DELAWARE DEVELOPMENT PLAN LTD

COUGHLIN'S CROSSING DEVELOPMENT

PLANNED MIXED USE DEVELOPMENT TEXT

DELAWARE, OHIO

Proposed Revisions October 6, 2022

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1) DESCRIPTION OF DEVELOPMENT

a) Delaware Development Plan LTD is proposing a mixed use development (the "Development") of approximately 80 acres zoned A-1 (Agricultural District) and A-1 PMU (Agricultural with a Planned Mixed Overlay District) in the City and located north of the proposed Meeker Way, east of US 23, west of Stratford Road, and south of the Elliott Estates subdivision.

2) GENERAL DEVELOPMENT STANDARDS & REGULATIONS FOR ALL SUB-AREAS

a) Purpose and Intent. It is the intent of this development to provide a mixed use development with common architectural design, streetscape, signage, lighting, and pedestrian amenities to be compatible throughout the entire development and covered by a common set of declarations. Prototypical design or design that is not consistent with this purpose and intent will not be accepted. This Development Text represents the zoning requirements for this area unless otherwise noted

b) Conformance with Codified Ordinances and City Policy. Unless noted otherwise within this development text, 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.

i) **Zoning of Annexed Land.** If the property shown on the Preliminary Development Plan that lies outside of the current City of Delaware boundaries is successfully annexed, it shall become subject to this development text and the overall Development Plan for such. Within 90 days of annexation or concurrent with the final annexation of such land, the then current owner may request in writing that the properties shall be zoned in accordance with this Text as approved by the City of Delaware and that the area (s) shall become part of the applicable Sub Area as shown on the approved Preliminary Development Plan. If this request is received by the City, the subject lands shall become part of the overall Development as shown and subject to this Text and all applicable Development Plans and regulations. It is the express intention of the City and applicant that these lands shall become part of the overall development and subject to this text and applicable Development Plans. If no such request is made within 90 days following the annexation, the land shall be zoned A-1 Agricultural under the then current Zoning Code of the City of Delaware and any subsequent request for zoning change shall be made under the processes required by the then current Zoning Code for amendments. If no such request is timely made, provisions contained herein related to pedestrian connections, landscaping, and buffering shall be required regardless of zoning district or uses.

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

d) **Major Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent major modification to 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 and Community Development, that results in:

   i) 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.
   ii) Major change in the approved location of land uses or land use sub-areas.
   iii) Substantial alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of pedestrian paths that results in a change in operating characteristics or character.

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

   i) Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning and Community Development.
   ii) Any minor increase in the number of or change in the type and/or mix of dwelling units less than 10% in the total number of dwelling units or any increase less than 15% in the non-residential building areas.
   iii) Minor change in the approved location of land uses or land use sub-areas.

iv) 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.

v) Minor structural alterations that do not alter the overall design intent of the building.

f) Construction Schedules. Wherever reasonably possible, areas of the development to be utilized as buffers for existing residential areas shall be developed and constructed prior to or concurrent with commencement of construction of commercial portions of the Development.

i) The trees along the north edge of Sub-Area 1 and Sub-Area 6 shall be preserved during the development of Sub-Area 1 and Sub-Area 6 to provide for the required buffer for properties in the Elliott Estates subdivision.

ii) The regional bike path is to be constructed as part of the first phase of development.

iii) Prior to or concurrent with the first Final Development Plan, the developer shall submit for review and approval a Final Subdivision Plat for the entire Development area. After a Final Plat is approved and recorded, administrative staff level minor lot splits and lot line adjustments may be allowed thereafter so long as the request is consistent with this Text and the applicable then current Zoning Code regulations. These will be processed pursuant to the Minor Modification provisions of this Text.

g) Perpetual Maintenance of Improvements. Any and all improvements including but not limited to buildings, structures, preserves, landscaping, signage, and pavement approved and constructed upon the Development area is required to be maintained to the level at which it was at installation. The City shall enforce this and shall ensure conformance with all regulations of the City and the then landowners are compelled to comply with any written order of the City in regard to maintenance of improvements.

h) **Donation collection dumpsters, bins, or areas.** Donation boxes, dumpsters, bins, or areas are not permitted on the Development site to be located outside a completely enclosed primary building.

i) **Tree Removal and Replacement.** A tree survey has been provided that documents the total number, type, size, and health of trees to be preserved and replaced according to the survey of open land, preserves and sample areas and verified by the City of Delaware. Tree removal and replacement shall meet all requirements of Chapter 1168 and with the following replacement schedule and fee/replanting requirements:

i) Trees in poor condition shall not be replaced.

ii) Trees in fair condition shall be replaced at 50%.

iii) Trees in good condition shall be replaced at 100%

iv) Ash trees shall not be replaced and must be removed from the site.

v) For any permanently preserved tree areas replacement credit shall be granted based on the submitted and verified survey and the schedule above.

vi) Tree Replacement Fee / Replanting – Based upon the submitted and verified survey, the net difference in caliper inches between trees removed and trees permanently preserved in the verified tree survey is 4,072 and the following replacement and/or payment schedule shall apply:

(1) The 4,072 caliper inch deficiency requires a $407,200 payment in lieu of replacement ($100 per caliper inch) or replanting on site above that which is required on any Final Development Plan individually or in total.

(2) To satisfy this deficiency and facilitate administration of these provisions, the applicant shall pay $100,000 up front with the first approved final development plan and infrastructure improvements.

(3) The balance of $307,200 (or 3,072 caliper inches of qualifying replacement trees) shall be paid on a per acre basis as the site developments. The preliminary development plan identifies 67.95 net developable acres which would require $4,521 per acre ($307,200/$67.95) to be paid as development occurs and as given in the process requirements of this section.

(4) The process shall be that when each final development plan is approved a fee of $4,521 per acre of the subject Final Development Plan would be required prior to construction drawing approval of the subject Final Development Plan.

(5) All the trees planted as required landscaping (street trees, perimeter landscaping, etc.) would not count towards the aforementioned tree replacement balance and as any are required on approved Final Development Plans.

(6) Any trees planted in excess of any required landscaping would count toward the tree replacement balance per City approval. A running balance shall be kept by the City in both dollars and caliper inches of required replacement for this purpose. When the balance equals zero the tree replacement shall be satisfied so long as the removal of trees is the same as that submitted with the initial verified survey. In the event that additional trees are removed as may be approved with future phases, the fee or replanting caliper inches shall be increased accordingly per the same method as is given in this section.

j) Landscaping.

i) Green space / open space shall encompass 25% of the overall Development at minimum. The percentage of green space in each individual Sub-Area may vary.

ii) View corridors shown on the Preliminary Development Plan and submitted materials and renderings are required elements and may not be altered.

iii) All street tree plantings and any trees shown and approved on a Final Development Plan are considered required trees and shall meet the requirements and approval process of the Zoning Code unless modified in this text and shall be approved by the Shade Tree Commission.

iv) Street trees placed every 40 feet on center shall be provided along all public streets (including US 23) and private access drives and, wherever such drives are adjacent to parking spaces, landscaping in conformance with Section 1166.09(b) shall be provided. Street trees or ornamental trees as approved by the City shall also be provided in any median and placed every 40 feet on center or as otherwise approved with a Final Development Plan.

v) Along the US 23 frontage Gateway and Corridor plan elements shall be required including but not limited to stone piers spaced at regular intervals, street trees, and

low (2-3 feet) undulating earthen mounding where it does not interfere with drainage courses and easements. Required front yard trees (not street tree) may be clustered so as to provide for visibility to building fronts while still ensuring their inclusion on the site.

vi) Street trees shall be a minimum of 1.75 caliper inches as measured at breast height at the time of installation.

vii) All ponds must include fountains and/or bubblers and/or aerators to prevent stagnant water.

viii) Parking lots will be landscaped in a manner that minimizes the direct views of expanses of parking spaces and encourages safe vehicular movement, at a minimum, as depicted on the Preliminary Development Plan. Each landscaped island within the parking lot shall be planted with two trees. The initial applicant submission shows 1 tree each and shall be corrected to reflect the requirements of this section.

ix) Shrubs shall be provided at edges of parking lots and along roads in conformance with Section 1166.

x) Wherever possible along building frontages with a pedestrian walkway, a mix of year-round and seasonal foundation plantings shall be provided in addition to tree wells or planters of other similar plantings included in the pedestrian walkway.

xi) Ground mounted equipment shall be screened from view using plant materials, opaque decorative fencing, or mounding providing 100% year round opacity.

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

(1) Sidewalks or multi-use paths shall be provided throughout the open space to link the amenities of the open space to the adjacent public sidewalk and provide active recreation throughout.

(2) Crosswalks leading to open spaces and public or private parkland shall be defined with special paving or alternative pavement coloring acceptable to the City Engineer as approved on the Final Development Plan(s).

(3) Amenities such as benches, gazebos, or other such features are encouraged in the open spaces.

