing are concrete (the floors of the former foundry) and gravel.

14 **Lighting**. Any new wall and/or pole lights shall achieve compliance with Chapter 1158 Lighting Plan.

5. SUB-AREA B

a. Permitted Uses. Permitted uses are permitted by right and shall meet all development standards specified within this Development Text or the Zoning Code, as applicable.

b. Limited Uses. Limited uses shall be considered permitted uses subject to complying with all the specific limitations and restrictions as specified within this text as determined by Final Development Plan approval.

c. Accessory Uses and Structures. Accessory uses, which are considered allowed uses, include those uses that are customarily incidental and secondary to the principal use of the land. Such uses include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	**Sub-Area B**
(1) Offices – administrative, business, professional and sales	P
(2) Research and development facility	P
(3) Training facility	P
(4) Public safety service facility (local service)	P
(5) Indoor recreation and entertainment	P
(6) Health club	P
(7) Public service/maintenance facility	P
(8) Retail and service establishments in completely enclosed buildings	P
(9) Self-service storage	P
(10) Veterinary office (no outside run or kennel)	P
(11) Veterinary hospital (with or without kennel)	P
(12) Warehouse or indoor storage facility	P
(13) Assembly and production facility utilizing products from previously and elsewhere prepared materials	P
(14) Maintenance storage facility with enclosed building	P
(15) Automotive repair garage	P
(16) Automotive sales and rentals	P
(17) Parking lots and garages	P
(18) Truck, farm, recreational vehicles –sale/storage	P
(19) Distribution facility/truck terminal	P
(20) Terminal – bus, cab	P
(21) Drive-thru facility associated with any permitted uses	P
(22) Storage above-ground of flammable liquids	L

Land Use Category	Sub-Area B
(23) Outdoor Storage of general materials	P
(24) Outdoor Storage of fleet vehicles for operation of principal use	P
(25) Outdoor Storage of equipment	P
(26) Outdoor display	P
(27) Outdoor storage	P

(1) **Specific Standards for Limited Uses.** Any use listed as a limited use shall meet all requirements of the Zoning Code, unless otherwise exempted or modified in this Section which shall take precedence in all cases, as determined through the Final Development Plan approval process. If any of the requirements set forth in this text or the then current Zoning Code are not met, the use shall be considered a Conditional Use and a Conditional Use Permit must be approved as set forth in the Zoning Code.

a. **Storage (aboveground) of Flammable Liquids.** Such use shall meet all requirements of the then current Zoning code and the following conditions:

i. Aboveground storage tanks of flammable liquids shall not exceed 2,000 gallons in capacity.

ii. All aboveground storage tanks shall comply with all state and national fire code regulations.

iii. Aboveground storage tanks shall be set back a minimum of 100 feet from all non-residential property lines and 300 feet from residential property lines.

d. Prohibited Use. No adult entertainment uses shall be permitted.

6. **Building Setback Standards**

The following standards shall apply for minimum building setbacks for new buildings. 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	Sub-Area B

a) Setback from Side or Rear Lot Line A. Existing buildings B. Proposed Building(s) (i) Adjacent to a non-residential district (ii) Adjacent to a residential district with no openings on the side of the building closest to the residential district.	As constructed 20 ft. 20 ft.
d) Minimum spacing between buildings A. Existing buildings B. Proposed building(s)	As constructed 30 ft.

7. **Maximum Building Height.** The maximum height of any building or structure shall be 50 feet as measured from finished floor elevation to the highest point of the roof.

8. **Building Design.** All new buildings shall comply with Chapter 1171.03 Building Design Criteria.

9. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks or as approved on a Final Development Plan for new construction or improvements.

Minimum Parking Setbacks	**Sub-Area B**
1. Setback from street right-of-way i. Existing parking spaces ii. New parking spaces 1. Adjacent to a residential district 2. Adjacent to a non-residential district	As constructed 20 ft. 0 ft.
2. Setback from rear and side lot line iii. Existing parking spaces iv. New spaces 1. Adjacent to a residential district 2. Adjacent to a non-residential district	As constructed 20 ft 0 ft.

10. **Landscaping and Screening**. The buffering adjacent to the residential districts shall comply with Chapter 1166 Landscaping and Screening Requirements for new buildings and parking lots except that the existing 8 foot high chain link fence with vertical green ("Hedge Link") strip filling shall be the required fencing for the entire Sub-Area B when adjacent to a residential district.

