SPIERLING PROPERTY
SAWMILL DELAWARE INVESTMENTS, LLC / ENGINEERED MATERIALS SYSTEMS, INC

FUTURE SAWMILL PARKWAY EXTENSION / 2663 AIRPORT ROAD
ORIGINAL PARCEL # 419-220-02-003-000
CURRENT – INNOVATION BUSINESS PARK PLAT PARCELS (multiple)
APPROXIMATELY 47.558 ACRES

DEVELOPMENT TEXT
PLANNED MIXED USE OVERLAY DISTRICT
PC 2014-2061 (original Approval)
PC 2016-0631 (proposed Amended Zoning Text)

1. DESCRIPTION OF DEVELOPMENT

Fed One Dublin, LLC (applicant) on behalf of Sawmill Delaware Investments, LLC (future owner and master site developer) and Engineered Materials Systems (future parcel owner), and all on behalf of Barbara Spierling Trustee, Et. Al. which is the current owner of the property, is proposing a PMU (Planned Mixed Use Overlay District) on the subject property zoned M-1 (General Manufacturing District) that encompasses approximately 47.558 acres and is intended to be subdivided into multiple parcels. The subject property is located along the planned future Sawmill Parkway extension west of US 42 and currently shown by the County Auditor as being addressed as 2663 Airport Road located south of Airport Road and north of future Sawmill Parkway (to be extended in the near future by Delaware County) and west of US 42. The property was recently annexed to the City of Delaware via Ordinance 14-96 passed by the City Council on September 22, 2014. The intended use of the property is for a light manufacturing park.
March 2016 Update – The Applicant has identified some additional uses and clarifications to the original text that they desire specifically with respect to what is now known as Lot 6 of the Innovation Business Park Plat (the southwestern most parcel of the subdivision). These changes involve expressly allowing accessory retail activities for tenant spaces as well as clarifying allowed uses as given in the proposed revised text.

2. GENERAL DEVELOPMENT STANDARDS

a. **Purpose and Intent.** It is the intent of the owner to allow the subject property to achieve compliance with the M-1 District (Light Manufacturing District). 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, 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. This text shall control where there is conflict or silence with the current zoning code.

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

d. **Development Review Process:** All developments shall comply with the then current zoning and subdivision regulations including, but not limited to, Chapter 1129 Procedures and Chapter 1111 Subdivision Regulations. The general process shall be Preliminary and Final Development Plan and Plat Reviews. These processes may be combined as allowed per the then current Zoning Code. The Applicants have initially submitted for a Zoning Amendment, Conditional Use Permit, and Preliminary Subdivision Plat for the entire acreage and a Preliminary Development Plan for the first 8.89 acre parcel located in the southeastern portion of the site. Therefore, if approved as submitted, each subsequent development will be required to submit for Preliminary and Final Development Plan approval as well as for final plat approval which may be on a lot by lot basis as approved by the Director of Planning & Community Development.

e. **Major Modifications.** The proposed site plan and existing farm and associated out buildings at the date of approval comprise the Final Development Plan. 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 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 change in the use or occupancy or any major increase in the residential, commercial and general manufacturing building area.
(2) Major change in the approved location of land uses.

f. **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 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 change to the use or occupancy other than those uses specifically allowed in this text or any minor changes to the approved site layout.
(3) Minor change in the approved location of land uses.
(4) Minor structural alterations that do not alter the overall design intent of the building.

3. USE & SPECIFIC DEVELOPMENT STANDARDS



a. **Uses.** The following general manufacturing and commercial uses shall be considered permitted, conditionally permitted, or limited uses on the subject site as represented in the chart below by P, C, or L, respectively, and as defined by Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this text and the Zoning Code, as applicable.

(2) **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.

(3) **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.