(4) Unless otherwise noted herein, all open spaces shall be constructed with the public infrastructure with the respective phase in which the open space is located. Landscaping shall be installed at the first time of year in which it is appropriate to install such plant material.

(5) Open spaces, green spaces, and preserves shown on the Preliminary Development Plan are required elements and may not be altered.

k) Pedestrian Connectivity. Pedestrian connectivity shall be provided throughout the Sub-Areas with stub connections to other Sub-Areas and future development and shall be constructed to the property lines as approved. Concrete sidewalks 5 feet in width and achieving compliance with minimum engineering requirements shall be provided on one side of all public streets and multi-use paths shall be provided as shown on the Preliminary Development Plan together with the pedestrian plan exhibit to be submitted by the applicant for staff approval prior to the first Final Development Plan submission.

i) The developer shall make a payment in lieu of installation of a sidewalk along the length of the US 23 frontage. The linear footage shall be determined upon approval of the Preliminary Development Plan. The Developer shall submit a cost per foot of this sidewalk for review and approval by the City. The City reserves the right to modify this cost based upon its review. Once established, the cost per foot of a standard sidewalk along this frontage, shall be submitted via check in lieu of installation concurrent with the first development in each Sub-Area adjacent to US 23 or may be submitted as one lump sum concurrent with the first construction. The only exception to this is that the payment shall be made with the first construction of any structures located within any Sub-Area adjacent to US 23 for the planned open space/detention/retention/preserve area shown on the Preliminary Development Plan in Sub-Area 5.

l) Parking. The amount of parking provided shall not be more than that shown on the Preliminary Development Plan and shall meet the minimum parking requirements of the

current Zoning Code. However, because the Planning Commission encourages the reduction of the required amount of parking by up to 30% and encourages shared parking opportunities where the locations and uses are compatible and make sense in order to minimize the overall amount of parking on-site, the parking requirements of the Development may be reduced with approval of the Planning Commission with approval of a Final Development Plan. Where necessary for connectivity and access management throughout the Development and to adjacent properties, cross access easements shall be provided and recorded. No overnight parking (12:00am to 7:00am), except employees and trucks docked in the loading facility, which shall not have their engines or cooling units running, shall be allowed. This overnight prohibition includes, but is not limited to, RVs and trucks. Overnight parking is defined as any qualifying vehicle parked on-site longer than 4 hours. The Development shall include signs indicating no overnight parking is permitted.

m) Lighting. Building, site, and accent lighting shall be provided in accordance with the current Zoning Code and this text. All lighting fixtures, except those located in loading or service areas and not visible by the general public, shall be decorative fixtures that are appropriate and consistent with the overall design 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. No lighting fixture shall be mounted higher than 28 feet in height. All ground mounted accent lighting shall be hidden in landscaping and directed in a manner that does not affect visibility or significantly add to overall skyglow. All non-security site and building lighting will be turned off one hour following close of business in accordance with tenant's operational requirements. Any use with a 24 hour operation shall provide a night lighting plan that minimizes site and building lighting during non-peak nighttime hours. This night lighting plan shall be reviewed and approved by the City. The City may revise or modify this plan through time as needed to achieve the overall goal of night time light reduction while providing for adequate security lighting. The then property owner is responsible for complying with the plan and any modifications as directed by the city. Exterior lighting will include a mix of amber and white lighting colors similar to the existing Turkey Hill store to the south.

n) **Entry Features and Signs.** A comprehensive sign plan shall be provided and approved in conformance with Section 1165.16(c), this text, and the Final Development Plan. A Comprehensive Sign Plan has been submitted for review and approval with this text dated September 28, 2016. If approved, it may be updated or modified from time to time consistent with this text and all applicable zoning code provisions. All signs in the Sub-Area shall be in conformance with the approved comprehensive sign plan. The comprehensive sign plan shall meet the following requirements. Unless noted below, all signs shall meet the current Zoning Code.

i) **All Signs.** All signs shall be designed and located in a manner that is appropriate and consistent with the overall design of the Sub-Area and the Gateways and Corridors Plan. Unless noted otherwise, externally illuminated and reverse channel letter signs are preferred. For the purposes of this text, a reverse channel letter sign is generally a type of sign that utilizes an opaque aluminum letter which is stud mounted away from the wall or mounting surface. Rear illumination creates a soft glow or halo behind the letter. Changeable copy and changeable face signs are prohibited except for gas pricing signs as approved with the Final Development Plan. Businesses located within a business shall not be permitted any free-standing signs and shall be limited to one non-illuminated wall sign not exceeding 2 square feet in area located in a sign band. No building shall have more than 2 such signs.

Any and all signs shall not be allowed to fall into disrepair as determined by the city. If signs are found to be in disrepair and the City orders them removed, modified, or improved, the then current owner of the property and/or business is required to comply with any such order within 30 days.

ii) **Freestanding Signs.** Except for development identification and directional signs, freestanding signs are prohibited. Development identification signs shall be of the highest quality and design and serve as part of overall entry features to the Development. Development identification signs may only be provided at areas depicted on the comprehensive sign plan. No more than 2 primary Development Identification Signs shall be allowed. Primary Development identification signs shall not exceed 20 ft. in height and must be located adjacent to US 23. Any single

development identification sign may be permitted to include up to 5 accessory tenant panel signs as approved on the comprehensive sign plan. Additionally, two secondary development signs may be permitted not to exceed 9 ft. in height (including a stone base) and may include 3 tenant panels each. One secondary development sign may be located along Meeker Way and one along US23 as generally depicted on the Comprehensive Sign Plan and both are to be in conformance with the Gateway and Corridor Plan. Two tertiary development signs may be allowed along Stratford Rd. These signs shall not exceed 5 ft. in height and shall contain the name of the overall development only and shall not include any tenant panels. These signs shall be design on a monument stone base and shall include halo glow lettering only. On site directional and wayfinding signs are permitted as approved with any Comprehensive sign plan.

iii) **Building Signs.** As a result of the limitations placed on free-standing signs, flexibility shall be allowed for wall sign area. Wall signs shall be integrated into the overall design of the building to which the sign is attached in an area established as part of the building design approval for the purpose of mounting a wall sign (a sign band area). Only one wall sign is permitted per primary tenant per frontage of a public or private street except that there shall be no more than 2 such signs per primary tenant per building. In addition, one ancillary or directional sign no larger than 2 sq. ft. in area may be granted administratively. Except along US 23 and Meeker Way, no primary signs shall be permitted facing a residential district or use. Reverse channel letters signs, as previously defined, and gooseneck down lighting are required

iv) **Other Signs.** A temporary marketing/for sale or lease sign plan shall be provided as part of the comprehensive sign plan for the development. All other signs shall meet the current Zoning Code. Temporary grand opening signage is allowed for up to 30 days (initial opening of the business) and shall not include streamers, balloons, spinners, other air activated devices, billboards, search lights, flag (or blade flag) signs, flutter flag, or other temporary or permanent signs or attraction devices shall be permitted.

v) **Prohibited signs.** Streamers, balloons (inflatable or hard plastic), spinners, any air activated devices, billboards, search lights, flag (or blade flag) signs, flutter flag,

other devices prohibited within the Zoning Code of the City of Delaware, card board signs, sandwich board type signs, or other signs or attraction devices shall be prohibited.

vi) **Existing Billboards:** All existing billboards shall be removed with development of the site.

o) Outdoor Patios. Where permitted and not in conflict with this text, commercial outdoor patio hours of operation shall not begin before 9am or extend past 11pm. Outdoor music, amplified sound or sound systems, or outdoor entertainment shall be allowed only during the hours of operation and only where specifically permitted or not prohibited within each Sub-Area as noted in this Text. Trash receptacles, regular maintenance, fencing and lighting shall be provided. All commercial outdoor patio areas shall be shown in detail at the time a Final Development Plan is brought forward for any particular use. All commercial outdoor patio areas shall be oriented away from existing residential property located outside the Development area and shall be completely screened from adjacent residential property. No signs shall be permitted in conjunction with any outdoor dining area, such as, but not limited to, banners, umbrella signs, pennants, and flags.

p) Adult Entertainment Businesses (also known as sexually oriented businesses) are expressly prohibited from locating anywhere on the proposed Development site.

q) Wireless telecommunication facilities including installations known as small cell sites and Distributed Antenna Systems (DAS). Towers are expressly prohibited from the entire Development area. Small cell sites, DAS, antennas, and/or amplifiers may be permitted so long as they are completely camouflaged so as to be not visible either within an enclosed building or the structure to which they are attached if external. These shall be reviewed individually administratively for compliance with these regulations.

r) Utilities. All public utilities shall be placed underground with the exception of street and parking lot lights as approved on any Final Development Plan. All other utilities shall be completely screened or camouflaged.

