ORDINANCE NO. 09-17

AN ORDINANCE APPROVING A REZONING FOR OHIO HEALTH/GRADY MEMORIAL HOSPITAL TO ADD A PLANNED MIXED USE (PMU) OVERLAY TO PROPERTY LOCATED ON THE EAST SIDE OF GLENN PARKWAY AT THE INTERSECTION WITH OHIO HEALTH BOULEVARD CONSISTING OF 105.278± ACRES AND ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT) WITH TEXT LIMITATIONS.

WHEREAS, the Planning Commission at its meeting of March 4, 2009 recommended approval of a Rezoning for Ohio Health/Grady Memorial Hospital to add a Planned Mixed Use (PMU) Overlay to property located on the east side of Glenn Parkway at the intersection with Ohio Health Boulevard consisting of 105.278± acres and zoned PO/I (Planned Office/Institutional District) with Text Limitations, (PC 09-012), and

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

SECTION 1. That the Rezoning for Ohio Health/Grady Memorial Hospital to add a Planned Mixed Use (PMU) Overlay to property located on the east side of Glenn Parkway at the intersection with Ohio Health Boulevard consisting of 105.278± acres and zoned PO/I (Planned Office/Institutional District) with Text Limitations, be the same and is hereby confirmed, approved, and accepted with the following condition that:

1. Section 3.8(d)(1) of the Development Text be amended to include "as approved on the Final Development Plan" at the end of the sentence.

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: April 13, 2009 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: Christine Shaw
CITY CLERK

Lindell Wheeler
MAYOR

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: PC09-011 & PC09-012
REQUEST: Multiple Requests
PROJECT: Delaware Health Village
MEETING DATE: March 4, 2009

APPLICANT/OWNER
Ohio Health/Grady Memorial Hospital
561 West Central Avenue
Delaware, Ohio 43015

REQUEST

PC 09-011: A request by Ohio Health/Grady Memorial Hospital for approval of a Conditional Use Permit to allow the placement of a Planned Mixed Use (PMU) Overlay to be included on 105.278 acres currently zoned PO/I (Planned Office/Institutional District) with Text Limitations and located on the east side of Glenn Parkway at the intersection with Ohio Health Boulevard.

PC09-012: A request by Ohio Health/Grady Memorial Hospital for approval of a Rezoning to add a Planned Mixed Use (PMU) Overlay to property located on the east side of Glenn Parkway at the intersection with Ohio Health Boulevard consisting of 105.278 acres and zoned PO/I (Planned Office/Institutional District) with Text Limitations.

PROPERTY LOCATION & DESCRIPTION

The property is located on the east side of Glenn Parkway at the intersection of Ohio Health Boulevard. Aside from the construction of the Phase 1 building that is proposed to be the home of medical offices, an urgent care, and sleep center, the site is largely open land with limited wooded areas primarily located in the southeastern portion of the site. The zoning is PO/I (Planned Office/Institutional District) with Text Limitations. The surrounding zoning is R-2 (Single-Family Residential District) with a Planned Residential District (PRD) Overlay to the north, R-2 District with a Planned Mixed Use (PMU) Overlay and Berlin Township zoning to the east, R-3 (Single-Family Residential District) and B-4 (General Business District) zoning both with Text Limitations to the south, and B-4 with Text Limitations and Liberty Township zoning to the west.

BACKGROUND

The property was zoned in early 2005 as part of larger rezoning that included properties to the west and south. Although this property and the retention of Grady Memorial Hospital in the City was the keystone to that rezoning and associated agreements, the ultimate development pattern for this and other properties was not known at that time as no master planning had yet taken place. The rezoning was established for the intended uses of all the properties at that time and set forth a prescriptive suburban development pattern that is found in the base zoning districts of the Zoning Code. Since that rezoning was adopted, Grady Memorial has established a partnership with Ohio Health and undertaken a major master planning exercise for this site. The result of these efforts is a health village concept that mixes a number of uses as part of a full service health campus characterized by a central green space and buildings pushed toward tree lined streets with parking areas provided to the rear and sides of buildings.

Unfortunately, despite the efforts in 2005 to place what was believed to be the proper zoning on the property, the Planned Office/Institutional District in today's Zoning Code is not a planned district as the name implies nor does it allow the village concept as envisioned by the Applicant today. This fact was noted during the approval process of the Phase 1 building currently under construction and a condition was placed upon that approval requiring the Applicant to submit for a proper zoning prior to an occupancy certificate of the Phase 1 building being granted. As a result and with the occupancy of the Phase 1 building quickly approaching, the Applicant has spent the last several months working with City Staff to craft a Planned Mixed Use (PMU) Overlay Development Text that provides the flexibility to the Applicant and control by the City to achieve the village concept that is the Delaware Health Village.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** Any rezoning proposed in the City of Delaware is required to be in conformance with the Comprehensive Plan. In this case the Comprehensive Plan recommends a future land use of Institutional. This is obviously reflective of the planned primary use of the property as the new hospital and heath campus. Generally, Staff has recommended that whenever the PMU Overlay zoning is proposed that the application be accompanied with an amendment to the Comprehensive Plan Future Land Use Map to Mixed Use. In nearly all of those instances, the ultimate development pattern has included a mix of retail,

office, and single-family residential uses. In this particular case, the site will remain entirely institutional in use from the hospital and supportive centers to the medical office to the continuing residential care facility. Non-institutional uses, such as restaurants and supportive retail, may be included on an accessory and incidental basis. The PMU Overlay being proposed functions primarily to facilitate the village concept from a site design standpoint with provisions made to allow the flexibility and mixing of institutional and supportive uses, including continuing residential care facility. As a result Staff has not requested a Comprehensive Plan Amendment concurrent with this application nor would Staff recommend that one be submitted.

- **PMU OVERLAY ZONING:** Despite the use of the word 'planned' in several other zoning districts, the PMU Overlay is the only true planned district in the City of Delaware zoning toolbox that allows an Applicant and the City to craft a zoning solution unique to the site and needs of a particular development. In this instance, the mix of institutional office and institutional residential uses with supportive accessory uses, particularly in a village concept as previously described, cannot be achieved by any zoning district in the current City of Delaware Zoning Code without significant variances. The PMU approach, through a negotiated process, allows the Applicant to craft a zoning that is flexible and able to support the desired development pattern while ensuring the City has retained, and in many cases gained, control of the development to ensure a very specific and higher quality development than which could otherwise be achieved through a base zoning district. In the opinion of Staff, this is the appropriate zoning for this unique use and property.
- **DEVELOPMENT TEXT:** With any PMU Overlay request a Development Text is required to be prepared and submitted to the Planning Commission and City Council. This, along with eventual development plan approvals, serves as the official zoning for the property. The remainder of this Report will highlight and review various sections of this Development Text.
- **USES:** The Development Text sets forth the allowed uses of the property. In this case, uses are either permitted by right or by limitation. The limitation implies that the use is only authorized if certain defined requirements are met. For example, a hotel/motel may be constructed on the 105 acre site provided it does not exceed 120 guest rooms and designed in a manner consistent with the overall character of the Delaware Health Village. The Planning Commission and City Council will ultimately determine the latter part of that limitation. Uses, regardless of whether or not they are permitted or limited, may be placed anywhere on the site provided any limitation or other site development and building design standard is met. This allows the Applicant the ability to locate medical office buildings, outpatient surgery centers, non-institutional accessory uses, and the residential continuing care facility in appropriate places on the site as the market and Applicant see best to support the new hospital and overall health village.
- **DEVELOPMENT ZONES/DIAGRAM:** Included in the packet and supplemental to the Development Text is a Development Diagram that illustrates the various building, parking, tree preservation, open space, and other zones of the anticipated development. These areas are loosely based on the master plan developed by the Applicant yet are intended to allow flexibility to the overall location of uses. This Development Diagram along with the Development Text establishes the village concept desired by the Applicant, yet remains general in terms of not specifying precisely where any uses are to be located on the site until the time of Final Development Plan submission.
- **HELIPORT:** Any major hospital must have a heliport in order to provide the best critical care response possible. Although these types of transports are generally infrequent it is important to consider the surrounding land uses in locating the heliport on the site. With residential uses planned both on-site and off, it is very important that the Development Text contain some limitations that provide a reasonable amount of protection to the surrounding properties without jeopardizing the safety of critical care patients requiring air transport. As a result, Staff and the Applicant are proposing that the heliport not be located closer than 500 feet to a residential use and 300 feet from the Glenn Parkway property line. Such setbacks are appropriate and more than double the distance of the existing heliport on Central Avenue from neighboring homes.
- **BUILDING HEIGHT:** The current zoning allows a building height of 100 feet as measured from the average adjacent grade to the top of the roof for any building regardless of where it is located on the 105 acre site. The only building that would conceivably approach such height would be the hospital. Consistent with the Applicant's desired flexibility in the location of uses, Staff and the Applicant have developed a building height setback scheme that would limit the height of buildings adjacent to off-site residential uses. Under this scheme, any building taller than 35 feet (the maximum height of a residential structure in the City of

Delaware) yet 50 feet or less in height must be setback a distance of twice the building height (a minimum of double the typical residential rear setback in the City of Delaware). Any building taller than 50 feet up to 100 feet must be setback quadruple the height of the building. This allows buildings with compatible residential building heights to be located at compatible setbacks from the property line and as the height increases above that threshold so does the setback proportional to the height.