(4) **Accessory Uses and Structures.** Specific accessory uses are identified but other accessory use items that are customarily incidental and secondary to the principal use of the land are permitted. Such items include but are not limited; trash receptacles and enclosures, small storage buildings, etc. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

Land Use Category	Subject site
(a) Offices	
(1) Research and development facility	P
(2) Office – professional, administrative and sales	P
(3) Training facility	P
(b) Storage and Distribution	
(1) Distribution facility/truck terminal	P
(2) Warehouse or indoor storage facility, including wholesale to businesses serving vender/suppliers to the residential or commercial construction industry or its suppliers.	P
(3) Storage (aboveground) of flammable liquids in support of or as raw material inputs for permitted uses only.	C
(c) Outdoor Storage	
(1) Storage (general) of materials	P
(2) Storage of fleet vehicles for operation of principal use	P
(d) Manufacturing and Processing	
(1) Assembly and production facility utilizing products from previously and elsewhere prepared materials	P
(2) Manufacture of products made in part from raw materials	L
(e) Transportation	
(1) Airport and airport related uses – See Section 1145.07 of the Zoning Code	C
(2) Transportation related businesses including air or ground freight, package pickup / delivery center	L
(f) Other	
(1) Public safety facility	P
(2) Public service/maintenance facility	P
(3) Public utility substation or distribution facility	C
(g) Accessory Uses	
(1) Any use deemed accessory to the principal use	P
(2) Retail for commercial or service businesses not to exceed 25% of a demised tenant space and not to exceed 4,000 sq. ft. whichever is less.	L

b. **LIMITED USES**

(1) Use (d)(2) Manufacture of products made in part from raw materials from the use chart above: This use is limited by the following unless approved via the Major Modification process as defined herein.
   A. Raw materials (with the exception of above ground storage of flammable liquids as noted in the use chart) must be stored completely within an enclosed building.
   B. Uses may include manufacturing of finished parts or products primarily from previously prepared materials with limited raw material inputs. This use group includes: printing and related support activities; machining and machinery manufacturing; computer and electronic product manufacturing; electrical equipment, appliance, component manufacturing; and other similar related manufacturing businesses as determined by the Director of Planning & Community Development.
   C. This use is NOT characterized and no uses shall be allowed that include intensive or high impact manufacturing uses such as manufacturing of acetylene, cement, lime, gypsum, chlorine, corrosive acid, fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive material, smelting, animal slaughtering, oil refining or any similar use as determined by the Director of Planning & Community Development.
   D. If a Major Modification process is determined to be appropriate by the Director of Planning & Community Development, City Council shall determine the impact of any such request in light of the surrounding area, the intent of this zoning text and section, and may reject any application for any reason as a result that is not consistent with this text and the then current Zoning Code.

(2) Use (e)(2) Transportation - Transportation related businesses including air or ground freight, package pickup / delivery center from the use chart above. This use is limited by the following unless approved via the Major Modification process as defined herein.
   A. The use shall only be permitted on Lot 6, the southwest most lot in the Innovation Business Park subdivision, and bordered by Sawmill Parkway to the south and Innovation Court to the east.

(3) Use (g)(2) Accessory Uses - Retail for commercial or service businesses not to exceed 25% of a demised tenant space and not to exceed 4,000 sq. ft. whichever is less from the use chart above. This use is limited by the following unless approved via the Major Modification process as defined herein.
   A. The use shall only be permitted on Lot 6, the southwest most lot in the Innovation Business Park subdivision, and bordered by Sawmill Parkway to the south and Innovation Court to the east.

c. **Lot Standards.** The existing lot is permitted as platted; however, any future lot splits or subdivisions shall be in conformance with this text and all applicable codes. The following standards shall apply for any potential future lot.

Lot Standards	Subject Site
(1) Minimum lot area	3 acres
(2) Minimum lot frontage and width (at building line)	200 ft.
(3) Maximum lot coverage by building	40%
(4) Maximum lot coverage by building and pavement	70%

d. **Building Setback Standards.** The following standards shall apply for minimum building setbacks, except as otherwise approved on the Final Development Plan.

Minimum Building Setbacks	Subject Site
(1) Front Yard	50 ft.
(2) Side Yard	20 ft.
(3) Rear Yard	50 ft.

e. **Parking Setbacks**. The following standards shall apply for minimum parking setbacks. Parking setbacks include any parking space, parking lot drive aisle and parking lot circulation as approved on a Final Development Plan.