3) BUILDING DESIGN

a) Building Design. All buildings shall meet the design requirements of Chapter 1143 and 1171 as applicable unless modified by this Text. The entire development (all Sub-Areas) shall respect and be compatible with the architecture and history of the Stratford area. The architecture shall include Pennsylvania Dutch components and generally be recognizable as in the Pennsylvania Dutch style such as stone end walls, vertical clapboard, board and batten, and cement board siding, and pitched standing seam metal roofs. The architecture shall be compatible and consistent with the historic Meeker homestead and historic Meeker barn to the south of the site currently owned by the Delaware County Historical Society as well as the Stratford homes to the east. To create a cohesive and unified design throughout the entire development, all buildings shall be consistent in overall design, color, materials, and architectural pattern, and shall include similar and/or repeating patterns of design elements such as cupolas, wind vanes, dormers, detailed and well defined cornices on flat roof structures, columns, awnings, or other elements as determined through the Final Development Plan review process.

i) All buildings shall be consistent with the style, materials (including brick, stone, and cement fiber siding), rhythm, glazing, spacing, roof lines and pitches, as depicted upon the submitted architectural renderings and this Text.

ii) Each building shall include a minimum of 30% brick, stone, or cultured stone upon publicly viewable portions thereof.

iii) Vinyl, stucco, EIFS, and similar materials shall only be used as an accent material.

iv) A color pallet for buildings including roofs shall be submitted with the first Final Development Plan for a building use type (i.e. commercial or residential) for review and approval through the Final Development Plan process.

b) Single-family attached or detached residential structures. To create a cohesive and unified design throughout the entire development yet provide a diversity of housing types, all residential buildings shall be consistent in overall design, color, material, and architectural pattern and include similar and/or repeating patterns of design elements such as architectural styles, roof and building massing, window proportion, or other elements

as determined through the Final Development Plan review process. All elevations (all sides) shall be reviewed and approved by the Planning Commission and City Council as part of the Final Development Plan.

i) The architectural design/patterns of single-family dwellings, both attached and detached, shall be similar and may be repeated from one building to the next to unify the project into a single architectural style. Similarities shall include window styles and patterns, roof pitches, use and mix of exterior materials, and building massing.

ii) 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, whichever is greater. Any porch shall be a minimum depth of 6 feet.

iii) Porch railings and column details are encouraged to vary from home to home. Porch columns shall have a minimum 6 x 6 inch cross section or diameter and shall not consist of visible metal or wrought iron posts.

iv) Exterior materials color palette shall consist of natural colors including white. Additional colors may be used as accents but may not be high-gloss colors.

v) Exterior materials shall include cement fiber board, brick, stone, wood, or similarly approved products on all elevations.

vi) EIFS and Stucco or similar products are prohibited as exterior materials, except as accents.

vii) All front elevations shall include a variety of styles, colors, and/or materials types of materials to provide variety throughout the community.

viii) Treated lumber shall be painted or stained.

ix) All exposed foundation walls shall be faced with brick or stone.

x) All single-family dwellings, both attached and detached, shall be permitted to utilize vinyl trim on all elevations. Vinyl shall not be used as a primary siding material for any structure.

xi) Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around. If a shutter or shutters are used no trim is required adjacent to the window.

xii) Frieze trim a minimum of 4 inches wide shall be required under all overhangs and gables.

xiii) Standing seam metal roofs are allowed in natural colors. White and bare metal (silver) are not permitted colors. Any asphalt shingles shall be dimensional.

xiv) The principal roof structure shall have an eave overhang of not less than 12 inches with return.

xv) Primary roofs shall have a minimum pitch of 6:12. Porches shall have a minimum roof pitch of 3:12.

xvi) Lintels and sills in masonry walls shall be brick soldier course, limestone, sandstone, or a manufactured stone product.

xvii) Windows shall be of vertical or square proportion. Accent windows may be circular, half-round, or octagonal and are limited to one per elevation unless used in a pair. Rear and side elevations shall have a minimum of two windows.

xviii) Where wood burning fireplaces are utilized the chimney shall be faced with natural materials. All direct vent fireplaces shall be located in a side or rear yard and screened from view when visible from a public street.

xix) All single-family dwelling units, both detached and attached, shall have a two-car garage at minimum. All garages shall be attached. Front elevations shall be designed to de-emphasize the visual impact of the garage. Single-car garage doors or the appearance (through the use of trim kits or overall design) of single car garage doors are encouraged to lessen or de-emphasize the visual impact of the garage facing a public street. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development including matching the door color to the predominant color of the main structure. Garages of front loaded attached single-family dwelling units shall not extend closer to the street than the primary wall facing the street.

xx) Side elevations of any corner lot shall include multiple windows and design elements that provide visual interest to the secondary street which it faces.

xxi) Any elevation facing Stratford Road or Meeker Way shall be designed in a manner giving the appearance of a second front elevation with the other front elevation being towards the street from which the dwelling is accessed.

c) **Commercial/Office and Commercial less than 80,000 square feet with or without First and Second Story Flats (residential apartments).** All such buildings shall be designed to be compatible with each other and with residential buildings in the Development.

i) Large commercial buildings shall incorporate elements and forms that reduce large masses into an assemblage of definable parts.

ii) Buildings shall be oriented to a street whenever possible.

iii) Exterior materials color palette shall consist of natural colors including white. Additional colors may be used as accents but may not be high-gloss colors.

iv) Exterior materials shall include cement fiber board, brick, stone, cultured stone, wood, or similarly approved products on all elevations visible to the general public.

v) Aluminum and/or vinyl shall be allowed for trim details only such as soffits, gutters, shutters, etc., but shall not be used as siding products.

vi) Painted standard concrete block (CMU), tilt-up concrete panels, or pre-fabricated steel panels are prohibited as exterior building materials with the following exception. Split-face concrete block, tilt-up concrete wall panels, or pre-cast concrete wall panels may be used on elevations not visible to the general public, but such materials shall have an exposed surface that is textured, patterned, pigmented, and/or detailed to be complimentary to the building design. It is not anticipated that there will be many or any such areas that are not visible to the public and generally four sided architecture and materials are required. Quick-brik or similar structural brick masonry units are preferred in areas of the building not visible to the public.

vii) Unless otherwise approved in the Final Development Plan, buildings shall generally have a similar degree of exterior finishes on all sides and shall be articulated with recesses, pilasters, fenestration, and/or material changes. Compositions of similar building materials shall be used on all building elevations visible to public view and consistent with the Preliminary Architectural renderings made part of this Text and Preliminary Plan.

viii) EIFS, Stucco, or similar products are prohibited as an exterior material, except as accents.

ix) Treated lumber shall be painted or stained

x) All exposed foundation walls shall be faced with brick or stone.

xi) Trim board around all corners, windows, and doors shall be a minimum of 4 inches all around except where shutters directly abut windows.

xii) Frieze trim a minimum of 4 inches wide shall be required under all overhangs and gables.

xiii) Standing seam metal roofs are allowed in natural colors. Any asphalt shingles shall be dimensional.

xiv) The principal roof structure shall have an eave overhang of not less than 12 inches with return.

xv) Primary Roofs shall have a minimum pitch of 6:12

xvi) Lintels and sills in masonry walls shall be brick soldier course, limestone, sandstone, or a manufactured stone product.

xvii) Windows shall be of vertical or square proportion. Accent windows may be circular, half-round, or octagonal and are limited to one per elevation unless used in a pair. Rear and side elevations shall have a minimum of two windows. Glazing (windows) shall comprise most of the ground floor elevation and shall be utilized on all elevations and all stories with the exception of limited areas devoted only to service areas.

xviii) Any elevation facing Stratford Road or Meeker Way shall be designed in a manner giving the appearance of a second front elevation with the other front elevation being towards the street from which the building is accessed. Generally, similar architecture and materials are required for all sides and all elevations of buildings to present a unified and high quality design across the entire Development site.

xix) Accessory structures such as enclosures for dumpsters, refrigeration and freezing units, and other similar structures shall consist of brick and stone or similar approved products as the exterior material. Any such accessory structure shall be designed to be consistent and cohesive with the principal building it serves. Doors shall be included with dumpster corrals and areas and shall be metal or wood painted or stained to match the primary building materials.

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

d) Commercial structures 80,000 square feet or greater. Any building 80,000 square feet or greater in gross floor area shall meet the following design requirements of Chapter 1143 as well as the requirements of Chapter 1148, unless modified by this Text, which are related to uses commonly referred to as Big Box uses (in Chapter 1143 these are contained in provisions related to uses over 100,000 sq ft. and applied herein to uses greater than 80,000 sq. ft.).

