

DEVELOPMENT PLAN TEXT

RE-ZONING APPLICATION

CHANDLER CT.

Parcel No. 3173130501400, 5940 Chandler Ct., Westerville, OH 43082;

BrightPath Active Learning, LLC & Erica & Jim Wares, Genoa Township Residents

5306 Ainsley Dr.

Westerville, OH 43082

Initial submission date: December 10, 2018

Zoning Commission Meeting Date: July 8, 2019

****Amended 1403.1 Response****

Current Submission: August 2, 2019

Genoa Township Board of Trustees Meeting Date: August 26, 2019

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EXECUTIVE SUMMARY

BrightPath Active Learning operates a Preschool and School-age afterschool program. We currently rent the lower level from the American Baptist Church of Westerville at 401 E. Schrock Road. We would like to build a new facility at 5940 Chandler Ct., Westerville, OH 43082; Lot 1428 Chandler Corporate Park. In order to comply with Genoa Township Development & Zoning Guidelines we are requesting that the Genoa Township Zoning Commission consider our request to re-zone the above mentioned parcel from Planned Industrial and Warehouse District (PID) to Planned Community Facilities District (PCF).

This planned building will house 5 classrooms. These classrooms will support our Preschool, Kindergarten enrichment and afterschool programming. We offer preschool programs for children age 3 ½ - 5. We also offer Kindergarten with half-day or all-day schedules to complement the part time kindergarten programs in the local school districts (Westerville, Worthington, Olentangy and Big Walnut).

Our BrightPath philosophy focuses on exploring nature, the environment, the arts and getting kids active in their own learning process each day. We play outside even in the winter with “full gear” (snow pants, hats, gloves, etc.) whenever the weather will allow. The design of our facility will emphasize and support the uniqueness of our program with flexible inside space, classrooms sized for 14-18 students (smaller class sizes: 14 younger children and 18 kindergarteners), exterior garage doors to open on nice days and have true open-air classrooms. From a marketing perspective, we believe that our space should portray the uniqueness of our program in the exterior design as well as the look/feel and flow of the inside space. At BrightPath, we are a community as much as a school. Having some flexibility in our space to accommodate Open Houses for parents and children, or to have gathering areas for parents to talk after they drop-off their children are important differentiators built into our design.

The Development Plan will comply with all applicable provisions of the resolution, and amendments may be made in preparation for Final Development Plan approval. The purpose of this Development Plan Text is to demonstrate how our proposed development will support the Township’s consideration of Traffic, access and general compatibility. The cycle of traffic for this Use is complimentary to other uses on Chandler Ct, and will be limited during peak traffic hours of the evening. This text also discusses how the proposed development will enrich the social and community aspects of the immediate surrounds and Genoa Township as a whole.

The PCF Use is compatible with adjoining residential and commercial. Our center will be a pleasant addition to Chandler Court area which already houses other businesses that serve a social and community focus to families: (driving school) and fitness centers (CrossFit and Pilates), and restaurants (Giammarco's Italian Restaurant). Our plan for Chandler Ct. will promote a healthy, socially conscious and family-oriented use for this parcel. Our location near residences in Highland Lakes and the bike paths, makes a perfect place for a child-care, education-focused business.

Please see supporting documentation, information, and diagrams for further explanation of our proposed development.

ARTICLE 14: PLANNED COMMUNITY FACILITIES DISTRICT (PCF)

Section 1401: Intent and Purpose

The purpose of the Planned Community Facilities District is to provide zoning classification for governmental, civic, recreational, and similar community facilities in proper location and extent so as to promote the general safety, convenience, comfort, and welfare. The Planned Community Facilities District encourages the use of existing facilities and regulates the location of new facilities to ensure their proper functioning in consideration of traffic, access and general compatibility and to minimize the adverse visual effects on surrounding areas through design and Landscaping standards. The District is designed to protect community facilities and institutions from the encroachment of certain other Uses and to make sure Uses are compatible with adjoining residential Uses.

1401.01 It is the policy of the Township to permit the creation of Planned Development Districts to:

A) Preserve and extend the charm and beauty existent in and inherent to the rural residential character of Genoa Township;

The proposed use as a Planned Community Facility [Kindergarten Day Care] will preserve and enhance the charm and beauty existent in, and inherent to, the rural residential character of Genoa Township. The building siting, materials, architectural form, and extensive outdoor space will not only fit within the immediate character of the street, but within the larger context of Genoa Township.

B) Provide the economic and social advantages resulting from an orderly planned use of large parcels of land;

The proposed development will provide an economic advantage by bringing 6-12 new jobs to Genoa Township. The proposed development will offer a social advantage by providing a much-needed service to families in Genoa Township – Preschool, Kindergarten Enrichment, and After School Care

C) Provide a more useful pattern of Open Space and recreation areas;

The proposed development will provide ample Open space and Recreation Areas, including a large open-play area of 10,300 s.f., which exceeds the requirement in 1703.02 [Refer to Page 24]. Moreover, the proposed development provides large common areas in the interior of the building, that can be used in partnerships with local/neighborhood businesses.

D) Promote development patterns, which preserve and utilize natural topography and geologic features, scenic vistas, trees and other vegetation, and prevent the disruption of natural drainage patterns;

The proposed development will preserve the existing trees and vegetation along the South border of the property. We will also enhance the natural landscape and shade efficiency by planting new trees to provide natural shade on our play area, including twelve additional shade trees along the south side of the play area. Please refer to 1406.17 for additional information on the existing conditions. The natural drainage pattern of the site will not be disturbed, and a stormwater management plan will be submitted to Delaware County Engineers for permit. There is a do not disturb area on the south part of the site, which is near a utility easement for existing power lines “Columbus Southern Power ESMT D.B. 502 PG 373. This is indicated on C5 ‘Grading and Drainage Plan’.

E) Promote a more efficient use of land than is generally achieved through conventional development resulting in substantial savings in utility and street extensions; and

The proposed development provides a more efficient use of land than conventional developments. By leaving more than the required land to Open Space, we will minimize utility and street extensions along Chandler Ct. with less building needs.

F) Promote development patterns in harmony with land use Density, transportation facilities and community facilities.

The proposed development promotes development patterns in harmony with its surroundings. The density of the proposed development is similar to surrounding business on Chandler Ct. The scale of the building and occupancy levels are aligned with other businesses along the street, and will not overuse transportation facilities. The location near residences in Highland Lakes and nearby bike paths, makes the use of a child care, education-focused business, appropriate for the site. The project will enhance the community facilities by adding a community use that is in high demand with neighboring residential communities.

1401.02 This Section establishes standards for the Planned Community Facilities District in areas served by central sanitary sewers and Central Water Systems, or developments utilizing other sewage treatment options approved in the development plan.

The proposed development will utilize Delaware County central sanitary sewers, and will comply with Delaware County engineering regulation and applicable articles of the zoning resolution. Delaware County Water has provided confirmation that they can service the lot. AEP has proved written support that they can provide Electricity. The lot is in an already developed area, so neither utility company expressed hesitation or concern about providing utilities. [Refer to Exhibits on Page 42].

1401.03 Pursuant to Ohio Revised Code Section 519.021(A), this District may be permitted upon application and approval of specific and detailed Final Development Plans and all shall require amendments to the official Zoning Map. Approval for Planned Development rezoning applications may be granted pursuant to ORC 519.12 only when the plan for the project complies with these regulations and promotes the general public health, safety, morals and welfare and encourages the efficient use of land

and resources, promotes greater efficiency in providing public and utility services and encourages innovation in the planning and building of the development.