Minimum Parking Setbacks	Subject Site
(1) Setback from Sawmill Road and Cul-de-Sac (to be constructed)	20 ft.
(2) Setback from rear and side setbacks	5 ft.

f. **Maximum Building Height.**
(1) The maximum height of any building or structure (including any accessory structures) shall be 50 feet as measured from finished floor elevation to the highest point of the roof.
(2) Any structure with 20,000 feet of the boundary of the Delaware Municipal Airport shall comply with the State of Ohio and FAA notification regulations for construction in the vicinity of an airport as described in the Ohio Administrative Code, Section 5501:1-10.

g. **Building Design.** Any new building and/or structure shall comply with the then current Zoning Code. Tilt up concrete walls, panelized wall structure systems, and the like shall be permitted in this overlay district. The side of the building facing a street or public way shall incorporate additional design elements including, but not limited to, windows, architectural elements, and additional landscaping treatments so as to ensure the front of

the building has a more detailed and more highly designed appearance than other less visible elevations on the building. The intent is to ensure that a campus like environment is obtained while allowing structures to be consistent with other surrounding structures in the area south of the existing airport such as the two existing industrial buildings to the east of the subject site. Final Design Review shall be as approved on any Final Development Plan for structures on the Subject Site.

h. **Tree Removal and Replacement.** Any new development activity shall comply with Chapter 1168 Tree Preservation Regulations except as follows.

The following Tree Replacement Plan shall be the controlling regulation for the Subject Site:

(1) *Tree Survey.* An estimate of the total number, type, size, and health of trees to be preserved and replaced will be provided by the applicant with each Final Development Plan as determined and verified by the City of Delaware. The survey shall be the basis for any subsequent required tree replacement.

(2) *Calculation of Replacement Trees.* Only trees six (6) caliper inches and greater that are removed in the development of the Subject Site and construction on any parcel 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.
D. After development upon any parcel of the Subject Site after approval of a Final Development Plan, any qualifying major tree (any tree over 6 caliper inches in diameter) or any tree required to be planted by a Final Development Plan that subsequently dies, is damaged, or diseased shall be replaced inch for caliper inch and in accordance with any Approved Final Development Plan.

i. **Landscaping and Screening.** Any new developments shall comply with all landscaping and screening requirements per Chapter 1166.

j. **Lighting.** Building, site, and accent lighting shall be provided in accordance with the Chapter 1158 Lighting Plan.

(1) The light standards for the subject site shall be 0.5 foot candles for all car parking and pedestrian areas only. No lighting is required elsewhere on the site except as otherwise approved on a Final Lighting Plan.

k. **Signs.** All signage shall comply with Chapter 1165 Signs and the Gateways and Corridor Plan of the City.

ORDINANCE NO. 16-28

AN ORDINANCE APPROVING A REZONING FOR SAWMILL DELAWARE INVESTMENTS, LLC TO THE EXISTING M-1 PMU (LIGHT MANUFACTURING PLANNED MIXED USE OVERLAY DISTRICT) AT 2663 AIRPORT ROAD (PARCEL #419-220-02-003-00) ON APPROXIMATELY 47.558 ACRES.

WHEREAS, the Planning Commission at its meeting of April 6, 2016 recommended approval of a Rezoning to the Existing M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) at 2663 Airport Road (Parcel # 419-220-02-003-00) on approximately 47.558 (PC 2016-0631), and

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

SECTION 1. That the Rezoning to the Existing M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) at 2663 Airport Road (Parcel # 419-220-02-003-00) on approximately 47.558, the same and is hereby confirmed, approved, and accepted with the following condition that:

1. Any new building(s), structure(s) and site improvements shall require conformance with all provisions of the revised Development Text.

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

VOTE ON RULE SUSPENSION: YEAS 7 NAYS 0
ABSTAIN 0

PASSED: April 25, 2016 YEAS 7 NAYS 0
ABSTAIN 0

ATTEST: Elaine McCloskey
CITY CLERK

MAYOR

EST 1808
CITY OF
DELAWARE
OHIO

PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: 2016-0631
REQUEST: Rezoning Text Amendment
PROJECT: Sawmill Delaware Investments LLC / Innovation Court
MEETING DATE: April 6, 2016

APPLICANT/OWNER
FedOne Dublin LLC
8400 Industrial Parkway
Plain City, Ohio 43064

REQUEST
2016-0631: A request by Sawmill Delaware Investments LLC for approval of a Rezoning Amendment to the existing M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) at 2663 Airport Road (original parcel # 419-220-02-003-000) on approximately 47.558 acres.