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

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

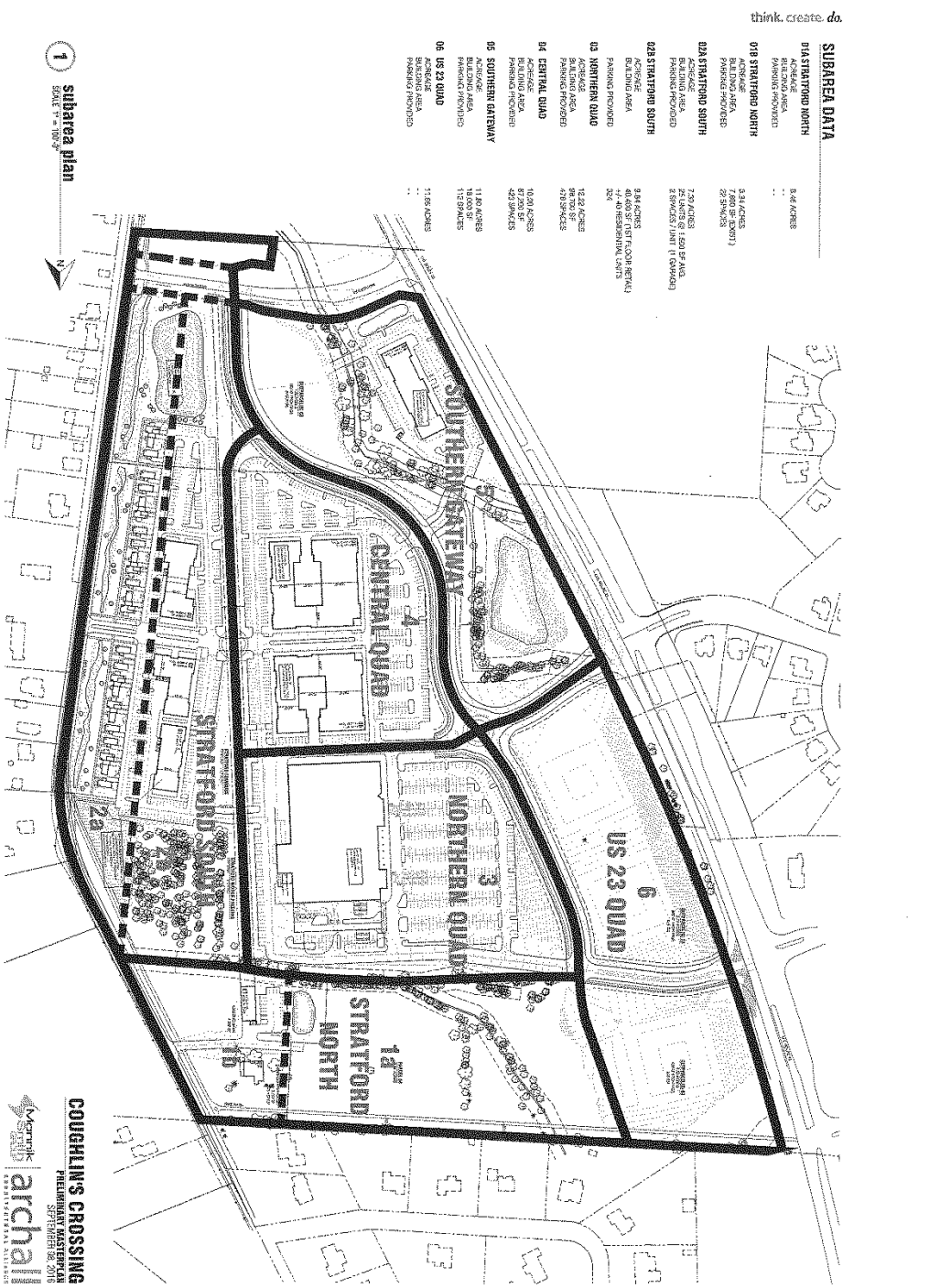
iii) Walls that meet the following criteria shall be exempt from the requirements of (i) and (ii) above:

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

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

4) SUB-AREAS

a) General. The project is separated into six main Sub-Areas to represent the distinct areas of development.



b) **Sub-Area 1 (Stratford North)** is the northern portion of the property and the location of the historic Janes Home and Barn. This Sub-Area is bounded by the Elliott Estates subdivision to the north, Stratford Road to the east, and a currently unnamed stream to the south and west. This Sub-Area is further divided into two smaller areas, one encompassing the existing Janes Home and Barn (Sub-Area 1b) and the other representing the western half of the Sub-Area (Sub-Area 1a).

c) **Sub-Area 2 (Stratford South)** is located along the eastern portion of the property and is bounded by a currently unnamed stream to the north, Stratford Road to the east, the proposed Meeker Way to the south, and the proposed primary spine road and Central and Northern Quads to the west.

d) **Sub-Area 3 (Northern Quad)** is located in the center of the property and is bounded by a currently unnamed stream to the north, Stratford South to the east, Central Quad to the south, and the proposed primary spine road to the west.

e) **Sub-Area 4 (Central Quad)** is located in the southern half of the property and is bounded by Northern Quad to the north, Stratford South to the east, and the proposed primary spine road to the south and west.

f) **Sub-Area 5 (Southern Gateway)** is located at the southwestern corner of the property and is bounded by US 23 Quad to the north, the proposed primary spine road to the east, the proposed Meeker Way to the south, and US 23 to the west.

g) **Sub-Area 6 (US 23 Quad)** is located in the northwestern corner of the property and is bounded by the Chesrown Chevrolet property and the Elliott Estates subdivision to the north, a currently unnamed stream and Northern Quad to the east, Southern Gateway to the south, and US 23 to the west.

5) SUB-AREA 1 – STRATFORD NORTH DEVELOPMENT STANDARDS



a) Uses. The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area 1 as represented in the chart below by P, C, or L, respectively, and as defined within 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.

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

ii) **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.

iii) **Accessory Uses.** Although not specified in the chart below, accessory uses, which are considered permitted uses, include those items that are accessory and necessary to the principal use of the land. Such items include but are not limited to fences, trash receptacles and enclosures, patios, decks, swimming pools, private garages, and off-street parking areas.

Land Use Category	Sub-Area 1a Uses
1) Residential	
a) Single-family detached dwelling	P
b) Single-family attached dwellings (2 or less)	P
c) Bed and Breakfast	C
d) Minor home occupation	P
2) Community Facilities	
a) Assisted living or Nursing home	C
3) Recreation/Open Space	
a) Public Parks and Playgrounds	P

Land Use Category	Sub-Area 1b Uses
4) Janes Home and Janes Barn	
a) Event center	C
b) Restaurant	C
c) Art Gallery	P
d) Museum	P
e) School	P
f) Trade School	P
g) Office	P
h) Medical Office	P
i) Outdoor Patio	L

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

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

i) **Outdoor Patios –** Sub-Area 1a shall not be permitted any outdoor commercial patios. Sub-Area 1b shall be permitted to have one accessory outdoor patio with the restrictions set forth elsewhere within Section 2 of this Text and further that the patio shall not be allowed to have any outdoor sound systems (amplified or acoustic) or outdoor entertainment.

c) Mix of Dwelling Unit Types. The overall Sub-Area 1a density and mix of dwelling unit types shall not exceed the lesser of six dwelling units per acre or 40 dwelling units in total, except for assisted living facilities. Assisted living facilities located on Sub-Area 1 shall be counted not in density for dwelling units but rather shall be counted by the number of beds in each facility and shall not exceed the lower of 15 per acre or 100 beds in total.



d) Lot Standards. Sub-Area 1a shall be a single lot unless fee simple detached condominium homes are platted or as otherwise modified with approval of a Final Development Plan which shall include minimum lot sizes.

e) **Building Setback Standards.** The following standards shall apply for minimum principal building setbacks, which are to be measured from the perimeter of the Sub-Area to create a perimeter setback based on the type of dwelling unit.

Minimum Building Setbacks	**Sub-Area 1**
North setback with buffer	40’
South setback	35’
West setback	35’
East setback	As described on the Preliminary Development Plan (the existing setbacks of the Janes Barn and Home from Stratford Rd) or any subsequent Final Development Plan

f) **Minimum Square Footage Requirements.** Each dwelling unit shall provide for 1,500 square feet minimum floor area for each two bedroom dwelling unit, exclusive of basements (unless walk-out units), unfinished attic spaces, garages, and any attached or detached accessory buildings. Each additional bedroom shall increase floor area requirements by 200 square feet.

g) **Maximum Building Height.** The maximum height of any residential building or structure shall be 35 feet as measured from the average elevation of the finished grade at the front of the building to the highest point of the roof. The maximum height of any assisted living building or structure shall be 45 feet as measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

h) **Maintenance of Preserved Buildings.** The Janes Home and Janes Barn (shown in Sub-Area 1b) shall, in the absence of tenants, be maintained so as to retain the existing structural integrity and exterior aesthetic appeal of both buildings. When and if a tenant or tenants for the structures are proposed, a future applicant may also propose adaptive reuse of the structures including minor modifications to facilitate redevelopment, rehabilitation, and tenancy of the structures. Changes to or removal of the structures shall

require review and approval through the Final Development Plan review process (including a formal public hearing) and any such proposal shall be sensitive to the unique historical, cultural, and design elements of the structures. Care shall be used in preserving the unique architectural and detailed design elements of each structure while allowing for adequate adaptive reuse opportunities to promote long term tenancy (and therefore long term maintenance) of the structures. Demolition of either structure in its entirety is not permitted unless a Final Development Plan that permits such demolition is approved. Historic reuse, adjacency of neighbors, open space provision, buffering to adjacent properties, character of the area, and overall architecture and design shall be some, but may not be all, of the decision criteria upon which to base a decision of potential demolition.