The proposed development complies with Ohio Revised Code Section 519.12. The shear nature of what we do, takes into primary consideration general public health, safety, morals and welfare in every aspect of our business, facilities and operation. Our philosophy at BrightPath emphasizes the value of nature, art and exploring the world around us, including the encouragement of efficient use of land & natural resources with our customers, our development plans and our teaching methods.

Section 1402: Contiguity of Land and Project Ownership

1402.01 All land within a proposed Planned Development shall be contiguous and shall not be divided into parts by any state or federal limited access highway or by any railroad Right-of-Way.

The proposed development is not divided and is contiguous.

1402.02 The Planned Development area shall be under contract for purchase by a single entity or owned by a single entity at the time of application. For the purposes of this subsection a single entity includes the following: a husband and wife; corporation; partnership; or two or more property owners who have entered into a general development plan for a Planned Development.

The proposed development is under contract by a single entity.

Section 1403: Permitted Principal Uses

1403.01 Village, Township, County, State, and Federal Government Buildings for administrative functions and use by the general public.

The dimensions and architectural character of the proposed development is similar in size, services, and architecture as nearby adjacent buildings as follows:

West: Turning Point Fitness is a service-based business with an 11,000 s.f. footprint.

Northwest: Feazel is a roofing contractor facility with a 9,100s.f. footprint. The building features a long east-west axis with a pitched gabled roof [similar to proposed development].

North: Raw War Crossfit is a service-based business with a 14,400 s.f. footprint that has hipped and gabled pitched roofs..

Northeast: Fore Food is a 10,400 s.f. footprint with pitched roofs and gabled ends. The building uses residential materials that match the materials of the proposed development.

East: Giammarco's Italian is a restaurant with a 6,500 s.f. footprint.

1403.02 Art galleries, libraries, museums, memorials, monuments, and other public facilities.

1403.03 Primary and secondary public, private, or parochial schools; Nursery schools and other educational facilities.

We are a permitted principal use in accordance with section 1403.03 as a Private Child Care Center licensed by ODJFS. We offer preschool, kindergarten enrichment, and after school care to families.

1403.04 General and special hospitals and clinics, convalescent centers, institutions for the care of children or senior citizens.

1403.05 Senior citizen retirement, residential and congregate care centers.

1403.06 Churches and places of worship as regulated by Section 1706.

1403.07 Government Recreational Facilities such as parks, recreation fields and playgrounds, lakes, nature preserves, cemeteries, and similar Open Space facilities, and

1403.08 Private Recreational Facilities as regulated by the following:

A) Minimum lot area for an indoor private recreational facility shall be no less than five (5) acres.

B) Setbacks:

1) Front: 100 feet for structures and 75 feet for parking;

2) Rear: 75 feet; and

3) Side: 75 feet.

C) Driveways and parking areas shall be at least fifty (50) feet from any adjacent parcels where residences are a permitted Use.

D) Where a landscaped screen is not already required adjacent to another parcel, one (1) deciduous tree shall be provided for every forty (40) feet of parking lot boundary and loading/unloading area, plus a three (3) foot average height continuous planting, hedge, Fence, Accessory Wall, or earth mound. The same parking lot perimeter screening shall also be provided adjacent to the public Right-of-Way. At least one (1) tree per five thousand (5,000) square feet of parking area shall be provided within the parking lot.

E) Lighting - No exterior lighting shall be positioned so as to extend glare on adjacent property or public Right-of-Way.

F) Limitation on Use - All activities shall be conducted entirely within an enclosed Building.

G) Parking - All such Uses shall provide the total number of spaces required of the specific combination of recreation facilities provided, based on the following:

- 1) Auditoriums, arenas, stadiums, and gymnasiums: One (1) space for every four (4) seats capacity;
 - 2) Recreation centers: One (1) space for every two hundred fifty (250) square feet of floor space except those designed for use exclusively by senior citizens, or youth under age sixteen (16), in which case there shall be one (1) space for every seven hundred fifty (750) square feet;
 - 3) Skating rinks: One (1) space per three hundred (300) square feet of gross Floor Area;
 - 4) Swimming Pools: one (1) space for every seventy-five (75) square feet of water surface;
 - 5) Tennis, racquetball and handball courts: Four (4) spaces for each playing court; and
 - 6) All recreational Use shall provide, in addition to the above standards, one (1) space for every two (2) employees on the largest work shift.
- H) Accesses and Traffic Impact - Access shall be from an arterial street or commercial collector or shall be provided in a manner that does not cause heavy traffic on residential streets.

Section 1404: Permitted Accessory Uses

1404.01 Accessory Uses, Accessory Buildings, or other Accessory Structures as defined herein customarily incidental to any previously stated permitted Use, including smaller Structures such as pump stations.

The only accessory building planned is a dumpster enclosure. The dumpster enclosure height will be 5'-6" in accordance with 2003.01 & 2003.03 [Refer to Pages 34 & 35].

1404.02 Bulletin Boards and Signs as regulated by Article 18.

There are no bulletin boards in this proposed development. There will be one site sign and one building sign. There will be an entry and exit sign to assist with traffic flow [Refer to 1406.07 on Page 10]. All signs will be in accordance with Article 18. Details will be provided at Final Development Plan.

1404.03 Residences for custodians or guards.

Acknowledged.

1404.04 Internal food service operated to accommodate the permitted Principal Use without any external advertising or signage.

Acknowledged.

Section 1405: Conditional Uses – None

Section 1406: General Requirements

No Certificate of Zoning Compliance shall be issued in a Planned Community Facilities District until the applicant shall have certified in their development plan that:

1406.01 The proposed Buildings or Use shall be located on a major arterial or collector street so as to generate a minimum of traffic on local streets. Elementary schools and playgrounds or parks intended for neighborhood use may, however, be located on local streets.

We request a divergence to 1406.01 in accordance with 1409.02.L. [Refer to Appendix A: Divergence Requests on Page 37].

1406.02 The proposed Buildings or Use shall be located properly in accordance with this Article.

Acknowledged.

1406.03 The location, design, and operation of the Community Facility shall not impose undue adverse impacts on surrounding residents.

Nearby residential communities are over 150' away to the north, and will not be imposed upon by noise, traffic or other operational aspects of our Planned Community Facilities intended Use. Nearby residences are beyond the north side of Chandler Ct. – behind a buffer of additional businesses and landscaping barriers and fences. The residences are isolated from any traffic from our operations.

Chandler Ct. is already an industrial / commercial use street, so there is already a precedent of business operations on the street. To the immediate south of the proposed development is a cemetery. On the immediate East and West sides are other local businesses, Giammarco's Italian Restaurant and a Driving School. We will have a privacy fence around our play area to minimize noise or disruption to surrounding business or residential neighbors.

1406.04 One or more Buildings or permitted Uses may be placed on a Lot, however the maximum square feet of first Floor Area for all Buildings on a site shall be determined by the ratio of: Maximum first floor Building area in square feet = lot size in acres x 7,500 sq. ft.

The floor area of the building is 5,000 sq. ft., which is less than the 8077.5 sq. ft. (1.077acre x 7,500sf) allowable per the resolution.

1406.05 If multiple Buildings are constructed on a site there shall be a minimum of twenty (20) feet separating them.

There is only one building in the proposed development.

1406.06 The maximum height for any Structure in this District with a 6/12 roof pitch or greater shall not exceed thirty-five (35) feet, with less than a 6/12 roof pitch, thirty (30) feet.

The proposed development is in accordance with 1406.06. The building height is 18'-6.

1406.07 Parking accommodations and loading areas shall be provided pursuant to a layout plan designed by the applicant showing traffic movement, ingress and egress, traffic control points, the number and size of parking spaces, and service areas. All parking and loading areas shall conform to the requirements of Article 19.

