GLENROSS NORTH SECTIONS 5 & 6
PLANNED MIXED USE DEVELOPMENT TEXT
DELAWARE, OHIO

1. DESCRIPTION OF DEVELOPMENT & RELATIONSHIP TO THE CITY OF DELAWARE COMPREHENSIVE PLAN

The Applicant is proposing a single family residential development, known as Glenross North Sections 5 & 6, consisting of detached single-family homes that would connect into the existing Glenross North subdivision to the south as an extension of such subdivision. As such, the Applicant is seeking an amendment to the City of Delaware Zoning Code to permit the Property to be zoned and developed as an R-2 PMU (One-Family Residential with a Planned Mixed Use Overlay District) from the current existing A-1 (Agricultural District) zoning designation. Additionally, Applicant intends to file an Expedited Type II Petition for Annexation pursuant to Ohio Revised Code Section 709.023 to annex the Property to the City of Delaware. The Applicant believes that such amendment and annexation will provide for the highest and best use of the Property, thereby permitting quality housing stock to be constructed within the City of Delaware. Additionally, as further discussed below, the Applicant believes that such amendment is in accordance with the City of Delaware Comprehensive Plan.

The purpose of this Development Text is to set forth all supplemental information required by the Zoning Code and set forth in textual form certain development standards that will apply to the Property, once annexed to the City of Delaware. Accompanying this Development Text is a Preliminary Development Plan and Preliminary Subdivision Plat. All terms and conditions of the Preliminary Development Plan are incorporated in this Development Text by this reference.

The Property consists of approximately 43.6 acres located east of Glenn Parkway and north of the Glenross North subdivision. Once annexed, the Property will be located in the Cheshire Subarea of the City's Land Use Element incorporated in the Comprehensive Plan. The Property has been designated for development as residential housing in the City's Future Land Use Map and has been earmarked as one of the City's Priority Growth Areas (PGAs) for development over the next five years. The PGAs establish the City's geographic preference for development and drive the City's infrastructure investment program. See, GM19 and GM19.3 of the Growth Management Element of the City's Comprehensive Plan. The proposed amendment is in keeping with the goals and policies established by the Comprehensive Plan for the following reasons:

a. The Property will be developed as residential housing as contemplated by the Land Use Element incorporated in the Comprehensive Plan.

b. The use of the Planned Mixed Use (PMU) Overlay District is consistent with the City's Objectives and Strategies in maintaining a reasonable land use balance to reflect the vision of the Comprehensive Plan. As stated in LU6.7 of the Land Use Element, planned district zoning "should be used as a flexible tool to meet the City's gross density

requirements while providing a creative development plan with a mix of units, densities, and housing values within individual developments."

c. The Comprehensive Plan anticipates supporting residential development in the Cheshire Subarea and encourages mixing densities and unit types, as well as small open spaces to create interest and a sense of place within neighborhoods. See, LU23 of the Land Use Element.

d. Being designated as a PGA, development of the Property is consistent with the City's Capital Improvement Plan as required by the Comprehensive Plan's Growth Management Element (GM 20) and is located in the Southeast Highland trunk sewer that would serve this property.

e. Residential development in the Cheshire Subarea will be served by the Southeast Highland Sanitary trunk line. See, LU23 of the Land Use Element.

f. The policies set forth in the Comprehensive Plan concerning expansion to the City's waste water treatment system and storm water management system will be implemented in connection with development of the Property.

g. The policies set forth in the Comprehensive Plan concerning parks and recreational facilities for Delaware residents will be implemented with development of the Property.

In summary, by the amendment to the Zoning Ordinance in connection with the development of the Property as a Planned Mixed Use (PMU) development, the goals and objectives of the Comprehensive Plan will be met. This development will provide the City of Delaware an opportunity to obtain quality housing stock in one of the City's Priority Growth Areas and will preserve in reserves and pond like settings approximately 13.1 acres within the subdivision as open space.