i) Parking. Parking lots for Sub-Area 1b shall be located west of the existing Janes Barn and Janes Home and shall extend no further north than the existing north wall of the Janes Home. The amount of parking provided shall not be more than that shown on the Preliminary Development Plan. Parking shall conform to all requirements set forth elsewhere within Section 2 of this Text

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

i) A landscaped buffer shall be provided on the northern boundary to buffer existing homes in the Elliott Estates subdivision to the north. Existing trees on the northern property line shall be preserved. The buffer shall be a minimum of 40 feet wide and shall run (east to west) the length of the Sub-Area. This area shall include additional required plantings at a minimum including a staggered course (soldier course) of evergreen trees, 6 feet tall at planting. Additionally, there shall be mounding of at least 6 feet which may undulate (vary) slightly and which shall account for all required water runoff courses to ensure proper drainage. These elements shall be as shown on the Preliminary Development Plan and Preliminary Landscape Plan. This shall be constructed prior to or concurrent with the first construction anywhere on the Development.

ii) A typical landscaping plan for each unit type shall be submitted and approved with the appropriate Final Development Plan. This typical landscaping shall set forth the minimum amount of required landscaping for each unit type at the time of building of each structure prior to the issuance of a Certificate of Occupancy.

iii) All areas east of the Janes Home and Barn shall remain open green space, except for the access drive from Stratford Road, unless otherwise approved by the Planning Commission and City Council through a future Final Development Plan review process.

6) SUB-AREA 2 – STRATFORD SOUTH DEVELOPMENT STANDARDS



a) Uses. The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area 2 as represented in the chart below by P, C, or L, respectively, and as defined within 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.

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

ii) **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.

iii) **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.

iv) **Accessory Uses.** Although not specified in the chart below, accessory uses, which are considered permitted uses, include those items that are accessory and necessary to the principal use of the land. Such items include but are not limited to fences, trash receptacles and enclosures, patios, decks, swimming pools, private garages, and off-street parking areas.

Land Use Category	Sub-Area 2 Uses as noted
1) Residential	
a) Single-family detached dwelling	P
b) Single-family attached dwelling (2 or less)	P
c) First story flats / apartments	P
d) Second story flats / apartments	P
e) Minor home occupation	P
f) Multi-family dwellings (not to exceed 178 units)	P
g) Only residential uses shall front Stratford Road - no commercial and/or offices uses shall front Stratford Road	P
2) Community Facilities	
a) Public cultural institution, art gallery	P
3) Recreation/Open Space	
a) Public Parks and Playgrounds	P
b) Noncommercial recreation facility (including homeowner association controlled facilities)	P
4) Office and Professional Services	
a) Offices – administrative, business, and professional	P
b) Financial institutions, banks (no drive-throughs)	P
c) Medical and dental offices, health and allied services	P
5) Retail and Services	
a) Retail and service establishments in completely enclosed buildings	P
b) Restaurants – Table service	P
c) Restaurants – Counter service (no drive-throughs)	P
d) Veterinary office (without kennel or outdoor runs)	L
6) Accessory Uses	

Land Use Category	Sub-Area 2 Uses as noted
a) Outdoor Patios	L

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

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

ii) **Outdoor Patios.** No commercial outdoor patios are permitted in Sub-Area 2 adjacent to Stratford Road. The remainder of Sub-Area 2 shall be permitted to have accessory outdoor patios with the restrictions set forth elsewhere within Section 2 of this Text and further that any such patio is only allowed on the west-facing (US23) side of a structure. Any such patio shall not be allowed to have an outdoor sound system (amplified or acoustic) or outdoor entertainment.

c) Density and Mix of Dwelling Unit Type. The Sub-Area 2 density and mix of dwelling unit types shall not exceed 178 dwelling units as approved on the Preliminary Development Plan. Only two story buildings shall front Stratford Road.

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

Lot Standards	Sub-Area 2
Minimum lot area	As approved on the Final Development Plan and consistent with Preliminary Development Plan
Minimum lot width and frontage*	As approved on the Final Development Plan and consistent with Preliminary Development Plan
Maximum building coverage	As approved on the Final Development Plan and consistent with Preliminary Development Plan
Maximum lot coverage**	As approved on the Final Development Plan and consistent with Preliminary Development Plan

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

ii) **Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Sub-Area 2 and converted to a percentage.

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

Minimum Building Setbacks	Sub-Area 2
Setback from Stratford Road	60 ft., or as approved on the Final Development Plan and consistent with Preliminary Development Plan
Setback from Meeker Way	60 ft., or as approved on the Final Development Plan and consistent with Preliminary Development Plan
Perimeter side setback	0 ft., or as approved on the Final Development Plan and consistent with Preliminary Development Plan

Perimeter rear setback	0 ft., or as approved on the Final Development Plan and consistent with Preliminary Development Plan

f) **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 aisle.

Minimum Parking Setbacks	**Sub-Area 2**
Setback from Stratford Road	60 ft.
Setback from Meeker Way	10 ft.
Setback from any private access drive or street	0 ft.
Setback from interior property lines	As approved on the Final Development Plan



g) **Minimum Square Footage Requirements.** Residential unit square footage requirements are provided as follows. Carriage units (units located above freestanding

garage buildings) shall be a minimum of 570 square feet. Flats/apartments in multi-unit buildings shall be a minimum 790 square feet for a one bedroom unit and two bedroom units shall be a minimum 1,100 square feet.

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

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

i) Along Stratford Road a 60 foot buffer from the proposed right-of-way including a bike path, green space, stream, and sidewalk shall be provided as shown on the Preliminary Development Plan. Extensive additional landscaping shall be included as approved on the Final Development Plan.

ii) An open area and/or storm water detention pond shall be located on the southern portion of the Subarea as shown on the Preliminary Development Plan. This area shall include extensive additional landscaping as approved on a Final Development Plan to provide for buffering and an appropriate transition between dwelling units located along the east side of Stratford Rd. and the Development site.

iii) This area shall include the open space amenity shown on the Preliminary Development Plan as Stratford Commons and as determined in final form with the requisite Final Development Plan. This shall not be inconsistent with the rendering below and any approved Preliminary Development Plan.



7) SUB-AREA 3 – NORTHERN QUAD DEVELOPMENT STANDARDS



a) Uses. The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area 3 as represented in the chart below by P, C, or L, respectively, and as defined within 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.

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

ii) **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.

iii) **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.

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

street parking areas. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

Land Use Category	Sub-Area 3 Uses
1) Office and Professional Services	
a) Offices – administrative, business and professional	A to retail and service establishments greater than 80,000 sq. ft. and located on the interior of these structures
b) Financial institutions, banks	A to retail and service establishments greater than 80,000 sq. ft. and located on the interior of these structures
c) Medical and dental offices, health and allied services	A to retail and service establishments greater than 80,000 sq. ft. and located on the interior of these structures
d) Licensed Massage Establishments	A to retail and service establishments greater than 80,000 sq. ft. and located on the interior of these structures
2) Retail and Services	
a) Retail and service establishments with a minimum gross floor area of 80,000 square feet or greater	L
b) Retail and service establishments in completely enclosed buildings with a minimum gross floor area of less than 80,000 square feet.	P
c) Restaurant – table service	A
d) Restaurant – counter service	A
3) Automotive and Transportation	
a) Gasoline station with or without convenience store or car wash	L
b) Stand-Alone ATM Facility	L
c) Drive-through facility associated with any principal permitted use	L
4) Outdoor Display/Storage	
a) Outdoor display	L

Land Use Category	Sub-Area 3 Uses
b) Outdoor storage	L
c) Garden Center	L
5) Community Facilities	
a) Schools, trade, business or cultural arts	C
b) Public cultural institutions and art galleries	P
c) Day care center, child/adult	A
d) Public safety and service facility	P
e) Public Parks and Playgrounds	P
f) Public utility substation or distribution facility	L
6) Recreation and Entertainment	
a) Indoor recreation and amusement (such as indoor theater, bowling alley, arcade, billboard parlor, assembly hall and party center)	L
b) Public parks and playgrounds	P
c) Health club	P
7) Accessory Uses	
a) Outdoor Patios	L

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

i) **Retail or Service Establishment with a Minimum Gross Floor Area of 80,000 Square Feet or Greater.** Unless modified within this text all requirements of Chapter 1148, as attached to this text and as noted in that Chapter as regulations for uses over 100,000 square feet (aka Big Box uses) and applied herein to uses greater than 80,000 square feet, shall be met.

(1) Section 1148.05(bb)(12). Stratford Commons, located in Sub-Area 2, shall fulfill this requirement.

(2) Section 1148.05(bb)(17). This Section shall be fulfilled by the Development of out-lots along US 23 as depicted on the Preliminary Development Plan and through the provision of landscaping and other elements described in the Gateways and Corridors Plan and as approved with any Final Development Plan.