The proposed development layout plan indicates traffic movement, ingress and egress, traffic control points, the number and size of parking spaces, and service areas. Parking and loading areas will conform with Article 19 [Refer to Page 26]. The proposed development has two curb cuts for an 'in' and 'out' access, and is marked by 'Entry' and 'Exit' signs. The proposed development organizes operational elements of the business such as: Drop-off and pick up times will be staggered so that we have 10-15 families dropping off at a time; Teachers/Staff members will collect children from parents outside to help expedite their time in parking spaces and ensure that traffic continues to flow. Our business has an advantage over one where different customers enter at various and continuous times throughout the day. Details of 'Entry' and 'Exit' signs will be provided at Final Development Plan.

A) Planned Community Facilities Districts less than twenty (20) or more acres in area shall have direct access to one (1) arterial street.

We request a divergence to 1406.07.A in accordance with 1409.02.L. [Refer to Appendix A: Divergence Requests on Page 38].

B) Planned Community Facilities Districts of twenty (20) or more acres in area shall have direct access to one (1) arterial street and to one (1) collector street and/or two (2) access points on an arterial street.

1406.08 Parking areas shall be adequately lighted. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any adjoining property or upon any public street.

The parking lot, as well as building access, will be lighted with LED downlights at 18' above grade as indicated on C4 Utility Plan. These lights only light in the downward direction. Site lighting will be in accordance with 1406.08, 1903.13 [Any parking area that is intended to be used during non-daylight hours shall be properly illuminated as to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.], 2102.02 [Directing light fixtures downward rather than upward], and 2012.04 [All outdoor light pole fixtures shall not exceed a maximum height of 25 feet measured from the finished grade established not closer than 15 feet to the pole]. Details will be provided at Final Development Plan.

1406.09 Applicant shall submit a letter from the Genoa Township Fire Chief certifying that all applicable fire codes have been met and that the equipment of the Genoa Township Fire Department as well as that of those departments which provide mutual aid to the township are able to maneuver throughout the site.

Acknowledged. Refer to Appendix B: Exhibits on Page 47.

1406.10 All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, terrazzo, or similar material, and except for parking areas, the grounds shall be planted and landscaped.

All premises will have all weather hard surface walks of concrete. All non-concrete (non-parking, sidewalk or patio) spaces will be planted and landscaped in accordance with the landscaping plan.

1406.11 All Signs shall conform to the requirements of Article 18.

Acknowledged.

1406.12 At least forty percent (40%) of the gross acreage shall be reserved as Open Space, as defined herein. In computing the amount of Open Space, entrance features, road Rights-of-Way of all types, paved vehicular areas including parking areas and driveways shall be excluded.

Our total lot size = 46,900 sf has a required open space of 18,760 sf. (40% of gross acreage) Our Plan allows for 30,457 open space (57% of gross acreage).

1406.13 Storm Water Management – all site plans must have a storm water management plan, approved by the Delaware County Engineer’s Office, with the improvements constructed before a Zoning Permit will be issued for construction of Buildings.

The architect [LIONarchitecture] and civil engineer [Kramer Engineers] have already met with Delaware County Engineers and they have no objection to the stormwater management strategy for the site. A Stormwater Management Plan will be submitted immediately following re-zoning approval.

1406.14 Parking and Loading Areas

A) The overnight parking of automobiles and other vehicles on private or public streets within a Planned Development is prohibited.

There is no overnight parking on either private or public streets. We will park 2 buses overnight in our off-street parking lot, safely parked in spaces. If this number increases, we will contact Genoa Township Zoning to amend the Development Plan.

B) All automobile parking lots shall be screened from adjoining streets and adjoining residential properties in accordance with Article 20.

The proposed development is in accordance with Article 20.

C) Parking spaces and loading areas shall be provided in accordance with Article 19.

The proposed development is in accordance with Article 19.

1406.15 Streets – All streets including private streets shall conform to specifications as set forth in the Delaware County Subdivision Regulations. Public road improvements in Planned Developments shall require the following:

A) All street drainage shall be enclosed;

The proposed development has existing enclosed street drainage.

B) Curbs and gutters shall be installed; and

The proposed development has existing curbs and gutters.

C) All streets shall have a minimum pavement width of twenty-two (22) feet.

The proposed development has an existing street that exceeds twenty-two (22) feet.

1406.16 Walkways –All walkways shall be constructed of a suitable, dust free, hard surface material. Mulch or other similar surfaces may be permitted for walking trails in areas the Zoning Commission feels are appropriate.

All walkways will be concrete that serve as fire exits and traffic areas such as, but not limited to:

- **Sidewalks around the building connecting classroom egress to fire safety meeting points**
- **Sidewalks along front of building and parking lot**
- **All parking areas will be pavement, per site plan diagrams.**
- **Some pathways within the play area (within privacy fencing on children’s play space) will be mulch**

1406.17 Trees

A) The clearing of land shall be kept to a minimum to help preserve the existing natural conditions.

The lot is currently cleared of any trees or ‘un-tidy’ trees/shrubs or foliage that would require clearing. We will evaluate the brush-like plants at the South border of the property, and clear only un-tidy plants.

B) No land shall be cleared of trees more than fifteen (15) feet from the foundation of a proposed Building. An exception to this requirement shall be granted in the case of those trees that should be removed due to malformation, disease, safety hazards, or to the general benefit of surrounding trees. The foregoing shall be considered as a guideline for preservation of the natural environment.

There are no trees that will be removed farther than 15 ft. of the proposed building.

C) No trees shall be cleared further than five (5) feet from curbs of a parking lot. The foregoing shall be considered as a guideline for preservation of the natural environment.

There are no trees to be cleared further than five (5) feet from curbs of a parking lot.

1406.18 Landscaping – All nonresidential Use areas shall be landscaped. The developer shall submit a conceptual landscaping plan to be reviewed as part of the development plan. All areas shall be seeded or sodded in accordance with the approved development plan before a Certificate of Zoning Compliance is issued.

Failure of property owners or users to comply with any of the Required Conditions will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

All nonresidential Use areas of land will be landscaped per L1: Landscape Plan. There is a natural play area within the fenced area that will be completely landscaped. There are mulched paths, grassy areas, and other safe surfaces for specifically designed play purposes. Trees will be planted along the south and east line of the property. We are also providing trees along Chandler Ct. Shrubs, and other perennials will be used to beautify the areas around the building and sidewalks. All areas will be professionally landscaped and maintained. All areas not landscaped will be covered in sod for grassy coverage.

Section 1407: Prohibited Uses

1407.01 All Uses not specifically authorized as a permitted or conditionally permitted Use by the express terms of this Section of the Zoning Resolution are hereby prohibited.

Our use is a permitted use, no prohibited uses are planned on the site.

1407.02 Outdoor Storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days is prohibited. Such vehicles, if stored on the premises, shall be enclosed within a Building so as not to be visible from any adjoining property or public road.

Acknowledged.

1407.03 Except as specifically permitted by Section 1702 and Section 1707 no Mobile Home or mobile office shall be placed or occupied in this District.

Acknowledged.

1407.04 Adult Entertainment and Adult Entertainment Facilities are prohibited.

Acknowledged.

Section 1408: Dimensional Requirements

Minimum Setbacks and side and rear yard requirements will be according to the following table; shall be the highest Setback required by Zoning Districts on either side or directly across the street.