2. GENERAL DEVELOPMENT STANDARDS

a. **Purpose and Intent.** It is the intent of this development to provide a residential development with compatible and common architectural design, streetscape, signage, lighting, and pedestrian amenities throughout the entire development. Architectural and site design that is not consistent with this purpose and intent will not be accepted. This Development Text represents the zoning requirements for this area unless otherwise noted.

b. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this Development Text or the Preliminary Development Plan, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of application.

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

d. **Major Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code. Major modification for the purposes of this Development Text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any major increase in the number of or change in the type and/or mix of dwelling units or any major increase in the non-residential building area.

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

(3) 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 pedestrian paths that results in a change in operating characteristics or character.

e. **Minor Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this Development Text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.

(2) Any minor increase in the number of or change in the type and/or mix of dwelling units less than 5% in the total number of dwelling units.

(3) Minor change in the approved location of land uses or land use sub-areas.

(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 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 buildings.

f. **Tree Removal and Replacement.** There do not appear to be any significant trees on the subject site. Qualifying Major Trees as defined under current City of Delaware code shall be replaced as prescribed within the then current code.

g. **Master Association.** The Property will join the Glenross North (North) Homeowners' Association, Inc. The master homeowners association shall be responsible for maintenance and upkeep of Reserves B, C and D, entrance features and common open space located on the Property. Any declaration shall be reviewed and approved by the City prior to the recording of the declaration. By majority vote of the property owners, the association shall be transferred to the homeowners when 75% of the units have

received a certificate of occupancy, unless the Developer establishes to the satisfaction of the City Director of Planning and Community Development that less than 75% of the units have been sold to third party buyers, in which event such transfer shall be deferred at the election of the Developer until such time as 75% of the units have been sold to third party buyers.

h. **Common Open Space.** The common open space (Reserves A, B, C and D) for the development of the Property shall contain approximately 13.1 acres. All open space will be owned and maintained by the Homeowners' Association for the Development (except Reserve A which shall be dedicated to the City of Delaware and thereafter owned and maintained by the City) subject to all necessary easements and agreements in connection with the overall development of the Property. The identified areas shall satisfy all common open space requirements. All common open space shall be improved, if improvements are necessary or required, concurrent with the public improvements with the respective phase in which the improvement is located.

i. **Parkland.** The Parkland required by the Zoning Code shall be satisfied by the 7 acre park located in the middle of the Glenross North subdivision just south of the Property. Additionally, Reserve A consisting of approximately 1.9 acres shall be dedicated to the City. The City may subsequently grant any covenants, easements, or restrictions to a third party for the purposes of holding the same. Prior to or concurrent with the submittal of the Preliminary Subdivision Plat, the Applicant shall submit for review and approval a Parkland and Open Space Improvement Plan. All public parkland shall be improved, if improvements are necessary or required, concurrent with the public improvements with the respective phase in which the improvement is located.

j. **Utilities to be Located Underground.** All new utilities serving the Property shall be located underground. Additionally, and if determined to be economically feasible, any existing utilities that will serve the Property that are located above ground shall be relocated underground. The Applicant and the City shall work together to ensure that any technical and financial information provided by the respective utility company is fair and reasonable.

k. **Composite Utility Plan Required.** Prior to the installation of any non-City owned utility, a composite utility plan shall be submitted for review and approval by the City. Such plan shall depict the location and type of all non-City owned utilities including the location and type of any above ground pedestal, transformer, meter, cabinet, and other such above ground structures that support the respective utility. Any above ground structure shall be inconspicuously located, dark green in color, and if located in any front.

l. **Removal of Existing Farm Fencing.** Unless demonstrated to the City that such fencing is not in the ownership of the Applicant, all existing farm fencing and barbed wire fencing shall be removed from the site at a minimum on a lot by lot basis.

m. **Construction Trailers.** Construction trailers shall meet all requirements of the current Zoning Code and shall be removed once construction activity has moved to another phase of the development. For example, once the public improvements have been accepted in

Phase 2 any construction trailer located in Phase 1 shall be relocated to Phase 2 provided the respective builder is or will be constructing lots in the subsequent phase.

n. **Sidewalks.** Sidewalks will be constructed concurrently with the construction of a home on each lot.

3. SINGLE-FAMILY STANDARDS

a. **Uses.** The following uses of the Property shall be considered permitted or conditionally permitted 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 Development Text and the Zoning Code, as applicable.