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

iii) **Gasoline Station (with or without convenience store).** This use is only permitted (and therefore is limited) to be an accessory use (not a stand-alone use) to retail or service establishments with a minimum gross floor area over 80,000 square feet (aka 'Big Box' uses). It shall be designed in a manner to minimize its appearance from any public roadway. Within this Sub-Area it is only allowed within the proposed parking lot area as shown on the Preliminary Development Plan and only when an approved and actively used 'Big Box' grocery user is present on the site that eithers owns or has a business relationship with the gasoline station. Only passenger vehicle fueling shall be allowed. Such use shall meet all requirements of the then current Zoning Code and be designed in a manner that substantially limits the view of fueling pumps from the public right-of-way. Any canopy or weather cover associated with this use shall be designed in manner that is substantially similar with the overall development of this Development and the principal building, and shall not include exposed metal support columns. Canopies shall be of neutral color and include a pitched roof. Signs shall only be allowed in accordance with the approved Comprehensive Sign Plan. A single limited area for outdoor storage areas shall be delineated on the Final Development Plan. Any accessory appurtenances such as propane, ice, etc. shall be located on the side of the store away from the public way and shall be screened with landscaping and/or walls made of materials of similar type and quality to the primary building. Lights shall be fully recessed and cut off. No

more than one gas station (with or without convenience store) is permitted in the entire Development area.

iv) **Stand-Alone ATM Facility.** This use is only permitted (and therefore is limited) to an accessory use to retail or service establishments with a minimum gross floor area over 80,000 square feet (aka 'Big Box' uses). Such use shall not be located along any public right-of-way and shall be limited to areas interior to the overall development. The use shall be located in a manner that does not unreasonably disrupt traffic or pedestrian circulation. The building housing the ATM shall be designed and landscaped in a manner consistent with the overall development design and to minimize its presence.

v) **Drive-through Facility Associated with any Principal Permitted Use.** This use is only permitted (and therefore is limited) to an accessory use to retail or service establishments with a minimum gross floor area over 80,000 square feet (aka 'Big Box' uses). Such use shall meet all requirements of the then current Zoning Code and be located to the side or rear (opposite the public right-of-way) of the principal building. A covered pick-up area may be permitted in the front of the principal building. Any canopy or weather cover associated with this use shall be designed in a manner that is substantially similar with the overall development and the principal building, and shall not include exposed metal support columns.

vi) **Car Wash.** This use is only permitted (and therefore is limited) to an accessory use to retail or service establishments with a minimum gross floor area over 80,000 square feet (aka 'Big Box' uses) which is a grocery store that has an associated Gas station. The car wash shall be designed and located to be integrated with such gas station. Such use shall meet all requirements of the then current Zoning Code and be located to the side or rear (opposite the public right-of-way) of the principal building (Gasoline Station). The building, whether detached or attached to the building containing the principal use, shall be designed in a manner that is substantially similar with the overall development of the Development.

vii) **Outdoor Storage and Outdoor Display.** The following standards shall apply for outdoor storage and outdoor display.

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

(2) Outdoor display of seasonal merchandise is permitted in the walkway area in front of and to the side of the building in limited areas defined on the Final Development Plan provided a minimum pedestrian walkway of 5 feet in width is maintained between the front of the building and parking spaces or drive aisle. In no case shall such area exceed 500 square feet separately or in total Such areas shall be limited to seasonal for sale merchandise such as lawnmowers, grills, sheds, snow blowers, and other items defined on the Final Development Plan. In no case shall any vending machines, ice boxes, palletized items, bulk material, or other similar items be permitted in such outdoor display areas. Additionally, no items may be mounted to the side of the building and display heights shall not exceed 6 feet in height.

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

viii) **Garden Center.** This use is only permitted (and therefore is limited) to an accessory use to retail or service establishments with a minimum gross floor area over 80,000 square feet (aka 'Big Box' uses). Garden Centers are structures which are attached to the principal building and enclosed on four sides for the purposes of displaying garden related items, vegetation, bulk materials, or other items. Such structures shall be substantially similar in design with the overall development of the Development including being fully integrated into the principal building design. The enclosures shall be designed in a manner that substantially limits the view of any item within the Garden Center. In no case shall any item contained with the Garden Center extend above the height of the enclosure.

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

x) **Indoor Recreation and amusement.** These uses shall obtain a Conditional Use Permit prior to being allowed and must follow the Conditional Use Permit processes and procedures. This use shall not include accessory or principle for-profit, non-charitable, skill based gaming uses oriented towards adults and designed to substantially mimic gambling devices such as but not limited to spinning skill stop games but not including traditional video arcade type games typically found in restaurant/party center arrangements, for example Dave & Buster's, Magic Mountain, and Chuck E. Cheese.

xi) **Outdoor Patios.** Patios shall be permitted in this Sub-Area with the restrictions set forth elsewhere within Section 2 of this Text and any such patio shall not be allowed to have an outdoor sound system (amplified or acoustic) or outdoor entertainment.

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

Lot Standards	Sub-Area 3
Minimum lot area	As approved on Final Development Plan
Minimum lot width and frontage*	As approved on Final Development Plan
Maximum building coverage	As approved on Final Development Plan
Maximum lot coverage**	As approved on Final Development Plan

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

ii) **Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Sub-Area 3 and converted to a percentage.

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

Minimum Building Setbacks	Sub-Area 3
Setback from internal collector roads	100 ft.
Setback from Sub-Area 1	60 ft.
Setback from Sub-Area 2	60 ft.
Setback from Sub-Area 4	As approved on the Final Development Plan

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 aisle.

Minimum Parking Setbacks	Sub-Area 3
Setback from internal collector roads	10 ft.
Setback from any private access drive or street	10 ft.
Setback from interior property lines	As approved on the Final Development Plan

f) Maximum Building Height. The maximum height of any building or structure shall be 45 feet as measured from finished floor elevation to the highest point of the roof.

g) Landscaping and Screening. All landscaping shall meet the requirements of the Zoning Code and the Gateways and Corridors Plan and Section 2 of this Text unless modified herein.

i) On the northern edge of Sub-Area 3, evergreen trees shall be provided to further buffer homes to the north and to provide a layer of buffering in Sub-Areas 1 and 3. Existing trees in the stream corridor area will be preserved. These elements shall be as shown on the approved Final Development Plan. The eastern edge of the subarea shall be landscaped to screen the uses in sub area 2, particularly on the southeastern edge.

8) SUB-AREA 4 – CENTRAL QUAD DEVELOPMENT STANDARDS





a) Uses. The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area 4 as represented in the chart below by P, C, or L, respectively, and as defined within 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.

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

ii) **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.

iii) **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.

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

Land Use Category	**Sub-Area 4 Uses**
1) Office and Professional Services	
a) Offices – administrative, business and professional	P
b) Financial institutions, banks	P
c) Medical and dental offices, health and allied services	P
d) Licensed Massage Establishments	P
2) Retail and Services	
a) Retail and Service establishments in completely enclosed buildings less than 80,000 square feet	P
b) Restaurant – table service	P
c) Restaurant – counter service	P
d) Veterinary office (no outside run or outside kennel)	L
e) Veterinary hospital (no outside run or outside kennel)	L

Land Use Category	Sub-Area 4 Uses
3) Automotive and Transportation	
a) Stand-Alone ATM Facility	L
b) Drive-through facility associated with any principal permitted, limited, or conditionally permitted use	L
4) Outdoor Display/Storage	
a) Outdoor display	L
b) Outdoor storage	L
5) Community Facilities	
a) Schools, trade, business or cultural arts	P
b) Public cultural institutions and art galleries	P
c) Day care center, child/adult	P
d) Public safety and service facility	P
e) Public Parks and Playgrounds	P
f) Public utility substation or distribution facility	L
6) Recreation and Entertainment	
a) Indoor recreation and amusement (such as indoor theater, bowling alley, arcade, billboard parlor, assembly hall and party center)	L
b) Public parks and playgrounds	P
c) Health club	P
7) Accessory Uses	
a) Outdoor Patios	L

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

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

ii) **Stand-Alone ATM Facility.** Such use shall not be located along any public right-of-way and shall be limited to areas interior to the overall development. The use shall be located in a manner that does not unreasonably disrupt traffic or pedestrian circulation. The building housing the ATM shall be designed and landscaped in a manner consistent with the overall development design and to minimize its presence.

iii) **Drive-through Facility Associated with any Principal Permitted, Limited, or Conditionally Permitted Use.** Such use shall meet all requirements of the then current Zoning Code and be located to the side or rear (opposite the public right-of-way) of the principal building. A covered pick-up area may be permitted in the front of the principal building. Any canopy or weather cover associated with this use shall be designed in a manner that is substantially similar with the overall development of Meeker Pont and the principal building, and shall not include exposed metal support columns.

iv) **Outdoor Storage and Outdoor Display.** The following standards shall apply for outdoor storage and outdoor display.