	RR	SR	PRD/PRD-V	PCD	LI/PID	CB	PCF
Front Parking	75 feet			30 feet			
Front Driveway	75 feet	50 feet	30 feet	30 feet			
Side Parking & Drive	25 feet			6 feet			
Rear Parking & Drive	75 feet			6 feet			
Building, Front	75 feet			100 feet existing, 50 feet new roads	50 feet		
Building, Side	Note A			25 feet			
Building, Rear	Note B			25 feet			

Note A: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Side Lot Line. In no case shall the Setback be less than twenty-five (25) feet.

Note B: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Rear Lot Line. In no case shall the Setback be less than fifty (50) feet.

We request a divergence to 1408 in accordance with 1409.02.L. [Refer to Appendix A: Divergence Requests on Page 39].

Section 1409: Application Procedure

In addition to any other procedures set out in this resolution, all applications for amendments to the Zoning Map to rezone lands to this District shall follow the procedures hereinafter set forth:

1409.01 Application - The owner or owners of Lots and lands within the township may request that the Zoning Map be amended to include such tracts in the Planned Development District in accordance with the provisions of this resolution. Ten (10) copies of the application for the proposed amendment shall be submitted to the Zoning Inspector and shall contain at a minimum the following information:

A) Name, address, and telephone number of applicant;

BrightPath Active Learning, LLC & Erica & Jim Wares, Genoa Township Residents

5306 Ainsley Dr.

Westerville, OH 43082

B) Date;

Initial submission date: December 10, 2018. Continuances requested to July 8, 2019 Zoning Commission Meeting Date

C) Legal description of the property;

Parcel No. 3173130501400, 5940 Chandler Ct., Westerville, OH 43082; Lot 1428 Chandler Corporate Park is a 1.077 acre lot. The lot is located in Tax district 17 Genoa Twp., Westerville, OH 43082; School District 2514 Westerville CSD; neighborhood code 17001Genoa S; and Current use 400 Commercial – vacant land per Delaware County Auditor website. From the property Deed: Being Lot Number 1428 in Chandler Corporate Park as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 21, Page 107, Recorder’s Office, Delaware County, OH. [Refer to Appendix B: Exhibits on Page 43]

D) Present Use;

Present use is a vacant lot.

E) Present Zoning District;

Current zoning district Planned Industrial & Warehouse District (PID)

F) Proposed Use;

Proposed use is a permitted principal use in accordance with section 1403.03 as a Private Child Care Center licensed by ODJFS. We offer preschool, kindergarten enrichment and after school care to families. Using the language from section 1403, we fall under the Permitted Principal Use: “Primary and Secondary public, private, or parochial schools; Nursery schools and other educational facilities.”

G) Proposed zoning District;

Planned Community Facilities

H) Existing Features Plan (Site Analysis). Plans analyzing each sites special features are required for all proposed developments, as they form the basis of the design process for greenway lands, Building location, street alignments, and Lot Lines. Plans shall contain, at a minimum, the basic information contained within the Delaware County Regional Planning Commission’s Geographic Information System (GIS) including:

The required drawings have been submitted, covering items 1-5.

1) A contour map based upon the most recent U.S. Geological Survey;

2) The location of severely constraining elements such as steep slopes (over 25%), wetlands, watercourses, intermittent streams and 100-year floodplain, and all Rights-of-Way and easements;

3) Soil boundaries as shown on the USDA Natural Resource Conservation Service maps;

4) The location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or from the site, watershed divides and drainage ways, existing Fences or stone walls, rock outcrops, and existing Structures, roads, tracks and trails, and sites or Buildings of historic importance; and

5) An aerial photograph of the site and surrounding area.

Similar data shall be made available regarding adjacent properties and existing developments in order to provide continuity of plans including streets, paths and walkways;

I) A development plan for the site;

The required drawings have been submitted, covering items J-L.

J) A landscape plan;

K) A plan for any signage;

L) A Vicinity Map at a scale approved by the Zoning Commission showing property lines, streets, Structures within five hundred (500) feet of the property's boundary, existing and proposed zoning, and such other items as the Zoning Commission may require;

M) A site review conducted by Delaware County Regional Planning Commission and their comments;

Our proposed use & Plan was given conditional approval at the December DCRPC (Delaware County Regional Planning Commission). With this 'conditional approval', our request does not need to go before them again – they will defer to Genoa Township for approval.

N) A traffic study, unless waived by the Zoning Commission;

A traffic study has been waived by Delaware County Engineers. They request only a Traffic Memo. [Refer to Appendix B: Exhibits on Page 46].

O) A list of all property owners, as appearing on the county auditor's current tax list within five hundred (500) feet of, contiguous to, and directly across the street from the parcel(s) proposed to be rezoned, and others that may have a substantial interest in the case. For each of the property owners the applicant shall provide two sets of pre-addressed, stamped letter-size envelopes with postage sufficient to send a notice via first class mail; and

5940 Chandler Ct. is bordered to the East and West with commercial sites – all developed except 1. It is bordered to the south by a cemetery. The Northern adjacent properties (across the street, and behind other commercial lots) are residences. 21 residences in this neighborhood fall within the 500 ft. radius and have been provided with stamped addressed envelopes for notification.

P) A fee as established by the Township Trustees.

Previously submitted to Genoa Township.

1409.02 Development Plan – Ten (10) copies of the development plan shall be submitted with the application which plan shall include in the text and map form:

A) The proposed size and location of the Planned Community Facilities District (PCF);

The proposed location is 5940 Chandler Ct. which is a rectangular 1.077 acre lot. Currently not developed and remains a vacant lot.

B) The general development character of the tract including the limitations or controls to be placed on residential and related Uses, with probable Lot sizes, minimum setback requirements and other development features including Landscaping;

Included within the Development Plan Text and Drawings.

C) Architectural design criteria for all Structures and criteria for proposed Signs with proposed control procedures;

Included in the drawing packet. The building will fit within the character of the area. It's materials, scale, and size will be similar to other buildings along the street. The building, its design and signage, will enhance the site and surrounding areas by being respectful of sight-lines, scale, and proportion. Elevations and other visualizations have been provided.

D) The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness;

Preliminary engineering has been completed for the site, allowing access to water, sanitary sewer, and surface drainage. The drawings are submitted with the Development Plan.

E) The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically and otherwise;

[Refer to 1406.07 on Page 10].

F) A traffic study examining the impact of the development on the existing infrastructure, modifications required to handle the increased traffic and the mechanism proposed to complete the necessary improvements;

A traffic study has been waived by Delaware County Engineers. They request only a Traffic Memo. [Refer to Appendix B: Exhibits on Page 46].

G) The relationship of the proposed development to existing and probable Uses of surrounding areas during the development timetable;

The proposed development fits within the character of the PID uses on Chandler Ct. All of these are family friendly businesses that will complement our audience. Moreover, businesses on Chandler Ct. encourage the proposed development as it will bring more exposure to their services.

There are three areas where new businesses could move in. There is a building 'For Lease' immediately to the west of the proposed development. There is an empty lot west of that 'For Lease' building. These two locations will likely have similar operations as others on Chandler Ct. As such, the proposed development of current and potential future uses of the Chandler Ct. Planned Districts are compatible.

H) Location of schools, parks, and other facility sites, if any;

There are 4 schools within a 1.5 mile radius of the proposed development: two elementary schools, one middle school and 1 high school. Many Westerville, Genoa Township and Delaware Preservation Parks are within a 3 mile radius including, but not limited to: McNamara Park, Hilmar Park, Char-Mar Ridge Park, Alum Creek Park North, Hoff Woods Park.

I) The proposed time schedule for development of the site including streets, Buildings, utilities, and other facilities;

Upon receiving Final Development Plan approval, we will apply for a full building permit. Construction will take eight months from the Notice to Proceed. This includes sidewalk extensions, utilities, certificate of occupancy, and any other development needed to open for business.

J) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first, which in no event shall be less than five (5) acres or the whole tract (whichever is smaller), shall be fully described in textural form in a manner calculated to give township officials definitive guidelines for approval of future phases; and

There is no phased development.

K) The ability of the applicant to carry forth its plan by control of the land and the engineering feasibility of the plan.

I am in contract with the seller to buy the lot. We hope to have completed re-zoning steps set forth in this application and final Development Plan by year end 2019. We met with Delaware County Engineers on Tuesday May 14. They believe the proposed development is feasible from an engineering perspective.

L) Specific statements of Divergence shall be requested "per plan"; if any deviation from the development standards in Sections 1403 and 1406 or existing county regulations or standards are desired, an applicant making such a request shall specifically and separately list each requested Divergence and submit written development text justifying each deviation from any requirements of this Resolution and demonstrating how each Divergence will advance public interests and the General Purposes of this Zoning Resolution, by promoting one or more of the following purposes:

We are requesting three (3) divergences in accordance with 1409.02.L. [Refer to Appendix A: Divergence Requests on Page 37].

- 1) The conservation and protection of the natural resources, scenic areas, wildlife habitat and the historical and unique natural features of the land;
- 2) The health, safety, morals, and general welfare of the present and future inhabitants of Genoa Township;
- 3) The quality of life within Genoa Township through the protection of the total environment, the prevention of nuisances and hazards, and the provision of adequate light, air, and convenient access to property;
- 4) The assurance of the compatibility of land uses which are either adjacent or in proximity to each other;
- 5) The orderly development of all lands within the Township to its appropriate use; and
- 6) The most appropriate use of land to facilitate and provide adequate public and private improvements.

Unless a deviation from development standards is specifically approved as a Divergence, the same shall be complied with.

1409.03 Administrative Review - All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Inspector or designated technical advisors for administrative review to ensure substantial compliance with the development plan as approved.

Acknowledged.

Section 1410: Action by Zoning Commission

The Zoning Commission shall hold a public hearing on the Proposed Amendment as provided by Article 26 of this Resolution. Such public hearing shall consider all aspects of the Proposed Amendment including the Final Development Plan as well as any proposed stages and/or units of development. The Zoning Commission shall within thirty (30) days after the final public hearing on such plan recommend the approval or denial of the proposed amendment, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Delaware County Regional Planning Commission thereon to the Township Trustees.

Section 1411: Final Development Plan General Requirements

The Final Development Plan submitted shall support the following requirements:

1411.01 The physical character of the site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site from probability of flooding, erosion, subsidence, or slipping of the soil or other dangers, annoyances, or inconveniences.

1411.02 Any Divergence from the Zoning Resolution requirements is warranted per plan by the design and amenities incorporated in the development plan and each requested Divergence shall specifically and separately be listed in the Final Development Text in accordance with Section 1413.

1411.03 Land surrounding the proposed development can be planned in coordination with the proposed development and that it be compatible in Use.

1411.04 The proposed change to a Planned Development District is in conformance with the standards, objectives, and policies of the Genoa Township Comprehensive Plan.

1411.05 The site must have direct access to a major street without creating traffic on minor residential streets outside the District.

1411.06 Existing and proposed utility services are adequate for the proposed development.

1411.07 Each phase of the proposed development, as it is proposed to be completed contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and suitable environment.

1411.08 The proposed Planned Development including all proposed parking spaces, and landscape areas and utilities can be substantially developed, and all construction for public benefit has been approved by the Delaware County Engineer, within three (3) years of the establishment of the Planned Development District unless a different time schedule is set forth in the approved development plan.

1411.09 The developer either possesses or has access to sufficient funds for the initiation and completion of the project as described in the Final Development Plan.

Acknowledged.

Section 1412: Action by the Township Trustees

The Township Trustees shall hold a public hearing on the Final Development Plan as provided by Article 26 of this Resolution. If the application is granted, the area of land involved shall be re-designated as a Planned Development District by resolution, and such resolution shall incorporate the Final Development Plan, including any condition or restriction or safeguard that may be imposed by the Township Trustees. Violations of such conditions, restrictions, or safeguards when made a part of the terms under which the Final Development Plan is approved, shall be deemed a violation of this Resolution and subject to the provisions of Section 116 of this Resolution.

Section 1413: Divergence Review and Conflicts with Other Sections

Because of the special characteristics of Planned Developments, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of this Article and those of the other Sections of this Resolution, the provisions of this Article shall prevail. Subjects not covered by this Section shall be governed by the respective provisions found elsewhere in this Resolution. Unless formal variation from development standards is specifically approved as a Divergence, the same shall be complied with. Formal consideration must be requested by an applicant seeking approval of a Divergence to any development standards or requirements in this Zoning Resolution and no Divergence will be approved unless the provisions of this subsection are met in accordance with the terms set forth below.

1413.01 The Genoa Township Zoning Commission and the Township Trustees may consider Divergences requested at the time of the filing of a development plan application, which is determined in compliance with all other general development standards listed in the zoning district where the proposed development will be occurring. The applicant shall provide written development text in accordance with Sections 1409.02 (L).

1413.02 Divergences may be granted “per plan” during a public hearing conducted by either the Genoa Township Zoning Commission, or the Township Trustees conducting a formal review of a development plan. The Township has discretion to determine whether requested Divergences are warranted based on the applicant’s particular case. When acting on a requested Divergence, the Zoning Commission and Township Trustees may approve a Divergence, provided they determine that the benefits, improved arrangement and the design of the proposed development justify the deviation from any requirements of this Resolution and that the proposed Divergence is consistent with the purpose and intent of this Resolution.

Section 1414: Subdivision Plat and Subdivision Regulations

1414.01 The uniqueness of each proposal for a Planned Development may require that there be modification from the specifications established in the Subdivision Regulations of Delaware County, Ohio. Modifications may be incorporated into the plan by the developer only after the review of the Delaware County Regional Planning Commission and the County Engineer for consideration by the Zoning Commission and the Township Trustees.

1414.02 No Certificate of Zoning Compliance shall be issued for any Structure in any portion of a Planned Development for which a plat is required by the Delaware County Subdivision Regulations unless and until:

- A) The final subdivision plat for that portion has been approved by the Delaware County Regional Planning Commission, Delaware County Commissioners and recorded.
- B) A full size and an 11" x 17" copy have been filed with the Zoning Inspector.

No modification of the provisions of the Final Development Plan, or part thereof, as finally approved and recorded shall be made unless the provisions of Section 1416 are followed.

Section 1415: Certificate of Zoning Compliance

After the Final Development Plan is recorded the Zoning Inspector may issue a Certificate of Zoning Compliance upon payment of the required fees and submission of the detailed Landscaping plan for each platted Lot. The Certificate of Zoning Compliance for a Planned Development shall be for a period not to exceed three (3) years or that period approved in the Final Development Plan. If no construction has begun within three (3) years after approval is granted the Final Development Plan approval shall be void.

Section 1416: Extension or Modification of Final Development Plan

1416.01 An extension of the time limit for the approved Final Development Plan may be granted by the Township Trustees without public hearing provided the Township Trustees find that such extension is not in conflict with public interest.

1416.02 A request for minor changes to the Final Development Plan may be approved by the Zoning Commission without being subject to the same procedures as the original application. A resolution to accept changes, which may include additional conditions, shall be required.

1416.03 In the case of a request for a modification or amendment to the Final Development Plan that represents a substantial departure from the intent of the original proposal, said modification or amendment shall be subject to the same procedure and conditions of approval as the original application. The following shall be considered substantial departures from the original application:

- A) A change in the Use or character of the development;
- B) An increase in overall coverage of Structures;
- C) An increase in the Density;
- D) An increase in the problems of traffic circulation and public utilities;
- E) A reduction in approved Open Space;
- F) A reduction of Off-Street parking and loading space;
- G) A reduction in required pavement widths; or
- H) A reduction of the acreage in the Planned Development.