PROPERTY LOCATION & DESCRIPTION
The 47.558 acre parcel is located approximately a quarter mile west of US 42 on Airport Road and the currently under construction Sawmill Parkway extension. The subject property has previously been annexed into the City (Ordinance 14-96) and zoned M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) while the property to the north is zoned M-2 (General Manufacturing District), the property to the east is zoned M-1 PMU (Light Manufacturing with a Planned Mixed Use Overlay District) and to the property to the south is zoned M-1 (Light Manufacturing District). The remaining properties to the south and west are located in the County.

BACKGROUND/PROPOSAL
The owner received rezoning approval for this site in 2014. The applicant has subsequently subdivided this property into what is now known as the Innovation Business Park (plat). The Applicant has experienced interest in several of the parcels. However, they have also received feedback concerning the need for some additional clarity of the zoning text as well as being allowed some additional Limited uses on lot #6 of the Innovation Business Park plat – the southwestern most lot. Staff, including the City Manager's office and Economic Development, have reviewed the proposed amendments and have worked with the Applicant to produce the draft text included in this request.

STAFF ANALYSIS

- **ZONING:** The subject property is currently zoned M-1 PMU (Light Manufacturing with a Planned Mixed Use Overlay District) with an approved development text and land use designations as well as an approved preliminary plan. The Applicant seeks to clarify the existing text to allow for wholesale activities to businesses serving vender/suppliers of the residential or commercial construction industry or its suppliers. Additionally, the Applicant wishes to add some limited uses to Lot #6 of the Innovation Business Park subdivision allowing for transportation related businesses as well as providing the ability to have ancillary retail activities both as provided for in the proposed revised text.
- **COMPREHENSIVE PLAN:** The subject site is located in the Southwest Subarea of the Comprehensive Plan with a land use designation of "Light Manufacturing." The proposed text amendments are consistent with land use plan and zoning for the site and the following objective and strategy for this subarea:
    - LU 26.1- The Southwest Subarea will continue to be promoted as the major industrial center of the community, with a focus on light to medium industrial production, light assembly, warehousing, distribution, flex-office, and related service industries.
- **GENERAL ENGINEERING:** This request does not involve Engineering items or review

STAFF RECOMMENDATION (2016-0631– REZONING AMENDMENT)

Staff recommends approval of a request by Sawmill Delaware Investments LLC for approval of a Rezoning Amendment to the existing M-1 PMU (Light Manufacturing Planned Mixed Use Overlay District) at 2663 Airport Road (original parcel # 419-220-02-003-000) on approximately 47.558 acres with the following condition.

1. Any new building(s), structure(s) and site improvements shall require conformance with all provisions of the revised Development Text.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 10/30/14
REVISED: 3/31/2016

PC TEXT – Update 4/6/2016

SPIERLING PROPERTY
SAWMILL DELAWARE INVESTMENTS, LLC / ENGINEERED MATERIALS SYSTEMS, INC

FUTURE SAWMILL PARKWAY EXTENSION / 2663 AIRPORT ROAD
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CURRENT – INNOVATION BUSINESS PARK PLAT PARCELS (multiple)
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DEVELOPMENT TEXT
PLANNED MIXED USE OVERLAY DISTRICT
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1. DESCRIPTION OF DEVELOPMENT

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March 2016 Update – The Applicant has identified some additional uses and clarifications to the original text that they desire specifically with respect to what is now known as Lot 6 of the Innovation Business Park Plat (the southwestern most parcel of the subdivision). These changes involve expressly allowing accessory retail activities for tenant spaces as well as clarifying allowed uses as given in the proposed revised text.

2. GENERAL DEVELOPMENT STANDARDS

a. **Purpose and Intent.** It is the intent of the owner to allow the subject property to achieve compliance with the M-1 District (Light Manufacturing District). 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, 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. This text shall control where there is conflict or silence with the current zoning code.