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

(2) Outdoor display of seasonal merchandise is permitted in the walkway area in front of and to the side of the building in limited areas defined on the Final Development Plan provided a minimum pedestrian walkway of 5 feet in width is maintained between the front of the building and parking spaces or drive aisle. Such areas shall be limited to seasonal for sale merchandise such as lawnmowers, grills, sheds, snow blowers, and other items defined on the Final Development Plan. In no case shall any vending machines, ice boxes, palletized items, bulk material, or other similar items be permitted in such outdoor display areas.

Additionally, no items may be mounted to the side of the building and display heights shall not exceed 6 feet in height.

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

vi) **Indoor Recreation and amusement.** These uses shall obtain a Conditional Use Permit prior to being allowed and must follow the Conditional Use Permit processes and procedures. This use shall not include accessory or principle for-profit, non-charitable, skill based gaming uses oriented towards adults and designed to substantially mimic gambling devices such as but not limited to spinning skill stop games but not including traditional video arcade type games typically found in restaurant/party center arrangements, for example Dave & Buster's, Magic Mountain, and Chuck E. Cheese.

vii) **Outdoor Patios.** Patios shall be permitted within this Sub-Area with the restrictions set forth elsewhere within Section 2 of this Text.

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

Lot Standards	**Sub-Area 4**
Minimum lot area	As approved on Final Development Plan
Minimum lot width and frontage*	As approved on Final Development Plan
Maximum building coverage	As approved on Final Development Plan
Maximum lot coverage**	As approved on Final Development Plan

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

ii) **Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Sub-Area 4 and converted to a percentage.

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

Minimum Building Setbacks	Sub-Area 4
Setback from internal collector roads (Primary Spine road)	60 ft.
Perimeter side setback	60 ft.
Perimeter rear setback	60 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 aisle.

Minimum Parking Setbacks	Sub-Area 4
Setback from internal collector roads	10 ft.
Setback from any private access drive or street.	As approved on the Final Development Plan
Setback from interior property lines	As approved on the Final Development Plan

f) Maximum Building Height. The maximum height of any building or structure shall be 45 feet as measured from finished floor elevation to the highest point of the roof.

9) SUB-AREA 5 – SOUTHERN GATEWAY DEVELOPMENT STANDARDS



a) Uses. The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area 5 as represented in the chart below by P, C, or L, respectively, and as defined within 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.

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

ii) **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.

iii) **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.

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

street parking areas. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

Land Use Category	Sub-Area 5 Uses
1) Office and Professional Services	
a) Offices – administrative, business and professional	P
b) Financial institutions, banks	P
c) Medical and dental offices, health and allied services	P
d) Licensed Massage Establishments	P
2) Retail and Services	
a) Retail and service establishments in completely enclosed buildings less than 80,000 square feet	P
b) Restaurant – table service	P
c) Restaurant – counter service	P
d) Veterinary office (no outside run or outside kennel)	L
e) Veterinary hospital (no outside run or outside kennel)	L
3) Automotive and Transportation	
a) Stand-Alone ATM Facility	L
b) Drive-through facility associated with any principal permitted, limited, or conditionally permitted use	L
4) **Outdoor Display/Storage**	
a) Outdoor display	L
b) Outdoor storage	L
5) **Community Facilities**	
a) Schools, trade, business or cultural arts	P
b) Public cultural institutions and art galleries	P
c) Day care center, child/adult	P
d) Public safety and service facility	P
e) Public Parks and Playgrounds	P

Land Use Category	Sub-Area 5 Uses
f) Public utility substation or distribution facility	L
6) **Recreation and Entertainment**	
a) Indoor recreation and amusement (such as indoor theater, bowling alley, arcade, billboard parlor, assembly hall and party center)	L
b) Public parks and playgrounds	P
c) Health club	P
7) **Accessory Uses**	
a) Outdoor Patios	L

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

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

ii) **Stand-Alone ATM Facility.** Such use shall not be located along any public right-of-way and shall be limited to areas interior to the overall development. The use shall be located in a manner that does not unreasonably disrupt traffic or pedestrian circulation. The building housing the ATM shall be designed and landscaped in a manner consistent with the overall development design and to minimize its presence.

iii) **Drive-through Facility Associated with any Principal Permitted, Limited, or Conditionally Permitted Use.** Such use shall meet all requirements of the then current Zoning Code and be located to the side or rear (opposite the public right-of-way) of the principal building. A covered pick-up area may be permitted in the front

of the principal building. Any canopy or weather cover associated with this use shall be designed in a manner that is substantially similar with the overall development of The Development and the principal building, and shall not include exposed metal support columns.

iv) **Outdoor Storage and Outdoor Display.** The following standards shall apply for outdoor storage and outdoor display.

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

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

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

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

vi) **Indoor Recreation and amusement.** These uses shall obtain a Conditional Use Permit prior to being allowed and must follow the Conditional Use Permit processes and procedures. This use shall not include accessory or principle for-profit, non-charitable, skill based gaming uses oriented towards adults and designed to

substantially mimic gambling devices such as but not limited to spinning skill stop games but not including traditional video arcade type games typically found in restaurant/party center arrangements, for example Dave & Buster's, Magic Mountain, and Chuck E. Cheese.

vii) **Outdoor Patios.** Patios shall be permitted within this Sub-Area with the restrictions set forth elsewhere within Section 2 of this Text. Further, for Lot 5 only as shown on the Preliminary Plat, any such patio shall not be allowed to have an outdoor sound system (amplified or acoustic) or outdoor entertainment.

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

Lot Standards	Sub-Area 5
Minimum lot area	As approved on Final Development Plan
Minimum lot width and frontage*	As approved on Final Development Plan
Maximum building coverage	As approved on Final Development Plan
Maximum lot coverage**	As approved on Final Development Plan

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

ii) **Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Sub-Area 5 and converted to a percentage.

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

Minimum Building Setbacks	Sub-Area 5

Setback from US 23	60 ft.
Setback from Meeker Way	60 ft.
Side setback from internal collector roads	40 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 aisle.

Minimum Parking Setbacks	Sub-Area 5
Setback from US 23	15 ft.
Setback from Meeker Way	10 ft.
Setback from any private access drive or street	10 ft.

f) **Maximum Building Height.** The maximum height of any building or structure shall be 45 feet as measured from finished floor elevation to the highest point of the roof.

10) SUB-AREA 6 – US 23 QUAD DEVELOPMENT STANDARDS



a) Uses. The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area 6 as represented in the chart below by P, C, or L, respectively, and as defined within 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.

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

ii) **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.

iii) **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.

iv) **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items

include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

Land Use Category	Sub-Area 6 Uses
1) Office and Professional Services	
a) Offices – administrative, business and professional	P
b) Financial institutions, banks	P
c) Medical and dental offices, health and allied services	P
d) Licensed Massage Establishments	P
2) Retail and Services	
a) Restaurant – table service	P
b) Restaurant – counter service	P
c) Retail and service establishments in completely enclosed buildings under 80,000 square feet	P
d) Veterinary office (no outside run or outside kennel)	L
e) Veterinary hospital (no outside run or outside kennel)	L
3) Automotive and Transportation	
a) Gasoline station with or without convenience store	L
b) Stand-Alone ATM Facility	L
c) Drive-through facility associated with any principal permitted, limited, or conditionally permitted use	L
d) Car wash	L
e) New Car Dealership	L
4) Outdoor Display/Storage	
a) Outdoor display	L
b) Outdoor storage	L
5) Community Facilities	
a) Schools, trade, business or cultural arts	C
b) Public cultural institutions and art galleries	P

Land Use Category	Sub-Area 6 Uses
c) Day care center, child/adult	P
d) Public safety and service facility	P
e) Public Parks and Playgrounds	P
f) Public utility substation or distribution facility	L
6) Recreation and Entertainment	
a) Indoor recreation and amusement (such as indoor theater, bowling alley, arcade, billboard parlor, assembly hall and party center)	L
b) Public parks and playgrounds	P
c) Health club	P
7) Accessory Uses	
a) Outdoor Patio	L

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

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

ii) **Gasoline Station (with or without convenience store).** This use is permitted (and therefore is limited) to be an accessory use to retail or service establishments with a minimum gross floor area over 80,000 square feet (aka 'Big Box' uses) or if not accessory to such use than a Conditional Use Permit is required to ensure design, location, orientation of structures, and quality consistency with this text and the overall development. Such use shall meet all requirements of the then current Zoning

Code and be designed in a manner that substantially limits the view of fueling pumps from the public right-of-way. Any canopy or weather cover associated with this use shall be designed in manner that is substantially similar with the overall development of The Development and the principal building, and shall not include exposed metal support columns. No more than one gas station (with or without convenience store) is permitted in the entire Development area.

iii) **Stand-Alone ATM Facility.** Such use shall not be located along any public right-of-way and shall be limited to areas interior to the overall development. The use shall be located in a manner that does not unreasonably disrupt traffic or pedestrian circulation. The building housing the ATM shall be designed and landscaped in a manner consistent with overall design and to minimize its presence.

iv) **Drive-through Facility Associated with any Principal Permitted, Limited, or Conditionally Permitted Use.** Such use shall meet all requirements of the then current Zoning Code and be located to the side or rear (opposite the public right-of-way) of the principal building. A covered pick-up area may be permitted in the front of the principal building. Any canopy or weather cover associated with this use shall be designed in a manner that is substantially similar with the overall development of The Development and the principal building, and shall not include exposed metal support columns.

v) **Car Wash (accessory to principal use).** Such use shall meet all requirements of the then current Zoning Code and be located in the side or rear (opposite the public right-of-way) of the principal building (Gasoline Station). The building, whether detached or attached to the building containing the principal use, shall be designed in a manner that is substantially similar with the overall development of The Development.

vi) **New Car Dealership.** Such use shall only allow new automotive sales as the primary use while used car sales are only permitted as a part of the new dealership. An automotive service facility and car wash are permitted as accessory to a new car dealership only and must be attached to or completely within the primary dealership building. No more than one new automotive sales facility (dealership) is permitted in the entire Development area and it is only permitted within this Sub-Area in accordance with this text.

vii) **Outdoor Storage and Outdoor Display.** The following standards shall apply for outdoor storage and outdoor display.