- **BUILDING DESIGN:** Perhaps the regulations that have expanded the most since the original rezoning are those concerning the building design. This is in part the result of detailed building design standards being established on those properties adjacent to the east and south of this site and Phase 1 of this development establishing the initial character and design standard for the remainder of the site. While flexibility is granted and desired to prevent a monotonous and unimaginative design ethic for the site, primarily brick and stone will be used as the exterior material and will provide the unifying element through the site.
- **LANDSCAPING & SCREENING:** Landscaping will be provided in accordance with the current Zoning Code requirements, except that front yard trees will not be required as such plantings are not feasible given that the buildings are being pushed to the street effectively eliminating front yards. A landscape buffer of 20 feet in width shall be provided adjacent to any existing or proposed residential use. This buffer will preserve existing trees and/or include additional plantings at a rate of 21 trees per 100 lineal feet. Staff would recommend that Section 3.8(D)(1) be amended to include "as approved on the Final Development Plan" at the end of the sentence. As presently worded if a residential continuing care use faces across the street from the front, perhaps even a side elevation serving as a secondary frontage, of a medical office or other use a buffer would be required in the front yard. This would not be appropriate in the village concept nor is it desired.
- **TREE REMOVAL & REPLACEMENT:** Although the Applicant intends to preserve as many trees as possible on the site, particularly the largest wooded area in the southeast corner, tree removal will be necessary on the site particularly for the tree lines that extend into the middle of the site. Given the extensive tree preservation proposed by the Applicant and green technologies being employed on the site (bio-swale) and perhaps extended into and on the buildings, Staff has proposed similar tree removal and replacement requirements to that adopted with the Terra Alta residential development. This methodology gives credit for the preservation of trees, particularly large trees, and recognizes other contributions (green and sustainable technology in this case) that would not otherwise be required or encouraged under a base zoning condition.
- **SIGNS:** The Applicant is in the beginning stages of developing a comprehensive sign and wayfinding plan for the entire campus. As required by code, this will be submitted to Staff for review and approval. As agreed to in previous agreements and zoning, two off-site signs will be permitted. One will be located at the US 23 and Ohio Health Boulevard intersection and the other within the roundabout at Glenn Parkway and Ohio Health Boulevard.
- **CONDITIONAL USE PERMIT:** The approval of a Planned Mixed Use (PMU) Overlay requires the criteria of a Conditional Use Permit to be met. Staff has reviewed these review criteria and finds that all applicable criteria are met for approval of the Conditional Use Permit.
- **MISCELLANEOUS:** Staff is very excited about the efforts of the Applicant to develop a 105 acre health village and retaining a hospital within the corporate limits of the City. As evidenced by Phase 1, this development when built-out will serve as a keystone to the City of Delaware and offer an unprecedented health village in central Ohio.

STAFF RECOMMENDATION (PC09-011 – CONDITIONAL USE PERMIT)

Staff recommends approval a Conditional Use Permit to allow the placement of a Planned Mixed Use (PMU) Overlay to be included on 105.278 acres currently zoned PO/I (Planned Office/Institutional District) with Text Limitations and located on the east side of Glenn Parkway at the intersection with Ohio Health Boulevard with the following condition that,

1. Section 3.8(d)(1) of the Development Text be amended to include "as approved on the Final Development Plan" at the end of the sentence.

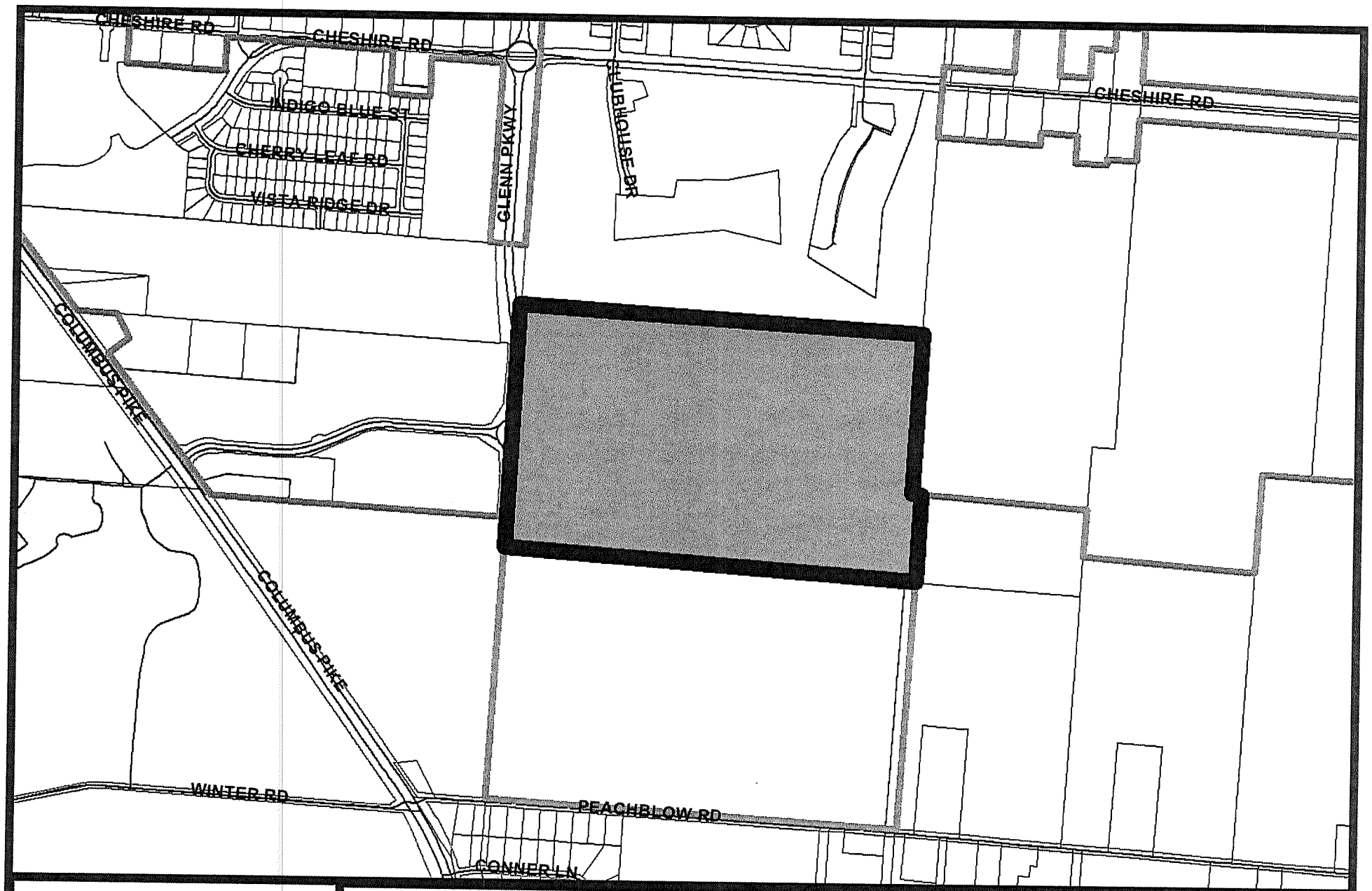
STAFF RECOMMENDATION (PC09-012 - REZONING)

Staff recommends approval of a Rezoning to add a Planned Mixed Use (PMU) Overlay to property located on the east side of Glenn Parkway at the intersection with Ohio Health Boulevard consisting of 105.278 acres and zoned PO/I (Planned Office/Institutional District) with Text Limitations with the following condition that,

1. Section 3.8(d)(1) of the Development Text be amended to include "as approved on the Final Development Plan" at the end of the sentence.

CONCLUSIONS

- All decision criteria necessary for approval of a Conditional Use Permit have been met.
- The Rezoning is in conformance with the strategies and objectives of the Comprehensive Plan, is consistent with City policies and procedures, and is reasonable.