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

d. **Development Review Process:** All developments shall comply with the then current zoning and subdivision regulations including, but not limited to, Chapter 1129 Procedures and Chapter 1111 Subdivision Regulations. The general process shall be Preliminary and Final Development Plan and Plat Reviews. These processes may be combined as allowed per the then current Zoning Code. The Applicants have initially submitted for a Zoning Amendment, Conditional Use Permit, and Preliminary Subdivision Plat for the entire acreage and a Preliminary Development Plan for the first 8.89 acre parcel located in the southeastern portion of the site. Therefore, if approved as submitted, each subsequent development will be required to submit for Preliminary and Final Development Plan approval as well as for final plat approval which may be on a lot by lot basis as approved by the Director of Planning & Community Development.

e. **Major Modifications.** The proposed site plan and existing farm and associated out buildings at the date of approval comprise the Final Development Plan. 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 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 change in the use or occupancy or any major increase in the residential, commercial and general manufacturing building area.
(2) Major change in the approved location of land uses.

f. **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 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 change to the use or occupancy other than those uses specifically allowed in this text or any minor changes to the approved site layout.
(3) Minor change in the approved location of land uses.
(4) Minor structural alterations that do not alter the overall design intent of the building.

3. USE & SPECIFIC DEVELOPMENT STANDARDS



a. **Uses.** The following general manufacturing and commercial uses shall be considered permitted, conditionally permitted, or limited uses on the subject site as represented in the chart below by P, C, or L, respectively, and as defined by Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this text and the Zoning Code, as applicable.

(2) **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.

(3) **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.

(4) **Accessory Uses and Structures.** Specific accessory uses are identified but other accessory use items that are customarily incidental and secondary to the principal use of the land are permitted. Such items include but are not limited; trash receptacles and enclosures, small storage buildings, etc. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

PC TEXT – Update 4/6/2016

Land Use Category	Subject site
(a) Offices	
(1) Research and development facility	P
(2) Office – professional, administrative and sales	P
(3) Training facility	P
(b) Storage and Distribution	
(1) Distribution facility/truck terminal	P
(2) Warehouse or indoor storage facility, including wholesale to businesses serving vender/suppliers to the residential or commercial construction industry or its suppliers.	P
(3) Storage (aboveground) of flammable liquids in support of or as raw material inputs for permitted uses only.	C
(c) Outdoor Storage	
(1) Storage (general) of materials	P
(2) Storage of fleet vehicles for operation of principal use	P
(d) Manufacturing and Processing	
(1) Assembly and production facility utilizing products from previously and elsewhere prepared materials	P
(2) Manufacture of products made in part from raw materials	L
(e) Transportation	
(1) Airport and airport related uses – See Section 1145.07 of the Zoning Code	C
(2) Transportation related businesses including air or ground freight, package pickup / delivery center	L
(f) Other	
(1) Public safety facility	P
(2) Public service/maintenance facility	P
(3) Public utility substation or distribution facility	C
(g) Accessory Uses	
(1) Any use deemed accessory to the principal use	P
(2) Retail for commercial or service businesses not to exceed 25% of a demised tenant space and not to exceed 4,000 sq. ft. whichever is less.	L

b. **LIMITED USES**

(1) Use (d)(2) Manufacture of products made in part from raw materials from the use chart above: This use is limited by the following unless approved via the Major Modification process as defined herein.

A. Raw materials (with the exception of above ground storage of flammable liquids as noted in the use chart) must be stored completely within an enclosed building.

B. Uses may include manufacturing of finished parts or products primarily from previously prepared materials with limited raw material inputs. This use group includes: printing and related support activities; machining and machinery manufacturing; computer and electronic product manufacturing; electrical equipment, appliance, component manufacturing; and other similar related manufacturing businesses as determined by the Director of Planning & Community Development.

C. This use is NOT characterized and no uses shall be allowed that include intensive or high impact manufacturing uses such as manufacturing of acetylene, cement, lime, gypsum, chlorine, corrosive acid, fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive material, smelting, animal slaughtering, oil refining or any similar use as determined by the Director of Planning & Community Development.

D. If a Major Modification process is determined to be appropriate by the Director of Planning & Community Development, City Council shall determine the impact of any such request in light of the surrounding area, the intent of this zoning text and section, and may reject any application for any reason as a result that is not consistent with this text and the then current Zoning Code.