11. **Parking Surfaces**. The existing parking area shall remain as currently constructed but any new parking surfaces shall be asphalt or concrete that achieves compliance with the City engineering department.

12. **Lighting**. Any new wall and/or pole lights shall achieve compliance with Chapter 1158 Lighting Plan or as approved with an approved Comprehensive Sign Plan.

6 SUB-AREA C

a. **Permitted Uses.** Permitted uses are permitted by right and shall meet all development standards specified within this Development Text or the Zoning Code, as applicable.

b. **Limited Uses.** Limited uses shall be considered permitted uses subject to complying with all the specific limitations and restrictions as specified within this text as determined by Final Development Plan approval.

c. **Accessory Uses and Structures.** Accessory uses, which are considered allowed uses, include those uses that are customarily incidental and secondary to the principal use of the land. Such uses include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	**Sub-Area C**
(1) Offices – administrative, business, professional and sales	P
(2) Research and development facility	P
(3) Training facility	P
(4) Public safety service facility (local service)	P
(5) Indoor recreation and entertainment	P
(6) Health club	P
(7) Public service/maintenance facility	P
(8) Retail and service establishments in completely enclosed buildings	P
(9) Self-service storage	P

Land Use Category	Sub-Area C
(10) Veterinary office (no outside run or kennel)	P
(11) Veterinary hospital (with or without kennel)	P
(12) Warehouse or indoor storage facility	P
(13) Assembly and production facility utilizing products from previously and elsewhere prepared materials	P
(14) Maintenance storage facility with enclosed building	P
(15) Automotive repair	P
(16) Automotive sales and rentals	P
(17) Parking lots and garages	P
(18) Truck, farm, recreational vehicles – sale/storage	P
(19) Distribution facility/truck terminal	P
(20) Terminal – bus, cab	P
(21) Car wash	P
(22) Drive-thru facility associated with any permitted uses	P
(23) Storage above-ground of flammable liquids	L
(24) Outdoor storage of general materials	P
(25) Outdoor storage of fleet vehicles for operation of principal use	P
(26) Outdoor storage of equipment	P
(27) Outdoor display	P

(1) Specific Standards for Limited Uses. Any use listed as a limited use shall meet all requirements of the Zoning Code, unless otherwise exempted or modified in this Section which shall take precedence in all cases, as determined through the Final Development Plan approval process. If any of the requirements set forth in this text or the then

current Zoning Code are not met, the use shall be considered a Conditional Use and a Conditional Use Permit must be approved as set forth in the Zoning Code.

a. **Storage (aboveground) of Flammable Liquids.** Such use shall meet all requirements of the then current Zoning code and the following conditions:
    i. Aboveground storage tanks for all flammable liquids shall not exceed 2,000 gallons in capacity.
    ii. All aboveground storage tanks shall comply with all state and national fire code regulations.
    iii. Aboveground storage tanks shall be set back a minimum of 100 feet from all non-residential property lines and 300 feet from residential property lines.

d. Prohibited Use. No adult entertainment uses shall be permitted.

6. **Building Setback Standards**

The following standards shall apply for minimum building setbacks for new buildings or as approved on a Final Development Plan. 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	**Sub-Area C**
a. Setback from side or rear lot line or road right-of-way	
i. Proposed Building(s)	
1. Adjacent to a non-residential district	10 ft.
2. Adjacent to a residential district	50 ft.
b. Minimum spacing between buildings	30 ft.

7. **Maximum Building Height.** The maximum height of any building or structure shall be 50 feet as measured from finished floor elevation to the highest point of the roof.

8. **Building Design.** All new buildings shall comply with Chapter 1171.03 Building Design Criteria.

9. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks.

Minimum Parking Setbacks	**Sub-Area C**
a. Setback from rear and side lot line or right-of-way	
i. Existing parking spaces	As constructed
b. New parking spaces	
i. Adjacent to a residential district	30 ft.
ii. Adjacent to a non-residential district	2 ft.

10. **Landscaping and Screening**. The buffering adjacent to the residential districts shall comply with Chapter 1166 Landscaping and Screening Requirements for new buildings and parking lots except that a 6 to 8 foot high chain link fence shall be the required fencing for the entire Sub-Area C.