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PC 09-011 & 09-012
Ohio Health/Grady Memorial Rezoning
Location Map

N



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PC 09-011 & 09-012
Ohio Health/Grady Memorial Rezoning
Comprehensive Plan Future Land Use

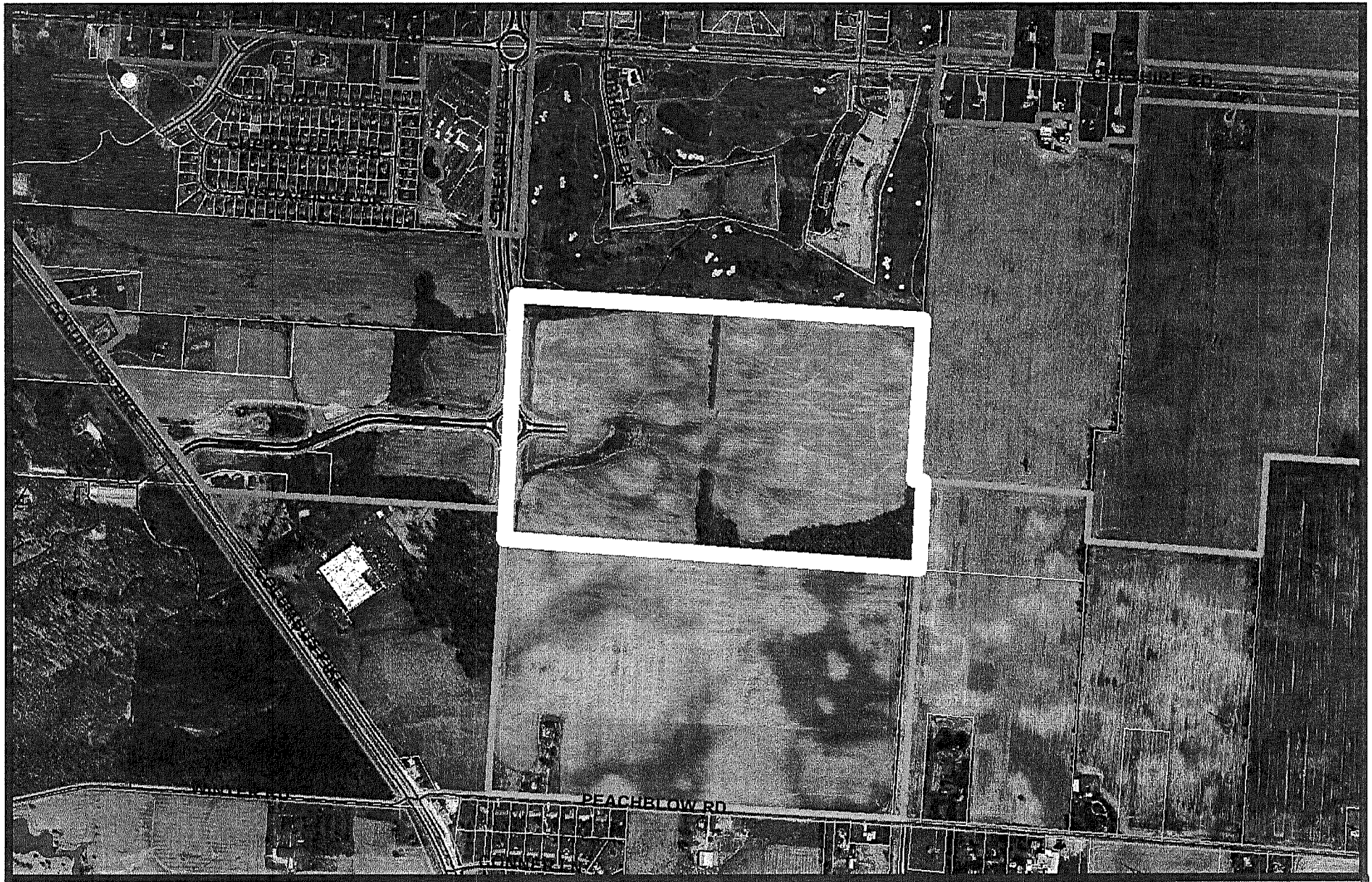
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CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PC 09-011 & 09-012
Ohio Health/Grady Memorial Rezoning
Zoning Map

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CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PC 09-011 & 09-012
Ohio Health/Grady Memorial Rezoning
Aerial Photograph

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ZONING STATEMENT

An amendment to the City of Delaware Zoning Map is requested for this parcel for the following reasons:

1. To provide a flexible zoning management tool that permits the Delaware Health Village to be developed as an integrated mixed-use medical oriented campus with a community hospital as its cornerstone over an extended period of time.
2. To establish a conceptual framework that encourages the incorporation of elements typically associated with traditional, pedestrian oriented urban development.
3. To establish development standards that provide a uniform set of requirements to ensure all development on the campus remains of a high quality and consistent appearance throughout build out.
4. To provide for public development plan review and approval to ensure all development on the campus remains of a high quality and consistent appearance throughout as the site is developed over an extended period of time.

The proposed development relates to the Comprehensive Master Plan by being consistent with the following:

1. Providing mixed uses, traditional development and clustered patterns;
2. Providing institutional uses in this area as identified on the Urban Form Map;
3. Providing institutional uses in this area as identified on the Future Land Use Map;
4. Developing in a campus setting with pedestrian amenities and off-street parking;
5. Developing along a major arterial;
6. Preserving natural features;
7. Mixing residential units and densities within the same development;
8. Providing vehicle, pedestrian and bike connectivity;
9. Providing a high-end office, healthcare and institutional node that will be the southern entrance to the city;
10. Establishing influence over the land use pattern and character of development in the area;
11. Mitigating light pollution impacts on Perkins Observatory;

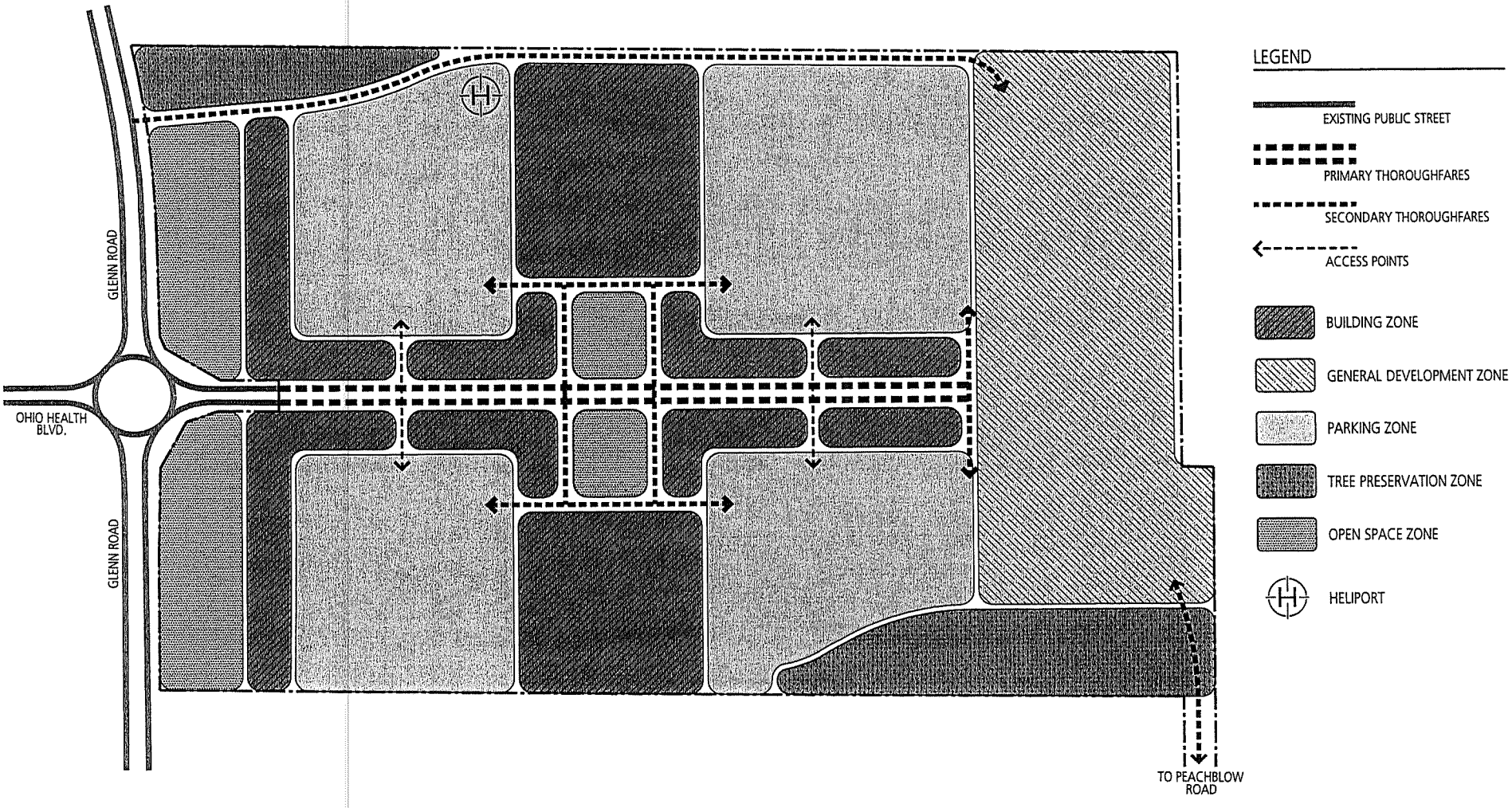


EXHIBIT A - DEVELOPMENT DIAGRAM

February 13, 2009

DELAWARE HEALTH VILLAGE - PLANNED MIXED USE DEVELOPMENT

Job # 07104

The EDGE GROUP

DELAWARE HEALTH VILLAGE
PLANNED MIXED USE DEVELOPMENT TEXT
DELAWARE, OHIO

CHAPTER 1 DELAWARE HEALTH VILLAGE PLANNED MIXED-USE DISTRICT (PMU)

Section 1.1 Purpose and Intent

A. The Delaware Health Village shall be developed for the purpose of providing a unified medical, professional and institutional campus with a community hospital as its cornerstone.