Section 1417: Enforcement

1417.01 The Zoning Inspector shall review, at least once every six (6) months, all Zoning Permits issued and all construction that has taken place within the development area.

1417.02 If the Zoning Inspector shall find that the ratio of construction of residential units, non-residential Structures, Open Space and/or recreational facilities substantially differs from the approved phasing program, he shall follow the procedures of Section 116.02 in order to suspend further construction until compliance is achieved.

1417.03 If the Zoning Inspector shall find that the developer of a Planned Development has failed to meet the approved development schedule, he shall forward this information to the Township Trustees.

ARTICLE 17: SPECIAL AND MISCELLANEOUS USES

17

Section 1701: Intent and Purpose

The following regulations are applicable to the districts within which they are specified unless otherwise stipulated or modified by the regulations within a specific zoning District.

Section 1703: Kindergartens

Kindergarten facilities may be permitted in specified Districts provided the following conditions are met:

1703.01 The Building occupied by the Use is compatible with neighborhood Structures in dimension, size, and architecture.

The building proposed is compatible with neighborhood Structures in dimension, size, and architecture. The proposed development is in accordance with the Genoa Township Zoning Resolution, and will require Final Development Plan approval to meet all requirements of the Township.

1703.02 There shall be an outdoor play area of eighty-five (85) square feet or more per child.

The proposed development includes an outdoor fenced natural play area (not paved) of 10,300 square feet.

Required play area for 110 children [maximum occupancy]: $110 \times 85 = 9350$ s.f.

Proposed play area = 10,300 s.f.

1703.03 Such play area shall be enclosed with a chain link Fence or its equivalent in strength and protective character to a height of five (5) feet to control accessibility of children to adjoining hazardous conditions such as streets, ponds, etc., or adjacent yards.

The proposed development includes a fence of five (5) feet around the perimeter of the outdoor play area.

Refer to C5: Grading and Drainage Plan & L1: Landscape Plan

1703.04 A drop-off area is provided so that children do not have to walk through the parking lot to enter the facility.

All parking spaces are located on the south side of the lot facing the building. Children and parents will not be walking out into the parking lot.

1703.05 Parking spaces are provided as specified in Section 1904.

Acknowledged. Refer to 1904.13 on Page 29.

ARTICLE 19: PARKING STANDARDS

19

Section 1901: Intent and Purpose

No Building or Structure shall be erected, substantially altered, changed in Use, or any land used or changed in Use unless adequately maintained Off-Street Parking Spaces, either in Garages or open parking areas, have been provided in accordance with the provisions of this Article. The provisions of this Article shall not apply to any Building, Structure, or land Use existing before the effective date of this Resolution or any amendment hereto unless such Building, Structure, or Use is altered or changed. However, the number of Off-Street Parking Spaces or loading spaces shall not be reduced to an amount less than required for a new land Use as specified in this Article.

Section 1902: Required Parking Plan

A parking plan shall not be required for single-family residential Uses. All other land Uses shall submit a parking plan to the Zoning Inspector as a part of the application for a Zoning Permit. The parking plan shall show boundaries of the property, setback lines, parking spaces, driveways, circulation patterns, drainage plans, construction plans for any boundary Accessory Walls or Fences, a screening plan, and the location of adjacent houses or Buildings.

Section 1903: Off-Street Parking Design Standards

All parking facilities, including entrances, exits, maneuvering areas, and parking spaces shall be in accordance with the following specifications:

1903.01 All parking spaces shall be in accordance with the following design requirement:

	45-degree	60-degree	90-degree	Parallel
Width of Parking Space	14'	11' 5"	10'	9'
Length of Parking Space	21'6"	22'	20'	23'
Width of Parking Aisle	13'	17' 6"	25'	12'

The minimum parking Setback from the property line on the side and rear shall be six (6) feet unless specified otherwise within the specific District requirements.

Parking Spaces comply with 1903.01. The parking spaces 90-degree with a width of 10' and depth of 20'. Parking aisle width is 25' as indicated on C3: Staking and Paving Plan. For parking setback Refer to 1408 on Page 14 and Appendix A: Divergence Requests on Page 39..

1903.02 All parking spaces, except those required for single-family Uses, shall have access to a public street in such a manner that any vehicle leaving or entering the parking area from or into a public street or private interior drive shall be traveling in a forward motion.

Acknowledged.

1903.03 All required parking spaces including driveways and other circulation areas, except for single-family Dwellings in the Rural Residential District and other specified Uses, shall be hard- surfaced with asphaltic concrete or Portland cement concrete pavement.

Acknowledged.

1903.04 All parking spaces, together with driveways, aisles, and other circulation areas shall be graded and drained so as to dispose of surface water that might accumulate within or upon such area, and shall be designed to prevent the excess drainage of surface water onto adjacent properties or walkways and damage to public streets.

All parking spaces, together with driveways, aisles and other circulation areas are graded and drained so as to dispose of surface water that might accumulate within or upon such area, and shall be designed to prevent the excess drainage of surface water onto adjacent properties or walkways and damage to public streets. As indicated in drawing C-5: Grading and Drainage Plan, the parking lot will drain via three [3] drains into a 12" diameter PVC pipe into a detention basin, which will slow the release to the levels required by Delaware County Engineers.

1903.05 Wherever a parking lot extends to a property line, a suitable barrier such as fencing, wheel stops, or curbs, shall be provided in order to prevent any part of a parked vehicle from extending beyond the property line.

Acknowledged.

1903.06 Screening shall be required as provided in Article 20.

Acknowledged.

1903.07 No motor vehicle repair work or service of any kind, except emergency repairs, shall be permitted in or associated with any Off-Street parking area.

Acknowledged.

1903.08 Display or sales of any merchandise within any parking area shall be permitted only in accordance with Section 1702 and 1707.

Acknowledged.

1903.09 All parts of open Off-Street parking areas which are unusable, either for parking or for traffic, shall be landscaped with plantings of grass, flowers, shrubs, and/or trees, which shall be continuously maintained.

All parts of open Off-Street parking areas which are unusable, either for parking or for traffic, shall be landscaped with plantings of grass, flowers, shrubs and/or trees as indicated in L1: Landscape Plan. The landscape features will be continuously maintained.

1903.10 Access of driveways for parking areas shall be located in such a way that any vehicle entering or leaving such parking area shall be clearly visible for a reasonable distance by any pedestrian or motorist approaching the access or driveway from a public or private street.

Acknowledged.

1903.11 All parking spaces shall be marked with paint lines or curb stones and maintained in a clearly visible condition.

Acknowledged.

1903.12 The owner of property used for parking areas shall maintain such areas in good condition without holes and free of all dust, trash, or other debris.

Acknowledged.

1903.13 Any parking area that is intended to be used during non-daylight hours shall be properly illuminated as to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

The parking lot, as well as building access, will be lighted with LED downlights at 18' above grade. These lights only light in the downward direction. Site lighting will be in accordance with 1406.08 [Parking areas shall be adequately lighted. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any adjoining property or upon any public street], 1903.13, 2102.02 [Directing light fixtures downward rather than upward], and 2012.04 [All outdoor light pole fixtures shall not exceed a maximum height of 25 feet measured from the finished grade established not closer than 15 feet to the pole].