(2) Use (e)(2) Transportation - Transportation related businesses including air or ground freight, package pickup / delivery center from the use chart above. This use is limited by the following unless approved via the Major Modification process as defined herein.

A. The use shall only be permitted on Lot 6, the southwest most lot in the Innovation Business Park subdivision, and bordered by Sawmill Parkway to the south and Innovation Court to the east.

(3) Use (g)(2) Accessory Uses - Retail for commercial or service businesses not to exceed 25% of a demised tenant space and not to exceed 4,000 sq. ft. whichever is less from the use chart above. This use is limited by the following unless approved via the Major Modification process as defined herein.

~~D.~~A. The use shall only be permitted on Lot 6, the southwest most lot in the Innovation Business Park subdivision, and bordered by Sawmill Parkway to the south and Innovation Court to the east.

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c. **Lot Standards.** The existing lot is permitted as platted; however, any future lot splits or subdivisions shall be in conformance with this text and all applicable codes. The following standards shall apply for any potential future lot.

Lot Standards	Subject Site
(1) Minimum lot area	3 acres
(2) Minimum lot frontage and width (at building line)	200 ft.
(3) Maximum lot coverage by building	40%
(4) Maximum lot coverage by building and pavement	70%

d. **Building Setback Standards.** The following standards shall apply for minimum building setbacks, except as otherwise approved on the Final Development Plan.

Minimum Building Setbacks	Subject Site
(1) Front Yard	50 ft.
(2) Side Yard	20 ft.
(3) Rear Yard	50 ft.

e. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks. Parking setbacks include any parking space, parking lot drive aisle and parking lot circulation as approved on a Final Development Plan.

Minimum Parking Setbacks	Subject Site
(1) Setback from Sawmill Road and Cul-de-Sac (to be constructed)	20 ft.
(2) Setback from rear and side setbacks	5 ft.

f. **Maximum Building Height.**
(1) The maximum height of any building or structure (including any accessory structures) shall be 50 feet as measured from finished floor elevation to the highest point of the roof.
(2) Any structure with 20,000 feet of the boundary of the Delaware Municipal Airport shall comply with the State of Ohio and FAA notification regulations for construction in the vicinity of an airport as described in the Ohio Administrative Code, Section 5501:1-10.

g. **Building Design.** Any new building and/or structure shall comply with the then current Zoning Code. Tilt up concrete walls, panelized wall structure systems, and the like shall be permitted in this overlay district. The side of the building facing a street or public way shall incorporate additional design elements including, but not limited to, windows, architectural elements, and additional landscaping treatments so as to ensure the front of

the building has a more detailed and more highly designed appearance than other less visible elevations on the building. The intent is to ensure that a campus like environment is obtained while allowing structures to be consistent with other surrounding structures in the area south of the existing airport such as the two existing industrial buildings to the east of the subject site. Final Design Review shall be as approved on any Final Development Plan for structures on the Subject Site.

h. **Tree Removal and Replacement.** Any new development activity shall comply with Chapter 1168 Tree Preservation Regulations except as follows.

The following Tree Replacement Plan shall be the controlling regulation for the Subject Site:

(1) *Tree Survey.* An estimate of the total number, type, size, and health of trees to be preserved and replaced will be provided by the applicant with each Final Development Plan as determined and verified by the City of Delaware. The survey shall be the basis for any subsequent required tree replacement.

(2) *Calculation of Replacement Trees.* Only trees six (6) caliper inches and greater that are removed in the development of the Subject Site and construction on any parcel 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.
D. After development upon any parcel of the Subject Site after approval of a Final Development Plan, any qualifying major tree (any tree over 6 caliper inches in diameter) or any tree required to be planted by a Final Development Plan that subsequently dies, is damaged, or diseased shall be replaced inch for caliper inch and in accordance with any Approved Final Development Plan.

i. **Landscaping and Screening.** Any new developments shall comply with all landscaping and screening requirements per Chapter 1166.

j. **Lighting.** Building, site, and accent lighting shall be provided in accordance with the Chapter 1158 Lighting Plan.