B. It is the intent of this development to create a mixed-use health village with development standards that provide a uniform set of requirements to ensure development on the campus remains of a high quality and consistent appearance.

Section 1.2 Conformance with Codified Ordinances and City Policy

A. Unless noted otherwise within this development text, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of application.

Section 1.3 Limitations

A. Nothing in this text shall prohibit additional restrictions or requirements from being placed on the approval of any Final Development Plan.

Section 1.4 Major Modifications

A. 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.

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

(1) Any major 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.

Section 1.5 Minor Modifications

A. 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.

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

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

(2) Any minor 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 or any increase less than 10% in the non-residential building area.

(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 building.

CHAPTER 2 PERMITTED, CONDITIONAL AND PROHIBITED USES

Section 2.1 Uses

The following uses shall be considered permitted, conditionally permitted, or limited uses as represented in the chart below by P, C, or L, 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.

A. **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this text and 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. **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.

D. **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered permitted uses and/or structures, include those items that are customarily incidental and secondary to the principal use or structure of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking and loading areas. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use/structure status.

E. **Use Chart.**

Land Use Category	Ohio Health Village
(a) Residential	
(1) Cluster single-family detached dwelling units as part of an assisted living component of a continuing care facility	L
(b) Office and Professional Services	
(1) Offices – administrative, business and professional	P
(2) Financial institutions, banks	L
(3) Research and development facilities within entirely enclosed buildings	P
(4) Medical and dental offices, health and allied services	P

Land Use Category	Ohio Health Village
(c) Retail and Services	
(1) Retail and service establishments within entirely enclosed buildings	L
(2) Restaurant – table service	L
(3) Restaurant – counter service	L
(4) Stand alone ATM facility	L
(d) Automotive and Transportation	
(1) Drive-thru facility associated with any principal permitted, limited, or conditionally permitted use	L
(2) Heliport	L
(3) Parking lots and garages	P
(e) Community Facilities	
(1) Colleges, universities, educational research establishment/laboratory	P
(2) Schools, trade, business or cultural arts	P
(3) Conference/Training Center	P
(4) Hospital	P
(5) Congregate care facility	L
(6) Nursing Home	L
(7) Residential care facility	L
(8) Day care center, child/adult	P
(9) Public safety & service facility	P
(10) Public utility substation or distribution facility	L
(11) Places of Worship	P
(12) Library	P
(f) Recreation and Entertainment	
(1) Public/private parks and playgrounds	P
(2) Indoor/Outdoor pool	P
(3) Health/Wellness facility	P
(g) Lodging	

Land Use Category	Ohio Health Village
(1) Hotel/motel	L

F. **Limited Uses.**

(1) The total land area for the uses listed below, including any open space or other land area dedicated specifically in whole or in part to serve this use, excluding roadways leading to the use but not those roadways running through the use, shall not in aggregate exceed 30 acres.

a. Cluster single-family detached dwelling units as part of an assisted living component of a continuing care facility
b. Congregate care facility
c. Nursing home
d. Residential care facility

(2) The uses listed below shall not exceed a total aggregate floor area of fifty thousand (50,000) square feet. These uses may be located in buildings principally used for a permitted use(s), including a hotel/motel, or in stand alone structures. Six (6) stand alone buildings will be permitted, but no individual use in a stand alone structure shall exceed fifteen thousand (15,000) square feet of floor area.

a. Financial institutions, banks
b. Retail and service establishments within entirely enclosed buildings
c. Restaurant – table service
d. Restaurant – counter service

(3) *Stand alone ATM facility.* Such use shall not be visible from any public right-of-way, shall not be directly accessible from Ohio Health Boulevard, 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 that is substantially similar with the overall development of the Delaware Health Village and to visually minimize its presence.

(4) *Drive-thru facility associated with any principal permitted, limited, or conditionally permitted use.* Such use shall be located to the side or rear (opposite the public right-of-way or private roadway) of the principal building. Any canopy or weather cover associated with this use shall be designed in manner that is substantially similar with the overall development of Delaware Health Village, the principal building, and shall not include exposed metal support columns.

(5) *Heliport.* Such use shall be setback a minimum of five hundred (500) feet from residential uses and a minimum of three hundred (300) feet from the western property line.

(6) *Public utility substation or distribution facility.* Such use shall be located in a manner than minimizes its visual presence and impact on the surrounding properties and shall be landscaped to block all views from public rights-of-way.

(7) *Hotel/Motel.* Such use shall be limited to a maximum of 120 guest rooms and shall be designed in a manner that is substantially similar with the overall development character of the Delaware Health Village.

CHAPTER 3 DEVELOPMENT STANDARDS

Section 3.1 Development Pattern

A. The Delaware Health Village shall be developed in a village pattern as generally depicted on the Development Diagram. This pattern is defined by organizing thoroughfares, building zones, general development zones, parking zones, tree preservation zones and open space zones in a manner that creates a series of development blocks organized around pedestrian scaled streetscapes. Building elevations shall present themselves to the streetscape with parking areas generally located to the rear of buildings.

B. Thoroughfares

(1) Primary Thoroughfare

a. OhioHealth Boulevard shall be extended into the site to provide main vehicular and pedestrian access, circulation and on-street parking.

b. OhioHealth Boulevard shall create development areas on the north and south sides of the street.

(2) Secondary Thoroughfares

a. Secondary thoroughfares shall be provided for additional access into the site for internal vehicular and pedestrian circulation and access to parking areas, loading and unloading areas, etc.

b. Secondary thoroughfares will generally be developed as indicated on the development diagram or in a manner that is necessary to accommodate the future development of the site.

(3) Access Points

a. Primary access will be provided from the Glenn Parkway and OhioHealth Boulevard roundabout.

b. Access to the site shall be from up to three access points from Glenn Parkway in locations as approved by the City Engineer.

c. Access to adjacent thoroughfares shall be considered and is generally desirable. However, OhioHealth retains the right to restrict all access to or through the site, provided such restrictions do not inhibit the ability of police, fire, and emergency services to serve the site to the standards of the Police and Fire Chiefs.

(4) Pedestrian Circulation System

a. A pedestrian circulation system shall be provided generally as approved on the Preliminary Development Plan(s).

b. This system shall provide pedestrians with an interconnected network of sidewalks and/or walking paths as a means to travel to and from different uses

within the development to reinforce the village character of the development and to provide connectivity to the City and regional pedestrian system that exists adjacent to the site and proximate to the internal pedestrian system.

C. Building Zone

(1) Development in this zone shall respect the purpose and intent of the overall development pattern as having a village character and a strong relationship between streetscape and building frontage as described throughout this Development Text, on the Development Diagram and as exists in the first phase of construction.

(2) Principal structures shall generally be oriented toward primary or secondary thoroughfares in order to create definable village spaces, such as pedestrian scaled streetscapes and parks.

D. Residential/General Development Zone

(1) Development in this zone shall respect the purpose and intent of the overall development pattern as having a village character and a strong relationship between streetscape and building frontage as described throughout this Development Text, on the Development Diagram and as exists in the first phase of construction.

(2) Principal structures shall generally be oriented toward primary or secondary thoroughfares in order to create definable village spaces, such as streetscapes and parks.

(3) A site plan will be developed for this zone which may include residential uses as permitted in this Development Text or any other approved use.

E. Parking Zone

(1) Development in this zone shall respect the purpose and intent of the overall development pattern as having a village character and a strong relationship between streetscape and building frontage as described throughout this Development Text, on the Development Diagram and as exists in the first phase of construction.

(2) Parking areas shall generally be located behind or beside the buildings, allowing a village streetscape character to be created along primary and secondary thoroughfares.