1903.14 Entrances, exits, and intended circulation patterns of parking areas shall be clearly marked.

The proposed development has two curb cuts for an 'in' and 'out' access, and is marked by 'Entry' and 'Exit' signs. Details of the signage will be provided in the Final Development Plan.

Section 1904: Parking Space Requirements

For the purposes of this Resolution the following parking space requirements shall apply. The number of parking spaces required for Uses not specifically mentioned shall be determined by the Board of Zoning Appeals:

1904.01 Single-family residential - two (2) unenclosed off-street parking spaces;

1904.02 Animal hospitals or Kennels - one for every four hundred (400) square feet of Floor Area and one (1) for every employee;

1904.03 Churches and other places of religious assembly - one (1) for every four (4) seats in main sanctuary;

1904.04 Business, technical, and trade schools - one (1) for every two (2) students and one (1) for every teacher;

1904.05 Colleges and universities - one (1) for every four (4) students and one (1) for each employee;

1904.06 Elementary and junior high schools - two (2) for every classroom and one (1) for every eight (8) seats in auditoriums or assembly halls;

1904.07 High schools - one (1) for every two (2) persons capacity of the largest assembly area including one for every ten (10) students, one (1) for every teacher, and one (1) for every employee or administrator;

1904.08 Golf courses open to the general public - five (5) for every hole and one (1) for every employee;

1904.09 Private clubs and lodges - one (1) for every three (3) persons capacity and one (1) for every employee;

1904.10 Tennis facilities, racquetball facilities or similar Uses - two (2) for every three (3) playing areas and one (1) for every employee;

1904.11 Swimming Pools - one (1) for every three (3) persons pool is designed to serve and one (1) for every employee;

1904.12 Residential Care Facilities - one (1) for every employee and one (1) for every resident who is permitted to operate a motor vehicle;

1904.13 Child Care Centers or kindergartens - one (1) for every four hundred (400) square feet of Floor Area and one (1) for every employee, but not less than six (6) for the Building;

The proposed development includes 19 parking spaces, including 2 Accessible spaces as indicated on C3: Staking and Paving Plan.

Required number of parking: 5,000 s.f. Floor Area / 400 = 12.5 parking spaces + 6 staff = 19 spaces.

Proposed number of parking spaces = 19 spaces.

1904.14 In Planned Residential Districts at least two (2) Off-Street Parking Spaces located within a fully enclosed Garage shall be provided for each Dwelling Unit with two (2) or more Bedrooms;

1904.15 Laundromats - one (1) for every washing or dry cleaning machine;

1904.16 Libraries, museums, and art galleries - one (1) for every three hundred (300) square feet of Floor Area;

1904.17 Medical and dental offices - three (3) for every examination or treatment room and one (1) for each employee;

1904.18 Offices, public or professional administration, or service building - one (1) for every two hundred (200) square feet of Floor Area;

1904.19 Restaurants - one (1) for every three (3) persons capacity and one (1) for each employee;

1904.20 Retail stores - one (1) for every one hundred fifty (150) square feet of Floor Area and one (1) for every two (2) employees;

1904.21 Hospitals, convalescent home or similar institution - one (1) for every three (3) beds;

1904.22 Theater or auditorium, sports arena, stadium or gymnasium - one (1) for every five (5) seats or bench seating spaces;

1904.23 Mortuary or funeral home - one (1) for every fifty (50) square feet of floor space in parlors or individual funeral service rooms; and

1904.24 Manufacturing, industrial, warehouse or similar establishment - one (1) for every two (2) employees plus space to accommodate all trucks, trailers and other vehicles used in connection therewith.

Section 1905: Off-Street Loading Areas

A permanently maintained area for standing, loading, and unloading materials shall be provided for on the same Lot with every Building, Structure, or part thereof erected and occupied for office, business, or industrial Uses. These off-street loading areas shall be required to avoid undue interference with public use of streets in Planned Commercial-Office Districts, Planned Industrial-Warehouse Districts, and Community Business Districts or other Districts where the Use requires the receipt or distribution by vehicles of material or merchandise. All loading facilities shall be in accordance with the following specifications:

1905.01 Each loading space shall have minimum dimensions not less than twelve (12) feet in width, fifty (50) feet in length, and a vertical clearance of not less than fifteen (15) feet.

1905.02 Off-street loading spaces may occupy any part of a required rear or side yard, but shall not project into any front yard.

1905.03 All required, off-street loading spaces shall have access to a public street in such a manner that any vehicle leaving or entering the premises shall be traveling in a forward motion.

1905.04 All required loading spaces, together with driveways, aisles, and other circulation areas, shall be surfaced with an asphaltic concrete or Portland cement concrete pavement in order to provide a durable and dust free surface.

1905.05 All loading spaces, together with driveways, aisles, and other circulation areas, shall be designed to prevent the drainage of surface water onto adjacent properties or walkways and damage to public streets.

1905.06 Screening shall be required as provided in Article 20.

1905.07 Any loading area that is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a loading area shall be so arranged as to reflect the light away from adjoining property.

1905.08 No loading ramp, dock, door, or space, nor any portion thereof, shall be located closer than fifty (50) feet from any Lot zoned for residential Use.

1905.09 For Uses in excess of ten thousand (10,000) square feet of gross Floor Area one (1) additional off-street loading space shall be required for each additional twenty thousand (20,000) square feet of gross Floor Area or fraction thereof.

Section 1906: Parking and Storage of Vehicles Other Than Passenger Cars

1906.01 Outdoor Storage or parking of any Camping or Recreational Equipment, including trailers of any type shall not be permitted within any required front yard for more than seven (7) days per calendar year.

1906.02 No Dwelling Unit shall be maintained and no business shall be conducted within any Camping or Recreational Equipment while such equipment is parked within any residential District.

1906.03 The wheels or any similar transporting devices of any Camping or Recreational Equipment shall not be removed except for repairs for more than seven (7) days per calendar year, nor shall any such equipment be permanently Attached to the ground.

1906.04 No motor home, Mobile Home, or any Camping or Recreational Equipment may be occupied for more than seven (7) days per calendar year.

1906.05 Parked or stored Camping or Recreational Equipment shall not have fixed connections to electricity, water, gas, or sanitary sewer facilities.

1906.06 Outdoor Storage or parking of backhoes, bulldozers, dump trucks with the carrying capacity of one (1) ton or above, well rigs, and other similar construction equipment, other than equipment temporarily used for construction upon the site, shall not be permitted within any residential District.

1906.07 The Outdoor Storage or parking of any semi-trailer or tractor, construction equipment or construction equipment trailer or of any vehicle having a gross vehicle weight rating greater than ten thousand (10,000) pounds or an overall vehicle length greater than twenty-one (21) feet shall not be permitted on the same Lot as a Single-Family Dwelling, except for vehicles making temporary service or

delivery calls and except for one recreational vehicle which does not have a gross vehicle weight greater than fifteen thousand (15,000) pounds or an overall vehicle length greater than forty (40) feet.

ARTICLE 20: LANDSCAPING STANDARDS

20

Section 2001: Intent and Purpose

The following regulations are applicable to the districts within which they are specified unless otherwise stipulated or modified by the regulations within a specific zoning District.

Section 2002: Fences, Accessory Walls and Vegetation

No person shall erect or construct a fence or Accessory Wall within Genoa Township without first obtaining a Zoning Permit as per Section 115 of this Resolution. A plot plan or site plan must be provided along with a completed permit application showing the location of the proposed Fence or Accessory Wall and accurate distance measurements from all existing Structures and property lines.

Each property owner shall determine exact locations of property lines to ascertain no encroachment upon another Lot or parcel of land. The issuance of a Zoning Permit by the Genoa Township Development & Zoning Office shall not certify the location of lot lines, which is the property owner's duty otherwise imposed.