(1) The light standards for the subject site shall be 0.5 foot candles for all car parking and pedestrian areas only. No lighting is required elsewhere on the site except as otherwise approved on a Final Lighting Plan.

k. **Signs.** All signage shall comply with Chapter 1165 Signs and the Gateways and Corridor Plan of the City.



EST 1808
CITY OF
DELAWARE
OHIO

2016-0631
Rezoning Amendment
2663 Airport Road
Location Map

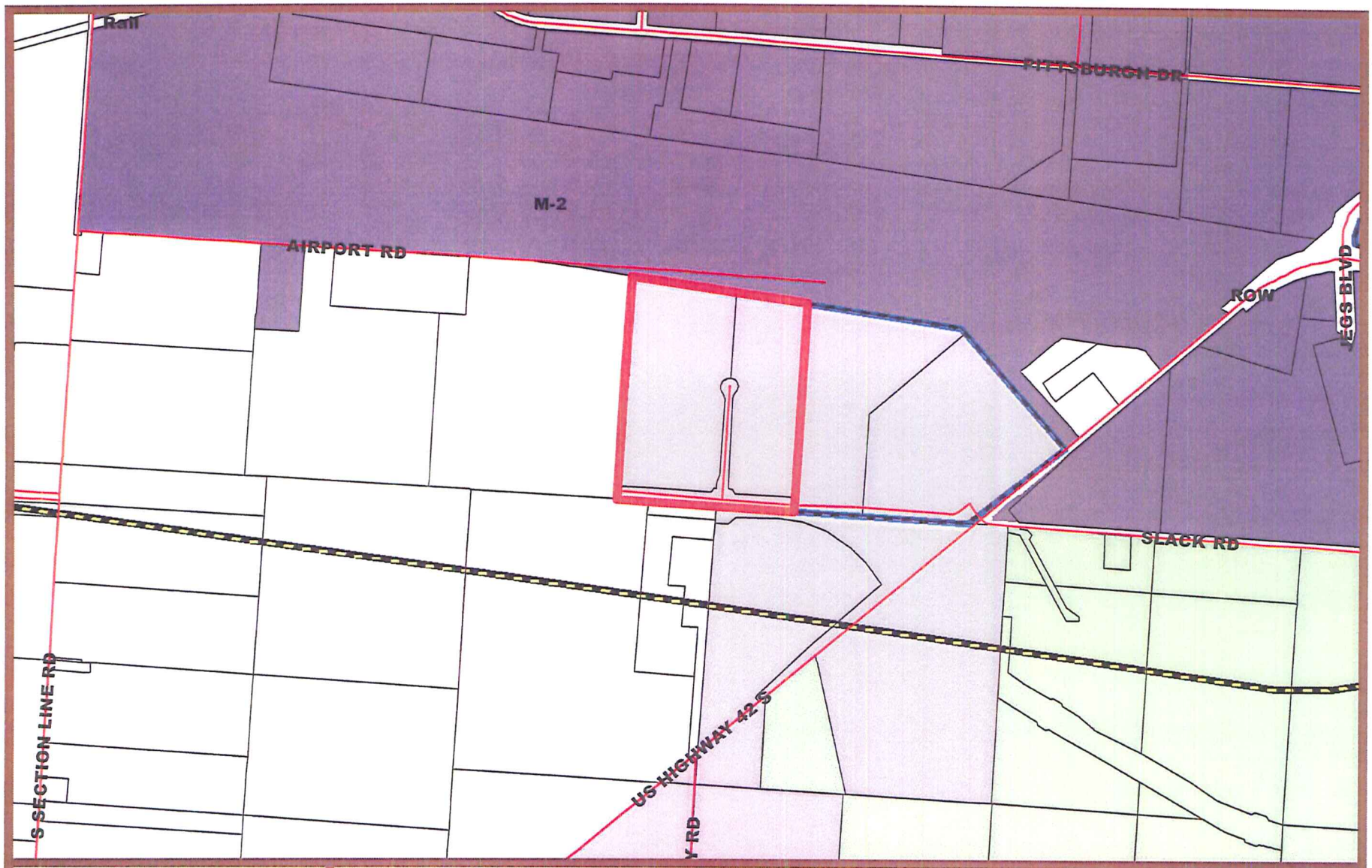
N



EST 1808
CITY OF
DELAWARE
OHIO

2016-0631
Rezoning Amendment
2663 Airport Road
Aerial (2013)