F. Tree Preservation Zone

(1) Tree preservation zones shall be located in areas of existing tree stands as a way to preserve the natural resources of the site.

(2) Development may occur in these zones. However, good faith efforts shall be made to preserve the trees located in the tree preservation zones.

(3) Tree preservation zones shall generally be located as indicated on the Development Diagram.

G. Open Space Zone

(1) Open space zones shall be distributed throughout the development as amenities and organizing elements to the village concept as generally depicted on the Development Diagram.

(2) Open space zones may be utilized for on-site storm water management.

(3) An open space zone shall be located at the western end of the site along Glenn Parkway.

(4) An open space zone shall be centrally located on the north and south sides of the extended OhioHealth Boulevard. This zone shall create a central green.

Section 3.2 Lot Standards

A. Lot Configuration. Lot sizes, frontages, widths, and overall configuration shall be as approved on the Final Subdivision Plat.

B. Lot Coverage. The maximum lot coverage shall be seventy-five (75) percent maximum for the entire Delaware Health Village PMU. Individual lots may have one hundred (100) percent lot coverage, provided the established overall maximum is not exceeded.

C. Setbacks

(1) Building Setbacks shall be as follows:

a. Glenn Parkway:	One hundred eighty (180) feet minimum from right of way
	Two hundred fifty (250) feet maximum from right of way
b. Northern Property Line:	Thirty-five (35) feet minimum from property line
c. Eastern Property Line:	Thirty-five (35) feet minimum from property line for buildings up to 35 feet in height.
	A minimum of two (2) times the building height from the property line for buildings greater than 35 feet and up to 50 feet in height.
	A minimum of four (4) times the building height from the property line for buildings greater than 50 feet and up to 100' in height.
d. Southern Property Line:	From the western property line up 1,200 feet from eastern property line, the following applies:

Thirty-five (35) feet minimum from property line

From the eastern property line west 1,200 feet, the following applies:

Thirty-five (35) feet minimum from property line for buildings up to 35 feet in height.

A minimum of two (2) times the building height from the property line for buildings greater than 35 feet and up to 50 feet in height.

A minimum of four (4) times the building height from the property line for buildings greater than 50 feet and up to 100' in height.

e. Internal Thoroughfares: Ten (10) feet minimum from street edge

Forty (40) feet maximum from street edge

f. Internal Lots: Zero (0) setback

(2) Parking Setbacks shall be as follows:

a. Glenn Parkway: One hundred eighty (180) feet minimum from right of way but not less than the building line.

b. Northern Property Line: Fifteen (15) feet minimum from property line

c. Eastern Property Line: Twenty-five (25) feet minimum from property line

d. Southern Property Line: Fifteen (15) feet minimum from property line when adjacent to non-residential uses.

Twenty-five (25) feet minimum from property line when adjacent to residential uses.

e. Internal Lots: Zero (0) setback

D. Building Height:

(1) Building height shall be measured from the average adjacent grade to the highest point of the roof or top of the structure.

(2) Buildings shall not exceed one hundred (100) feet in height.

(3) Architectural elements such as cupolas, clocks, spires, and other design elements constructed as part of a principal building but are not a necessary structural part of

the building shall not exceed 25% of the height of the principal building. For example a building 100 feet in height may have a cupola extending 25 feet in height above the building.

Section 3.3 Architecture

A. All facilities and associated structures, including canopies and support columns associated with a building or entry or business function shall adhere to the architectural standards as incorporated herein. Accessory buildings, enclosures and any other structure that is accessory to any building shall be complimentary to the primary structure and be constructed of similar permitted materials.

B. Style and Character

(1) The design of all structures shall be based on traditional and vernacular architectural styles, vocabularies and techniques.

(2) Continuity of elements and scale and the commonality of building materials shall reinforce an architectural cohesiveness while promoting architectural diversity within the site.

(3) All structures shall be designed to be pedestrian friendly and present a unified campus appearance similar to the architecture approved with the first phase of the development.

C. Scale

(1) The scale of each building elevation shall be minimized through the use of fenestration, articulated building elements such as bump-outs and recesses, change of materials, change of colors, and other architectural elements.

(2) Elements and features along the street facing elevations shall contribute to a more pedestrian friendly, traditional, urban streetscape scale. Whereas, those elevations facing the parking areas may have more common, suburban scale elements or features.

D. Building Placement/Orientation:

(1) All buildings shall be generally located within the building or general development zone as indicated on the Development Diagram.

(2) Nothing in this development text shall prevent the relocation or reconfiguration of building footprints or zones as shown on the Development Diagram, provided the relocation or reconfiguration is in conformance with this Development Text.

E. Exterior Materials and Color Palette

(1) Permitted Primary Cladding Materials

a. The exterior walls of all structures and their foundations shall be clad in any of the following materials or any combination thereof:

i. Brick – natural or synthetic
ii. Stone – natural or synthetic
iii. Architectural Metal Panels – Examples include Citadel Architectural Products and Metposite products. (Primary material only on the multi-story hospital structure)
iv. Any similar or comparable building material as listed above as approved by the City.

b. Any of the above permitted materials may be used in conjunction with a storefront system or curtain wall system.

(2) Permitted Secondary Cladding Materials

a. The exterior walls of all structures and their foundations may include, in addition to the permitted primary materials, any of the following materials or any combination thereof:
i. Stucco
ii. Architectural CMU – such as DesignBRIK, DesignBLOK or Quik-Brik or as approved by the City of Delaware.
iii. Wood
iv. Engineered Wood - Synthetic materials comprised of resin bonded wood fibers, glass fiber reinforced cement boards or similar materials which resemble wood siding. Examples include LP and Hardi products.
v. Architectural Metal Panels – Examples include Citadel Architectural Products and Metposite products.
vi. Metal
vii. Glass
viii. Any similar or comparable building material as listed above as approved by the City of Delaware.

b. Any of the above permitted materials may be used in conjunction with a storefront system or curtain wall system.

(3) Permitted Roofing Materials

a. The exterior of all roof structures visible from the exterior of the building shall be clad in any of the following materials or any combination thereof:
ix. Architectural or Dimensional Asphalt Shingle
x. Prefinished Metal Standing Seam Roof System
xi. Slate – natural or synthetic
xii. Wood – natural or synthetic
xiii. Any similar or comparable building material as listed above as approved by the City of Delaware.

(4) Permitted Color Palette:

a. The main color palette of all buildings shall consist of earth tones and shall be consistent throughout. Accent and trim colors occurring outside of the earth tone range shall be permitted as approved by the City of Delaware.

b. Façade colors shall be coordinated to complement each other. Façade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited. Building trim may feature brighter colors than façade colors. All exterior service doors and overhead doors other than entry/exits shall be painted to blend in with the exterior cladding color.

c. Glass and Curtain Walls: Clear, grey, blue, green and black tinted glass colors are permitted. Bronze, highly reflective glass and tinted glass such as rose and gold are prohibited.

F. Roof Massing

(1) Pitched roofs with gable or hip ends shall be required on all small, single story buildings or on all residential structures.

(2) Flat roofs shall be permitted on buildings of 2 stories or greater or on large single story buildings when gable or hip is impractical due to size.

(3) The minimum pitch for a sloped roof shall be 6:12.

(4) Interior roof drains shall be used on all buildings greater than two stories in height.

(5) All mechanicals located on flat roofs must be fully screened from ground level by parapets with cornice detailing or other methods consistent with the building architecture as approved on the Final Development Plan

G. Gutters and downspouts: Gutters shall be metal-type and shall be painted to match fascias. Downspouts shall be installed in a manner comparable to and consistent with the buildings and architecture. Scuppers shall be used at the rear of the building if desired. Through wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts at the rear of the building shall be painted to blend in with exterior building color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed. Overflow drains may be an open scupper through a masonry parapet in a manner comparable to and consistent with the buildings and architecture. An open scupper shall be detailed to minimize its appearance on the building elevation.

H. Four-sided architecture: All buildings shall have consistent architectural design elements, fenestration, detailing and finish on all elevations.

I. Accessory buildings, enclosures and any other structure that is accessory to any building shall be complimentary to the primary structure and shall be constructed of similar permitted materials and colors as the principal structure.

J. The following supplemental standards shall apply to cluster single-family detached dwelling units as part of an assisted living component of a continuing care facility:

(1) The architectural design of dwellings shall be traditional in nature and shall establish proper relationships with the Delaware Health Village. Quality architecture shall be utilized with a consistent look and feel while using compatible exterior building materials.

(2) Color palette shall consist of earth tones, including white. Additional colors may be used as accents but may not be high gloss colors.

(3) Buildings primary roof line shall be required to have a minimum 6:12 roof pitch. The principal roof structure will have an overhang of not less then 8 inches and an end rake of not less than 8 inches.