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

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

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

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

ix) **Indoor Recreation and amusement.** These uses shall obtain a Conditional Use Permit prior to being allowed and must follow the Conditional Use Permit processes and procedures. This use shall not include accessory or principle for-profit, non-charitable, skill based gaming uses oriented towards adults and designed to substantially mimic gambling devices such as but not limited to spinning skill stop games but not including traditional video arcade type games typically found in restaurant/party center arrangements, for example Dave & Buster's, Magic Mountain, and Chuck E. Cheese.

x) **Outdoor Patios.** Patios shall be permitted within this Sub-Area with the restrictions set forth elsewhere within Section 2 of this Text. Further, any such patio shall not be allowed to have an outdoor sound system (amplified or acoustic) or outdoor entertainment.

c) Building Design – New Car Dealership.

i) Building design and materials for a new car dealership on US 23 shall be of the highest quality as approved on the Final Development Plan. Design shall include extensive landscaping and may include display pods along US 23 surrounded by landscaping not inconsistent with the current Chesrown and Byers Toyota dealerships north of this site. No vehicles may be parked upon the landscaped areas or grass areas of the Development site. Prototypical dealership design will not be accepted. Building design shall be consistent with the overall Development design and materials. The building shall include primarily glass (glazing) and incorporate stone or cultured stone extensively on the front and side elevations at a minimum. Gateway and Corridor Plan elements shall be included such as but not limited to stone piers distributed along the US 23 frontage. Building signage shall be held to a minimum. No amplified music or announcement systems shall be utilized. Site lighting shall be the minimum necessary for security and maneuverability purposes. The building may include a pick up and drop portion that is covered and integrated with the overall design but that is located to the side of the building and screened from public view along US 23. Trees shall be incorporated throughout the site, parking areas, and along US 23 as part of the site landscaping. Vehicles shall not be displayed upon blocks, risers, or any other artificial structure or device.

ii) Buildings shall be oriented to a public street whenever possible.

iii) Split-faced concrete block, painted standard concrete block (CMU), tilt-up concrete panels, or pre-fabricated steel panels are prohibited as exterior building materials.

iv) EIFS, stucco, or similar products are prohibited as an exterior material.

v) Accessory structures such as enclosures for dumpsters, refrigeration and freezing units, and other similar structures shall consist of brick and stone or similar approved products as the exterior material. Any such accessory structure shall be designed to be

consistent and cohesive with the principal building it serves. They shall have metal or wood doors painted or stained in color to match the color scheme of the Development and minimize their appearance.

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



d) Lot Standards. This subarea may be further divided into smaller lots than preliminarily shown but in no case shall the lot area of an individual lot fall under the required minimum amount noted herein. After the recording of any Final Subdivision Plat for this Sub-Area, Administrative (minor) lot splits are allowable if they are in conformance with this Text and all applicable Zoning code regulations. The following standards shall apply for lot standards and coverage.

Lot Standards	Sub-Area 6
Minimum lot area	As approved on the Final Development Plan
Minimum lot width and frontage*	As approved on the Final Development Plan.
Maximum building coverage	As approved on the Final Development Plan
Maximum lot coverage**	As approved on the Final Development Plan

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

ii) **Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Sub-Area 6 and converted to a percentage.

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

Minimum Building Setbacks	Sub-Area 6
Setback from US 23	60 ft.
Setback from internal collector roads	40 ft.
Side setback	30 ft.

f) 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 aisle.

Minimum Parking Setbacks	Sub-Area 6
Setback from US 23	15 ft.
Setback from any private access drive or street	10 ft.
Side setback	10 ft.

g) Maximum Building Height. The maximum height of any building or structure shall be 45 feet as measured from finished floor elevation to the highest point of the roof.

h) Access. A shared access easement shall be provided between the Chesrown Chevrolet site to the north and the Development concurrent with the first Final Development Plan approved for the entire Development or with the improvement plans for the planned main spine road, whichever comes first. This easement, once approved by the City, shall be immediately recorded upon the requisite property and shall thereafter be available for immediate improvement and use.

i) Landscaping. The existing tree line located along the northern edge of this Sub-Area shall be preserved except for the minimum necessary to allow for the connection of the shared cross access easement noted above. In areas where this area of the Sub-Area may be visible from adjacent off Development site residential uses, additional landscaping and buffering shall be required as approved on any Final Development Plan.

ORDINANCE NO. 19-67

AN ORDINANCE APPROVING A DEVELOPMENT TEXT AMENDMENT FOR DELAWARE DEVELOPMENT PLAN LTD., FOR COUGHLIN'S CROSSING TO SUB-AREAS 2, 5 AND 6 ON APPROXIMATELY 80 ACRES LOCATED EAST OF US 23, WEST OF STRATFORD ROAD, NORTH OF MEEKER WAY AND SOUTH OF ELLIOT ESTATES SUBDIVISION AND ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT).

WHEREAS, the Planning Commission at its meeting of November 6, 2019 recommended approval of a Development Text Amendment for Delaware Development Plan LTD., for Coughlin's Crossing to Sub-Areas 2, 5 and 6 on approximately 80 acres located east of US 23, west of Stratford Road, north of Meeker Way and south of Elliot Estates Subdivision zoned A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) (PC Case 2019-1578).

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

SECTION 1. That the Development Text Amendment for Delaware Development Plan LTD., for Coughlin's Crossing to Sub-Areas 2, 5 and 6 on approximately 80 acres located east of US 23, west of Stratford Road, north of Meeker Way and south of Elliot Estates Subdivision zoned A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District), is hereby confirmed, approved, and accepted with the following conditions that:

1. Any new structure(s) or any change of use of any proposed buildings or property shall require conformance to all provisions of the Development Text.
2. The parcels and/or sites that have a layout on the Preliminary Development Plan shall require Final Development Plan approval while the parcels and/or sites that do not have a layout shall require Preliminary and Final Development Approval by the Planning Commission and City Council.
3. The development text, renderings and all associated submitted plans (including the Comprehensive Sign Plan) comprise the zoning and development requirements for the site together with all other City applicable code and regulations.
4. The number of multi-family units in Sub-Area 2 shall not exceed 178 dwelling units.
5. In Sub-Area 2, the one-bedroom units shall be a minimum 790 square feet and the two bedroom units shall be a minimum 1,100 square feet.

6. In Sub-Area 2, the carriage apartments shall be minimum 570 square feet and there shall only be 10 such units.
7. In Sub-Area 2, the maximum building height shall be increased to 47 feet from 35 feet for the three-story structures shown on the Development Plan.
8. Convert the storm water detention area (approximately 3.29 acres) currently located in Sub-Area 5 adjacent to Hawthorn Boulevard to developable land (Lot 12724) in accordance with the Sub-Area 5 zoning text and to have the storm water area be relocated to Sub-Area 5 on approximately 3.202 acres (Lot 12730) located on the northwest corner of Coughlin Lane and Meeker Way.
9. Amend Sub-Area 5 to permit the side setback for internal collector roads to be 40 feet as permitted in Sub-Area 6.
10. Amend Sub-Areas 5 and 6 to permit internal side yard setbacks to be 30 feet instead of 60 feet.
11. Amend Sub-Area 6 to permit minimum lot area to be as approved with the Final Development Plan as permitted in Sub-Area 5 instead of 1.5-acre lot minimum.
12. Amend Sub-Area 6 to permit minimum lot width and frontage to be as approved with the Final Development Plan as permitted in Sub-Area 5 instead of 120 feet minimum lot width.
13. Amend Sub-Area 6 to permit minimum building coverage to be as approved with the Final Development Plan as permitted in Sub-Area 5 instead of 40% maximum building coverage.

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: November 25, 2019 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: Elaine McCluskey
CITY CLERK

Carly Kenyon
MAYOR