N



EST 1808
CITY OF
DELAWARE
OHIO

2016-0631
Rezoning Amendment
2663 Airport Road
Zoning Map

N

We are requesting a revision to the current zoning to allow for a small retail component to the suites that will be constructed in our new 60,000 s.f. multi-tenant building on Lot 6 of Innovation Business Park. We are not asking for any zoning revision to the remaining Innovation Business Park lots and do not envision any retail on those lots. As the owners of the Symmetry One building at the corner of London Rd. and US 42, we have discovered that there is a market for small "incubator" type businesses. Many of these businesses had the need for a small retail component that is vital to their operation. In meeting with local brokers, we have determined that there are virtually no available units of this type within the City of Delaware. (Small, Flexible sized Industrial Units with relatively high ceilings).

We are confident that the completion of the final leg of Sawmill Parkway will mark the beginning of a dramatic new phase of growth for the City of Delaware and Central Delaware County. We are also confident that our new facility will help meet that demand, however, we cannot ignore the lessons learned from the lease up of Symmetry One and other Delaware County area Industrial Facilities. Our suggested change is a result of those lessons.

Thank you for your consideration of our requests.

CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM

CITY OF DELAWARE OHIO

Project # _____ Case # 2016-0031

Planning Commission

- ☐ Amended Final Development Plan
- ☐ Amended Final Subdivision Plat
- ☐ Amended Preliminary Development Plan
- ☐ Amended Preliminary Subdivision Plat
- ☐ Annexation Review
- ☐ Combined Preliminary & Final Development Plan
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
- ☐ Determination of Similar Use
- ☐ Development Plan Exemption
- ☐ Final Development Plan
- ☐ Final Development Plan Extension
- ☐ Final Subdivision Plat
- ☐ Final Subdivision Plat Extension
- ☐ Floodplain Permit
- ☐ Lot Split
- ☐ Pre-annexation Agreement
- ☐ Preliminary Development Plan
- ☐ Preliminary Dev Plan Extension
- ☐ Preliminary Sub Plat
- ☐ Preliminary Sub Plat Extension
- ☒ Rezoning
- ☐ Subdivision Variance
- ☐ Substitution of a Non- Conforming Use
- ☐ Vacation-Alley
- ☐ Vacation-Easement
- ☐ Vacation-Street

Board of Zoning Appeals

- ☐ Appeal Administrative Decision or Interpretation
- ☐ Conditional Use Permit
- ☐ Substitution of Equal or Less Non-Conforming Use
- ☐ Variance

Subdivision/Project Name Innovation Business Park Lot 6 Address Lot 6 Innovation Business Park

Acreage 7.165 Square Footage 60,000 Number of Lots 1 Number of Units 1 building - 10 suites

Zoning District/Land Use M with PMD Proposed Zoning/Land Use M with PMD Parcel # _____

Applicant Name Sawmill Delaware Investments, LLC Contact Person John Lewis

Applicant Address 3737 Olentangy River Rd., Delaware, OH 43015

Phone 740-815-0454 Fax 866-841-3878 E-mail jlewis1957@gmail.com

Owner Name Sawmill Delaware Investments, LLC Contact Person John Lewis

Owner Address 3737 Olentangy River Rd., Delaware, OH 43015

Phone 740-815-0454 Fax _____ E-mail jlewis@gmail.com

Engineer/Architect/Attorney Bischoff Miller + Assoc. Contact Person Sara Hanes

Address PO Box 1410 Powell, OH 43065

Phone 614-873-0662 Fax 614-873-2684 E-mail shanes@rrohio.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Amy Bondi-Huffman
Owner Signature

Amy Bondi-Huffman
Owner Printed Name

Amy Bondi-Huffman
Agent Signature

Amy Bondi-Huffman
Agent Printed Name

Sworn to before me and subscribed in my presence this 16th day of March, 2016.

Notary Stamp: NOTARIAL SEAL STATE OF OHIO — MARGARET M. LONG NOTARY PUBLIC, STATE OF OHIO My Commission Expires Dec. 04, 2019

Margaret M. Long
Notary Public

s/planning/forms