(4) Lintels and sills in masonry walls shall be brick soldier course, limestone, sandstone, or other manufactured stone products.

(5) 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 shall be screened from view when visible from a public street.

(6) 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.

(7) All garage doors facing a public or private street shall adhere to one (1) of the two (2) following standards:

a. Garage door designs shall be upgraded from basic flat panel designs to include design elements consistent with the design of the home and development such as matching the door color to the predominant color of the main structure, incorporating embossed panels, incorporating carriage door elements and/or incorporating a glass course.

b. Garage facades of detached single family homes shall be setback a minimum of two (2) feet from the primary façade of the home facing the public or private street.

(8) At least 50% of the front elevation of all homes will consist of brick, stone, cultured stone, wood siding, SmartSide, fibrous cement siding, or other approved materials, not including EIFS and excluding foundations, garage doors, entry doors, roofs, gutters, downspouts and windows. Other natural materials or synthetic materials that replicate a natural material and finish will be allowed. Stucco shall specifically not be permitted to count toward the 50% threshold in this section but rather shall be allowed on the remaining 50% or less of the front elevation.

(9) Exterior wall materials include the following or shall be a comparable material as approved by the City of Delaware:

Stucco	(any pattern)
Quarried Stone	(any cut or pattern)
Cultured Stone	(any pattern – special corners and trim pieces are used)
Brick/Brick Veneers	(any bond pattern)

Wood Siding	(wood lap siding, shingle siding, hand split shake siding, cedar shake looking man made materials, board & batten)
Composite Siding	(Synthetic materials comprised of resin bonded wood fibers, glass fiber reinforced cement boards or similar materials which resemble wood siding when painted. Examples include LP and Hardi siding products.)
Vinyl Lap Siding or Board and Batten	(Quality PVC or other molded plastic products mimicking wood lap siding. Material thickness of lap siding products shall be minimum of .040", and the surface texture shall be smooth and finished with low gloss. Installation shall minimize vertical joints and the use of J-channels at vertical edges. Examples include Wolverine "Restoration Smooth" and Royal Building Products "Architectural Series" products)
Vinyl Shingle or Shakes	(Quality PVC or other molded plastic products with textured surfaces mimicking wood products of the same name. Finished shall be of low gloss. Examples include CertainTeed "Cedar Impressions" or Nailite International "Hand Split Shake" and Rough Sawn shingle" products.)
Wood Trims	(standard board sizes or molded shapes)
Composite Trims	(synthetic materials comprised of resin bonded wood fibers, glass fiber reinforced cement boards or similar materials which resemble wood trim when painted. Examples include LP, Hardi and Miratec products.)
Vinyl Trims	(Quality PVC or other molded plastic products mimicking wood boards and molded wood profiles. Material thickness of trim products shall be minimum of .040", and the surface texture shall be smooth and finished with low gloss. Examples include CertainTeed "Vinyl Carpentry" and Royal Building Products "Architectural Series" products)

(10) Appropriate trim material and detailing is required around all corners, entry doors, roofs, and windows when appropriate with the selected cladding material.

(11) No blank walls shall be permitted.

(12) Roof materials may be asphalt shingles, cedar shake looking man made materials, slate/synthetic slate, standing seam metal or shall be a comparable material as approved by the Director of Planning and Community Development. Asphalt shingles shall have an "architectural" or "dimensional" appearance and performance.

K. The following supplemental standards shall apply to congregate care facility, nursing home, and residential care facility buildings:

(1) Architectural design elements, details and materials shall be consistent throughout all elevations of the structure in order to create a unified and cohesive building presentation. The architectural design shall be traditional in nature and shall establish proper relationships with the Delaware Heath Village. Exterior materials shall be varied to create visual interest. The use of accent features such as dormers or chimneys are encouraged to enhance the quality of traditional architectural styles.

(2) Architectural patterns shall be similar, but not identical, and may be repeated from one building to the next, to the extent possible, to unify the project into a single architectural style. The similarities shall include window styles & patterns, roof pitches, use & mix of exterior materials and building massing.

(3) Exterior wall materials include the following or shall be a comparable material as approved by the City of Delaware:

Stucco	(any pattern – as an accent material only)
Quarried Stone	(any cut or pattern)
Cultured Stone	(any pattern – special corners and trim pieces are used)
Brick/Brick Veneers	(any bond pattern)
Wood Siding	(wood lap siding, shingle siding, hand split shake siding, cedar shake looking man made materials, board & batten)
Composite Siding	(Synthetic materials comprised of resin bonded wood fibers, glass fiber reinforced cement boards or similar materials which resemble wood siding when painted. Examples include LP and Hardi siding products.)
Vinyl Lap Siding or Board and Batten	(Quality PVC or other molded plastic products mimicking wood lap siding. Material thickness of lap siding products shall be minimum of .040", and the surface texture shall be smooth and finished with low gloss. Installation shall minimize vertical joints and the use of J-channels at vertical edges. Examples include Wolverine "Restoration Smooth" and Royal Building Products "Architectural Series" products)
Vinyl Shingle or Shakes	(Quality PVC or other molded plastic products with textured surfaces mimicking wood products of the same name. Finished shall be of low gloss. Examples include CertainTeed "Cedar Impressions" or Nailite International "Hand Split Shake" and Rough Sawn shingle" products.)
Wood Trims	(standard board sizes or molded shapes)
Composite Trims	(synthetic materials comprised of resin bonded wood fibers, glass fiber reinforced cement boards or similar materials which resemble wood trim when painted. Examples include LP, Hardi and Miratec products.)
Vinyl Trims	(Quality PVC or other molded plastic products mimicking wood boards and molded wood profiles. Material thickness

of trim products shall be minimum of .040", and the surface texture shall be smooth and finished with low gloss. Examples include CertainTeed "Vinyl Carpentry" and Royal Building Products "Architectural Series" products)

(4) Sloped roof materials may be asphalt shingles, cedar shake looking man made materials, slate/synthetic slate, standing seam metal or shall be a comparable material as approved by the Director of Planning and Community Development. Asphalt shingles shall have an "architectural" or "dimensional" appearance and performance.

Section 3.4 Fences and Walls

A. All fencing and walls shall be provided in accordance with the current Zoning Code, except as provided for in this text.

B. Chain link fencing is prohibited.

Section 3.5 Lighting

A. All lighting shall be provided in accordance with the current Zoning Code, except as provided for in this text. It is recognized that this site is in proximity to the Perkins Observatory and every effort will be made to minimize the impact on the functions of the Observatory.

B. Fixture Style and Color

(1) All lighting fixtures, except those located in loading or service areas and not visible by the general public, shall be fixtures that are appropriate and consistent with the overall design character of the development. Standard shoe-box type fixtures and standard wall packs may only be used in loading or service areas that are not visible by the general public.

(2) All site lighting fixtures shall be metal.

(3) All site lighting fixtures shall be black in color.

C. Heliport Lighting

(1) Lighting and related accessories shall be placed and utilized in accordance with Federal Aviation Administration regulations and guidelines.

Section 3.6 Parking and Loading

A. All parking and loading shall be provided in accordance with the current Zoning Code, except as provided for in this text.

B. Required Parking

(1) Parking may be provided at a minimum ratio determined by the Applicant that sufficiently allows the users to satisfy its business needs as approved on the

Preliminary Development Plan provided that the parking areas are adequately screened to minimize the scale and mass of the parking area in accordance with the landscape requirements of this Development Text.

C. On-street Parking

(1) On-street parking may be provided on primary or secondary thoroughfares as identified on the Development Diagram.

(2) On-street parking shall be either parallel or forty–five (45) degree, including reverse angled parking.

D. Off-street Parking

(1) Off-street parking shall be located in the parking zone as generally identified on the Development Diagram and consistent with this development text.

(2) Off-street parking spaces shall meet the size requirements of the current Zoning Code.

(3) Off street parking may be surface and/or structured parking.

Section 3.7 Signage

A. All signage shall be provided in accordance with the approved comprehensive signage and way finding plan to be submitted, at least in part, prior to issuance of the first Certificate of Occupancy. Such plan shall, with the restrictions set forth within the plan as approved by the City of Delaware, allow the placement of two off-site signs, one being located at the intersection of US 23 and Ohio Health Boulevard and the other within the roundabout at Glenn Parkway and Ohio Health Boulevard.

Section 3.8 Landscaping and Screening

A. All landscaping and screening shall be provided in accordance with the current Zoning Code, except as provided for in this text.

B. Tree Removal and Replacement

(1) *Tree Survey.* An estimate of the total number, type, size, and health of trees to be preserved and replaced will be provided with the Preliminary Development Plan for any phase containing tree removal and according to a set of representative tree survey sites as determined and verified by the City of Delaware and as authorized by the current Zoning Code.