(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 the conditional use.

(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.

Land Use Category	**Glenross North Uses**
(1) **Residential**	
(1) Detached single-family dwelling	P
(2) Minor home occupation	P
(2) **Recreational/Open Space**	
(1) Park, playground	P
(2) Non-commercial recreation facility (including homeowner association controlled facilities)	P
(3) **Other**	
(1) Public Safety & Service facility (local service)	C

b. **Density of Dwelling Unit Type.** The overall density shall not exceed that approved on the Preliminary Development Plan.

c. **Lot Standards.** The minimum lot sizes and frontages shall be that depicted on the Preliminary Subdivision Plat.

d. **Building Setback Standards.** The following standards shall apply for minimum principal building setbacks (including accessory structures attached to the principal structure) based on the type of dwelling unit.

Minimum Building Setbacks*	**Glenross North**
(a) Front Yard Setback	30 ft.
(b) Rear Yard Setback	35 ft.
(c) Side Yard Setback	6 ft minimum, 15 ft between homes

*Side and rear yard setbacks shall not apply to minor architectural projections such as eaves, chimneys and bay windows. Such projections may extend 3 feet into the required side yard setback.

e. **Floor Area Requirements.** Each dwelling unit shall provide for the following minimum floor area, exclusive of basements (unless walk-out units), unfinished attic spaces, garages, and any attached or detached accessory buildings.

A. One story ranch – 1,800 sq. ft.

B. Two story – 2,000 sq. ft.

f. **Maximum Building Height.** The maximum height of any principal building or structure shall be 35 feet as measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

g. **Building Design.** Unless otherwise modified within this Development Text, all dwellings shall meet the building design requirements of Chapter 1171, R-2 District standards for detached single-family dwellings.

(1) To create a cohesive and unified design throughout the entire development yet provide a diversity of housing types each building shall be consistent in overall design, color, material, and architectural pattern and include a similar and/or repeating pattern of design elements such as architectural styles, roof and building massing, window proportion, or other elements as determined through the Final Development Plan review process.

(2) Representative home elevations (all sides) shall be reviewed and approved by the Planning Commission as part of the Final Development Plan. Minor variations

thereafter shall be potentially administratively approvable as written in this Development Text.

(3) Exterior Material and Trim Standards.

A. All elevations of the subject house, (excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows) shall be constructed of upgraded vinyl, brick, stone, cultured stone, wood siding, stucco, SmartSide, fibrous cement siding, or other approved material.

B. Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around.

C. Standing seam metal roofs are encouraged on select architectural elements of front elevations, such as porches or front entrance features.

D. EIFS or similar products (excluding stucco) are prohibited as an exterior material.

E. Frieze trim a minimum of 4 inches wide is required under all overhangs and gables.

F. All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text.

G. All homes will have, at a minimum, dimensional shingles.

(4) Design Standards

A. Materials on each home shall be varied to provide variety throughout the community.

B. All front elevations shall include a variety of styles, colors, and/or materials types of materials.

C. All homes will have not less than a 2 car attached garage.

D. The principal roof structure on all homes will have a roof pitch of not less than 6/12.

E. Minimum 8 inch overhangs and rakes.

F. Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.

G. Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 6 x 6 inch cross section or diameter.

H. Treated lumber shall be painted or stained, except when used on outdoor decks.

I. Where wood burning fireplaces are utilized the exposed chimney shall be faced with brick or stone at a minimum. All direct vent fireplaces shall be located in a side or rear yard and screened from view when visible from a public street.

J. All homes shall provide an identifiable entry with entry coverings and stoops being a minimum of 3 feet deep or the minimum necessary for building code regulations, which ever is greater. Any porch shall be a minimum depth of 6 feet.

K. Front elevations shall be designed to de-emphasize the visual impact of the garage. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including matching the door color to the predominant color of the main structure, incorporate a glass course, add trim packages to give the appearance of stable doors, man doors, hinged swing doors, and other similar architectural elements.

L. Side elevations shall include multiple windows and design elements that provide visual interest as well as allow light into the unit.