12.**Parking Surfaces**. The parking surface shall be asphalt or concrete that achieves compliance with the City engineering department.

13 **Lighting**. Any new wall and/or pole lights shall achieve compliance with Chapter 1158 Lighting Plan.

7. SUB-AREA D

a. **Permitted Uses.** Permitted uses are permitted by right and shall meet all development standards specified within this Development Text or the Zoning Code, as applicable.

b. **Accessory Uses and Structures.** Accessory uses, which are considered allowed uses, include those uses that are customarily incidental and secondary to the principal use of the land. Such uses include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas.

Land Use Category	**Sub-Area D**
(1) Offices – administrative, business, professional and sales	P
(2) Financial institutions, banks	P
(3) Medical and dental offices, health and allied services, lab facilities	P
(4) Research and development facility	P

Land Use Category	Sub-Area D
(5) Training facility	P
(6) Places of worship	P
(7) Schools, trade, business and cultural arts	P
(8) Day care center, child/adults	P
(9) Public safety service facility (local service)	P
(10) Indoor recreation and entertainment	P
(11) Health club	P
(12) Retail and service establishments in completely enclosed buildings	P
(13) Restaurant – counter service	P
(14) Restaurant – table service	P
(15) Drive thru or walk up ATM	P
(16) Veterinary office (no outside run or kennel)	P
(17) Veterinary hospital (with or without kennel)	P
(18) Assembly and production facility utilizing products from previously and elsewhere prepared materials	P
(19) Outdoor automotive sales and rentals	P
(20) Truck, farm, recreational vehicles – storage	P
(21) Terminal – bus,cab	P
(22) Car wash	P
(23) Outdoor display	P

c. Prohibited Use. No adult entertainment uses shall be permitted.

6. **Building Setback Standards**

The following standards shall apply for minimum building setbacks for new buildings. 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	**Sub-Area D**
a) Setback from London Road	50 ft.
b) Setback from side or rear lot line	10 ft.
c) Minimum spacing between buildings	10 ft.

7. **Maximum Building Height.** The maximum height of any building or structure shall be 50 feet as measured from finished floor elevation to the highest point of the roof.

8. **Building Design.** All new buildings shall comply with Chapter 1171.03 Building Design Criteria..

9. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks.

Minimum Parking Setbacks	**Sub-Area D**
a. Setback from London Road	10 ft.
b. Setback from side or rear lot line	10 ft.

10. **Landscaping and Screening**. The buffering adjacent to the residential districts shall comply with Chapter 1166 Landscaping and Screening Requirements for new buildings and parking lots. The entire sub-area adjacent to a residential district shall be fenced (except for along London Road) with a 6 to 8 foot high chain link fence with vertical hedge link private fillers.

12. **Parking Surfaces**. The parking surface shall be asphalt or concrete that achieves compliance with the City engineering department.

13 **Lighting**. Any new wall and/or pole lights shall achieve compliance with Chapter 1158 Lighting Plan.

ORDINANCE NO. 15-119

AN ORDINANCE APPROVING A REZONING FROM M-2 (GENERAL MANUFACTURING DISTRICT) TO M-2 PMU (GENERAL MANUFACTURING DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR HOWALD INDUSTRIAL PARK ON APPROXIMATELY 27.79 ACRES LOCATED AT 320 LONDON ROAD.

WHEREAS, the Planning Commission at its meeting of December 2, 2015, recommended approval of a Rezoning from M-2 (General Manufacturing District) to M-2 PMU (General Manufacturing District with a Planned Mixed Use Overlay District) for Howald Industrial Park on approximately 27.79 acres located at 320 London Road (PC 2015-1899), and

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

SECTION 1. That the Rezoning from M-2 (General Manufacturing District) to M-2 PMU (General Manufacturing District with a Planned Mixed Use Overlay District) for Howald Industrial Park on approximately 27.79 acres located at 320 London Road, is hereby confirmed, approved, and accepted, with the following conditions that:

1. Any new structure(s) or any change of use of any existing structure or property shall require conformance to all provisions of the Development Text.
2. Any new structure(s) or site plan element(s) shall require a Final Development Plan approval by the Planning Commission and City Council or as otherwise provided in the development text.

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: January 11, 2016 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: Elaine M Closkey
CITY CLERK

Cindy Kay Riggs
MAYOR