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

A. Trees considered in good health as determined by a Certified Arborist and verified by the City of Delaware shall be replaced on a 100% replacement

schedule meaning every good tree removed shall be replaced with tree(s) that have a total caliper equal to or greater than the total caliper of the tree removed.

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

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

(3) *Tree Preservation.* The Applicant will include tree preservation zones, which shall be permanently recorded on each individual final subdivision plat or separate easement, as applicable. The Development Diagram generally depicts the tree preservation zones preliminarily contemplated, but which could change with the detailed investigation that occurs with final submission. The City will consider reasonable proposed changes at the time of final submission.

(4) *Required Trees Not Considered Replacement Trees.* Trees that are required by the current Zoning Code, such as but not limited to street trees and front yard trees, shall not be considered Replacement Trees.

(5) *Replacement Tree Criteria.* To receive credit as a Replacement Tree, a tree shall be required to have a minimum caliper of two (2) inches. Evergreen trees shall be calculated as two (2) feet in height equals one (1) inch in caliper with a minimum required height of six (6) feet. For example, a spruce tree six (6) feet in height would net three (3) caliper inches of replacement tree credit. Trees meeting this criterion are referred to herein as "Replacement Trees."

(6) *Credit for Tree Preservation.* In recognition of the Applicant's efforts to save trees in the design, layout and development of the property through the provisions of this Tree Replacement Plan, the Developer shall receive credit against the in accordance with the following schedule for permanently preserved trees:

A. Good Tree Credit Schedule

(1) Trees six (6) caliper inches but less than twelve (12) caliper inches saved shall receive one (1) caliper inch credit for each caliper inch saved.

(2) Trees twelve (12) caliper inches but less than eighteen (18) caliper inches saved shall receive two (2) caliper inches credit for each caliper inch saved.

(3) Trees eighteen (18) caliper inches but less than twenty-four (24) caliper inches saved shall receive three (3) caliper inches credit for each caliper inch saved.

(4) Trees greater than (24) caliper inches saved shall receive four (4) caliper inches for each caliper inch saved.

B. Fair Tree Credit Schedule

(1) Trees six (6) caliper inches but less than twelve (12) caliper inches saved shall receive one-half (1/2) caliper inch credit for each caliper inch saved.

(2) Trees twelve (12) caliper inches but less than eighteen (18) caliper inches saved shall receive one (1) caliper inch credit for each caliper inch saved.

(3) Trees eighteen (18) caliper inches but less than twenty-four (24) caliper inches saved shall receive one and one-half (1-1/2) caliper inches credit for each caliper inch saved.

(4) Trees greater than (24) caliper inches saved shall receive two (2) caliper inches for each caliper inch saved.

(10) *Credit for Removal of Ash Trees.* The removal of ash trees from the site that would not otherwise be removed as a result of development (i.e., ash trees removed from reserves and preservation easements) shall be given a credit of one (1) caliper inch for every $100 cost of ash tree removal as submitted by the developer and as certified by the City.

(11) *Green & Sustainable Design Provisions.* As determined at the time of approval of the Final Development Plan, up to 100% replacement credit may be given towards the provision of green and sustainable design elements, including, but not limited to, use of locally made/quarried products, solar panels, geothermal heating and cooling, green roofs, reduction in potable water demand, pervious concrete/asphalt, and green storm water infrastructure.

(12) *Replacement Completion.* Fulfillment of this Tree Replacement Plan as written and in total shall result in no additional fees-in-lieu-of or other replacement being required.

C. Landscaping requirements for Front Yards

(1) Due to the urban streetscape character desired along the primary and secondary thoroughfares, landscaping for front yards is not required along the streetscape portions of the building frontage. However, street trees are to be provided at a minimum rate of 1 tree per every forty (40) feet of street frontage. Location of trees, in a tree lawn or in tree wells along all streets, shall be designed to complement and be consistent with a rhythm or pattern established by the adjacent building elevation. All buildings shall provide landscaping along the foundation and/or entry as approved on the Final Development Plan.

(2) The landscape requirements for Section 1166.07, as attached to this Development Text, are required for the portions of buildings fronting the parking zones.

D. Landscape Buffer

(1) A landscape buffer shall be located where any permitted use occurs adjacent to an existing or proposed residential use.

(2) A landscape buffer shall consist of one of the following:

a. A minimum, twenty (20) foot wide strip of preserved vegetation, including trees and understory shrubs, to be consistent with standard established with "b." below .

b. A minimum, twenty (20) foot wide strip that includes a three (3) foot height continuous earth mound, fifteen (15) evergreen trees and six (6) deciduous trees for every one-hundred feet of buffer length.

E. Screening Requirements

(1) Rooftop equipment, antennas, and similar protrusions shall be installed in compliance with all applicable provisions of the Zoning Code. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and rooftop mechanical equipment from public view. Where flat roofs are used, all roof mounted equipment shall be completely screened through the use of parapet walls, or other architectural building elements compatible with the building design and as approved on the final development plan. All screening elements shall be consistent with the style of architecture of the center. Individual screening units may be used where other means are impractical. Satellite dishes shall be consistent with applicable federal law and all applicable provisions of the Zoning Code and shall be screened when visible to the public view.

(2) All exterior mechanical equipment and appurtenances not located on a roof, including, but not limited to, transformers, air conditioning units not located on rooftops, wall or sprinkler pumps, storage tanks shall be located in designated service areas and where not prohibited by code shall be suitably screened by means of fences, walls, opaque landscaping, or other appropriate screening as approved as part of the Final Development Plan so as not to be visible by the public. Electrical wire ways, meters, gas meter sets, telephone enclosures and other building services/utility devices shall be painted to match the wall finish to which they are attached.

(3) Loading docks, trash collection, outdoor storage and similar facilities and functions, as provided for by code, shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from the public. Screen wall materials shall be compatible with the building materials. Dumpster enclosures shall be fully enclosed (no roof) with a lockable gate.