M. Rear elevations facing a public right-of-way shall have a minimum of two windows.

h. **Accessory Structures.** Fences (other than decorative fencing along front entrance paths and front porches) are prohibited in any front yard and must meet the standard fence specifications as provided with the Final Development Plan. Privacy fences are prohibited except around spas and hot tubs. Attached decks and patios may extend up to five (5) feet into a required rear setback provided the encroachment does not adversely impact any easement. All other accessory structures shall meet the requirements of the current Zoning Code.

i. **Landscaping and Screening.** All landscaping shall meet the requirements of the then current Zoning Code and the Gateways & Corridors Plan unless modified herein.

(1) All street tree plantings shall meet the requirements and approval process of the Zoning Code unless modified in this Development Text.

(2) Street trees shall be a minimum of 1.75 caliper inches as measured at breast height at the time of installation or per City Arborist.

(3) Along Glenn Parkway, an earth mound, no less than 3 feet and not more than 6 feet in height as measured from the side walk or bike path shall be installed with a mix of deciduous and coniferous plantings providing, at the time of installation, a minimum 60% year round opacity at a combined mound and landscaping height of no less than 10 feet at planting shall be provided. Such mounding shall not interfere with any required sight distance.

(4) A typical landscaping plan for each unit type shall be submitted and approved with the Final Development Plan. This typical landscaping shall set forth the minimum amount of required landscaping for each unit type at the time of building of each structure prior to the issuance of a Certificate of Occupancy. Landscaping species may be varied on a permit by permit basis.

(5) Ground mounted equipment shall be screened from view using plant materials providing 100% year round opacity. Air conditioning units shall be located in manner that minimizes the view from the public right-of-way.

(6) Along the existing railroad tracks, an earthen mound, no less than 10 to 12 feet high shall be installed with coniferous plantings providing complete screening at a combined mound and landscaping height of no less than 16 feet in a manner consistent with the mounding to the south in the Communities at Glenross Subdivision. This can be achieved by a soldier course of plantings across the top of the mound leaving sufficient room for trees to grow adequately as approved by the City's urban forester.

j. **Tree Removal and Replacement**. Tree removal and replacement shall meet all the requirements of Chapter 1168.

k. **Pedestrian Connectivity.** Pedestrian connectivity shall be provided throughout the subdivision with stub connections to other sub-areas and future development. Concrete sidewalks shall be provided on both sides of all public streets as shown on the approved Final Development Plan per engineering requirements.

l. **Open Spaces.** Open spaces shall be landscaped and designed in a manner consistent with the overall development. Landscaping and design plans for all open spaces shall be submitted and approved with the Final Development Plan and include, at a minimum, the following:

(1) Sidewalks shall be provided throughout the open space to link the amenities of the open space to the adjacent public sidewalk or pathway network and provide active recreation throughout as approved on the Preliminary Development Plan.

(2) Crosswalks leading to open spaces shall be provided and as acceptable by the City Engineer.

(3) All open spaces shall be constructed with the public infrastructure with the respective phase in which the open space is located. Landscaping shall be installed at the first time of year in which it is appropriate to install such plant material provided the acceptance of public improvements occurs during an inappropriate time for planting and the incomplete landscaping is bonded with the City.

m. **Entry Features and Signs.** With the Final Development Plan, a comprehensive entry feature and signage plan shall be submitted. All signs shall be designed and located in a manner that is appropriate and consistent with the overall design of the Sub-Area. Internally illuminated signs are prohibited, but externally illuminated and backlighting of lettering is permitted.

ORDINANCE NO. 21-32

AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR THE ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

WHEREAS, the Planning Commission at its meeting of May 5, 2021 recommended approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Vincent Romanelli for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road (PC Case 2021-1056).

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

SECTION 1. That the Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Vincent Romanelli for the addition to the Glenross North Subdivision (Sections 5 & 6) on approximately 43.6 acres located east of Glenn Parkway and just south of Berlin Station Road, 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.

PASSED: July 26, 2021 YEAS 7 NAYS 0
ABSTAIN 0

ATTEST: Elaine McCloskey
CITY CLERK

Carol Kay Riggle
MAYOR