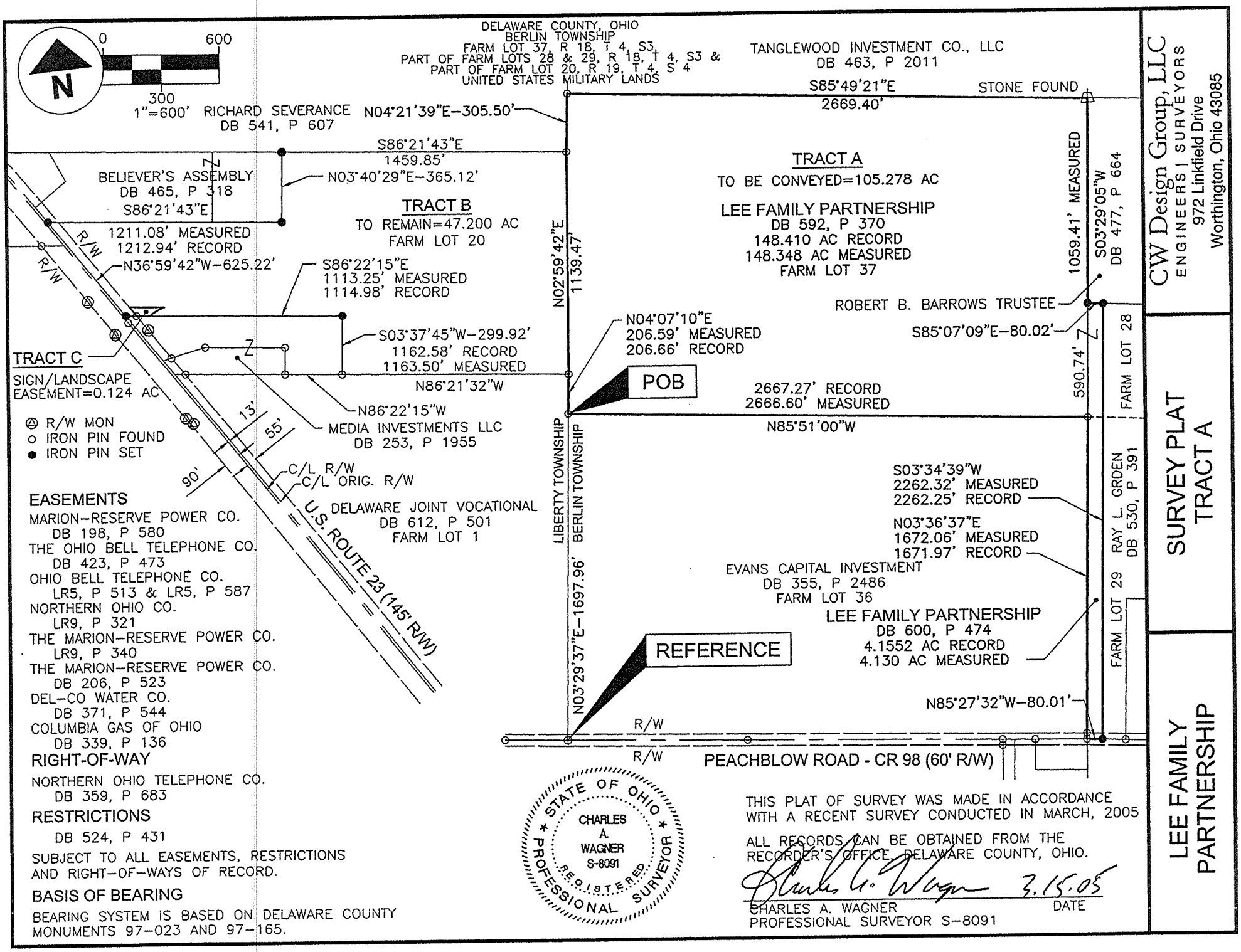

DELAWARE COUNTY, OHIO
BERLIN TOWNSHIP
FARM LOT 37, R 18, T 4, S3,
PART OF FARM LOTS 28 & 29, R 18, T 4, S3 &
PART OF FARM LOT 20, R 19, T 4, S 4
UNITED STATES MILITARY LANDS
TANGLEWOOD INVESTMENT CO., LLC
DB 463, P 2011
0
600
300
1"=600'
N
RICHARD SEVERANCE
DB 541, P 607
N04°21'39"E-305.50'
S85°49'21"E
2669.40'
STONE FOUND
S86°21'43"E
1459.85'
N03°40'29"E-365.12'
BELIEVER'S ASSEMBLY
DB 465, P 318
S86°21'43"E
1211.08' MEASURED
1212.94' RECORD
TRACT B
TO REMAIN=47.200 AC
FARM LOT 20
TRACT A
TO BE CONVEYED=105.278 AC
LEE FAMILY PARTNERSHIP
DB 592, P 370
148.410 AC RECORD
148.348 AC MEASURED
FARM LOT 37
1059.41' MEASURED
S03°29'05"W
DB 477, P 664
R/W
R/W
N36°59'42"W-625.22'
S86°22'15"E
1113.25' MEASURED
1114.98' RECORD
N02°59'42"E
1139.47'
ROBERT B. BARROWS TRUSTEE
N04°07'10"E
206.59' MEASURED
206.66' RECORD
S85°07'09"E-80.02'
590.74'
FARM LOT 28
S03°37'45"W-299.92'
1162.58' RECORD
1163.50' MEASURED
TRACT C
SIGN/LANDSCAPE
EASEMENT=0.124 AC
N86°21'32"W
POB
2667.27' RECORD
2666.60' MEASURED
N85°51'00"W
N86°22'15"W
MEDIA INVESTMENTS LLC
DB 253, P 1955
R/W MON
IRON PIN FOUND
IRON PIN SET
13'
55'
90'
C/L R/W
C/L ORIG. R/W
LIBERTY TOWNSHIP
BERLIN TOWNSHIP
S03°34'39"W
2262.32' MEASURED
2262.25' RECORD
N03°36'37"E
1672.06' MEASURED
1671.97' RECORD
RAY L. GRDEN
DB 530, P 391
EVANS CAPITAL INVESTMENT
DB 355, P 2486
FARM LOT 36
LEE FAMILY PARTNERSHIP
DB 600, P 474
4.1552 AC RECORD
4.130 AC MEASURED
FARM LOT 29
REFERENCE
N03°29'37"E-1697.96'
N85°27'32"W-80.01'
R/W
R/W
PEACHBLOW ROAD - CR 98 (60' R/W)
U.S. ROUTE 23 (145' R/W)
DELAWARE JOINT VOCATIONAL
DB 612, P 501
FARM LOT 1
EASEMENTS
MARION-RESERVE POWER CO.
DB 198, P 580
THE OHIO BELL TELEPHONE CO.
DB 423, P 473
OHIO BELL TELEPHONE CO.
LR5, P 513 & LR5, P 587
NORTHERN OHIO CO.
LR9, P 321
THE MARION-RESERVE POWER CO.
LR9, P 340
THE MARION-RESERVE POWER CO.
DB 206, P 523
DEL-CO WATER CO.
DB 371, P 544
COLUMBIA GAS OF OHIO
DB 339, P 136
RIGHT-OF-WAY
NORTHERN OHIO TELEPHONE CO.
DB 359, P 683
RESTRICTIONS
DB 524, P 431
SUBJECT TO ALL EASEMENTS, RESTRICTIONS
AND RIGHT-OF-WAYS OF RECORD.
BASIS OF BEARING
BEARING SYSTEM IS BASED ON DELAWARE COUNTY
MONUMENTS 97-023 AND 97-165.
STATE OF OHIO
CHARLES
A.
WAGNER
S-8091
REGISTERED
PROFESSIONAL SURVEYOR
THIS PLAT OF SURVEY WAS MADE IN ACCORDANCE
WITH A RECENT SURVEY CONDUCTED IN MARCH, 2005
ALL RECORDS CAN BE OBTAINED FROM THE
RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.
3.15.05
CHARLES A. WAGNER
PROFESSIONAL SURVEYOR S-8091
DATE
CW Design Group, LLC
ENGINEERS | SURVEYORS
972 Linkfield Drive
Worthington, Ohio 43085
SURVEY PLAT
TRACT A
LEE FAMILY
PARTNERSHIP

EXHIBIT A

Tract A
105.278 Acres
Legal Description

Situated in the State of Ohio, County of Delaware, Township of Berlin, and being part of a 148.410 acres tract found in all of Farm Lot 37, Range 18, Township 4, Section 3, and a part of Farm Lot 20, Range 19, Township 4, Section 4, United States Military Lands conveyed to Lee Family Partnership, an Ohio general partnership by deed of record in Deed Book 592, Page 370 and all of a 4.1552 acre tract found in a part of Farm Lots 28 and 29, Range 18, Township 4, Section 3, United States Military Lands conveyed to Lee Family Partnership by deed of record in Deed Book 600, Page 474, all references being to those of record in the Recorder's Office, Delaware County, Ohio and described as follows;

Beginning for reference at an iron pin found at the intersection of Liberty Township, Berlin Township and the centerline Peachblow Road (County Road 98);

Thence North 03°29'37" East along the easterly line of a 53.360 acre tract conveyed to Delaware County Joint Vocational School of record in Deed Book 612, Page 501 and the westerly line of a 103.066 acre tract of land conveyed to Evans Capital Investments, Ltd. of record in Deed Book 355, Page 2486, a distance of 1697.96 feet to an iron pin found, said point being the TRUE POINT OF BEGINNING;

Thence North 04°07'10" East to the northeast corner of said 53.360 acre tract, a distance of 206.59 feet to an iron pin found,

Thence North 02°59'42" East crossing said 148.410 acre tract to the southeast corner of a tract of land conveyed to Richard E. Severance of record in Deed Book 541, Page 607, a distance of 1139.47 feet to an iron pin found;

Thence North 04°21'39" East along the easterly line of said Severance tract to the southwest corner of a tract of land conveyed to Tanglewood Golf Course of record in Deed Book 463, Page 2023, a distance of 305.50 feet to an iron pin found;

Thence South 85°49'21" East along the southerly line of said Tanglewood Golf Course tract to the westerly line of a tract of land conveyed to Robert B. Barrows Trustee of record in Deed Book 477 Page 664, a distance of 2669.40 feet to a stone found;

Thence South 03°29'05" West along the westerly line of said Barrows tract, a distance of 1059.41 feet to an iron pin set;

Thence South 85°07'09" East along the southerly line of said Barrows tract to the northwesterly corner of a tract of land conveyed to Ray L. Grden of record in Deed Book 530, Page 391, a distance of 80.02 feet to an iron pin set;

Thence South 03°34'39" West along the westerly line of said Grden tract to the centerline of Peachblow Road (County Road 98), a distance of 2262.32 feet to an iron pin set;

Thence North 85°27'32" West along the centerline of Peachblow Road (County Road 98) to the southeasterly corner of said 103.066 acre tract, a distance of 80.01 feet to an iron pin found;

Thence North 03°36'37" East along the easterly line of said 103.066 acre tract, a distance of 1672.06 feet to an iron pin found;

Thence North 85°51'00" West along the northerly line of said 103.066 acre tract, a distance of 2666.60 feet to the TRUE POINT OF BEGINNING and containing 105.278 acres of land more or less.

Subject to all easements, restrictions and right-of-ways of record.

All iron pins set are 5/8" solid iron pins with a red plastic cap stamp "CW Design Group".

Bearing system is based on Delaware County Monuments 97-023 and 97-165.

This description was made in accordance with a recent survey conducted in March, 2005.

CW Design Group, LLC

Charles A. Wagner 3.15.05

Charles A. Wagner, P.S. Date
Professional Surveyor S-8091