The location and height of all Fences, Accessory Walls, and vegetation shall be in accordance with the following provisions.

2002.01 No Structure, Fill or vegetation shall be erected, placed, planted, or allowed to grow on any Corner Lot so as to create a sight impediment within seventy-five (75) feet of the intersecting center lines of any two or more streets. In determining if any sight impediment exists, the Zoning Inspector shall measure the sight distance between the center lines of such streets at a height of three feet, nine inches (3'9") above the actual grades of the streets.

Acknowledged.

2002.02 Fences and Accessory Walls shall not be permitted within any Right-of-Way.

Acknowledged.

2002.03 No Fence or Accessory Wall on a residential Lot shall exceed eight (8) feet unless approved by the Board of Zoning Appeals and no Fence or Accessory Wall shall exceed thirty (30) inches in height between the street Right-of-Way line and the Building Setback Line. Supporting members for Accessory Walls and Fences shall be installed on the interior of the Lot being fenced. This regulation shall not apply to Fences or Accessory Walls that are designed so that the supporting members are identical in appearance from both sides of the Fence. Fences and Accessory Walls shall be kept in proper repair and maintained so as not to create conditions which endanger the health, comfort and safety of the public.

Acknowledged.

2002.04 On Lots of less than one (1) acre, electrified Fences that follow the property line or parcel boundary shall be prohibited. Electrical Fences shall only be permitted on Lots of less than one (1) acre if they are located within the required lot Setback.

Acknowledged.

2002.05 No Accessory Structure, Accessory Wall, Fence, or vegetation of any kind may be constructed, placed, planted, or allowed to grow which would visibly obscure, hide, or screen fire hydrants, street address numbering, and other security or emergency service equipment, controls or components.

Acknowledged.

2002.06 Where a Fence or Accessory Wall is constructed on an embankment, or where the ground under a Fence or Accessory Wall has been graded to a higher level than the surrounding ground, the permissible height of the Fence or Accessory Wall, as set forth in this section, shall be reduced by the height of the embankment or grading.

Acknowledged.

2002.07 Entry Features to private residential properties are exempted from Section 2002 but are regulated under Section 1605.

Acknowledged.

Section 2003: Screening

When screening is required in any District the provisions of this Section shall apply. In addition, the Board of Zoning Appeals may require a screening plan in approving a Conditional Use. In such instances the Board of Zoning Appeals shall determine the need for screening and shall review a proposed screening plan in accordance with the following provisions:

2003.01 Screening shall be provided for one or more of the following purposes:

A) A visual barrier to partially or completely obstruct the view of Structures or activities, (e.g., parking and loading areas);

Deciduous trees are provided at 25'-0" apart from one another, except where not applicable due to curb cuts. Moreover, as indicated in L-1, there is a 3'-0" screening mound directly in front of the parking screening it from the street. This landscape screening is in accordance with 1406.14.B, 1903.06, and 2003.02.

B) As an acoustic screen to aid in absorbing or deflecting noise, (e.g., HVAC units); or

C) For the containment of debris and litter, (e.g., trash containment receptacles).

2003.02 Screening may be one of the following or a combination of two or more, as determined by the Board of Zoning Appeals:

- A) A solid masonry wall;
- B) A solidly constructed decorative Fence;
- C) Louvered Fence;
- D) Dense evergreen plantings; and/or
- E) Landscaped mounding.

2003.03 Visual screening Accessory Walls, Fences, plantings, or mounds shall be a minimum of five and one-half (5 ½) feet high in order to accomplish the desired screening effects. Does this apply to us?

2003.04 Screening for purposes of absorbing or deflecting noise shall have a depth of at least fifteen (15) feet of dense planting or a solid masonry Accessory Wall in combination with decorative plantings.

2003.05 Whenever required screening is adjacent to parking areas or driveways, such screening shall be protected by bumper blocks, posts, or curbing to avoid damage by vehicles. All screening shall be trimmed, maintained in good condition, and free of advertising or other Signs.

Acknowledged.

Section 2004: Retaining Walls

Construction of a retaining wall shall not require a Zoning Permit, but must meet the following standards:

The proposed development contains no retaining walls.

2004.01 Retaining walls shall not be located in the right-of-way, exceed thirty (30) inches in height between the Principal Structure and the Right-of-Way or exceed six (6) feet in height at any other location.

2004.02 Retaining walls shall be setback from adjacent property lines at a distance of twice the height of the retaining wall;

2004.03 Retaining walls shall be constructed and maintained allowing for property drainage and not allowing soils to erode the wall.

Section 2005: Street Trees

The proposed development contains no street trees.

2005.01 All street trees, whether required or voluntarily installed, shall comply with the requirements of this section.

2005.02 Street trees installed along any public Right-of-Way shall be restricted to the following species:

A) In lawn strips two (2) to four (4) feet in width:

Armstrong Red Maple Bowhall Red Maple Washington Hawthorn

B) In lawn strips exceeding four (4) feet in width:

American Hophornbeam Amur Cork Tree Armstrong Red Maple Bowhall Red Maple Cleveland Norway Maple Crimean Linden Crimson King Norway Maple Fassens Black Norway Maple Hardy Ruber Tree Japanese Scholar Tree Kwanzan Japanese Cherry Littleleaf Linden Norway Maple Red Maple Ruby Red Horsechestnut Shademaster Honeylocust Skyline Honeylocust Sunburst Honeylocust Schwedler Norway Maple Sweetgum Washington Hawthorn White English Hawthorn

Section 2006: Size Requirements

2006.01 The following regulations are applicable wherever specified by this Resolution unless otherwise stipulated or modified.

2006.02 All deciduous trees shall be a minimum of two and one-half (2 ½) inch caliper in size, measured six (6) inches above the ground.

Acknowledged.

2006.03 All evergreen trees shall be a minimum of five and one-half (5 ½) feet in height, measured from finished grade.

Acknowledged.

2006.04 All shrubs shall be a minimum twenty-four (24) inches in height at the time of planting.

Acknowledged.

APPENDIX A: Divergence Requests

Divergence Request #1

Section 1406.01

1406.01 The proposed Buildings or Use shall be located on a major arterial or collector street so as to generate a minimum of traffic on local streets. Elementary schools and playgrounds or parks intended for neighborhood use may, however, be located on local streets.

We request a divergence to 1406.01 in accordance with 1409.02.L.4 & 1409.02.L.5

[4] The assurance of the compatibility of land uses which are either adjacent or in proximity to each other.

[5] The orderly development of all lands within the Township to its appropriate use.

The proposed development is not located on a major arterial street but is however located 2 lots away from major artery; State Route 3. The traffic lights at the end of Chandler Ct. are in place to handle the negligible additional traffic from the proposed development plan. We request a divergence to 1406.01 so that the proposed development may be located on a 'local' street. The justification for this divergence is that additional traffic to Chandler Ct. and surrounding streets will be negligible, and that the proposed use of a kindergarten / childcare facility is harmonious with the intent of the zoning resolution.

According to 1406.01 "Elementary schools and playgrounds or parks intended for neighborhood use may, however, be located on local streets."

The proposed development has a similar use as an elementary school, and furthermore will have less children at any given time than most elementary schools in the district. As such, the proposed development does not vary greatly from the intent of the zoning resolution.

Additionally, Delaware County Engineers have stated that the proposed development will not require a parking study – indicating that the traffic impact from the proposed development will be negligible. They request only a traffic memo [Refer to Appendix B: Exhibits on Page 46]. Upon approval on this re-zoning request, the formal memo will be sent to Delaware County Engineers for approval. This traffic memo will be included in the Final Development Plan.

Moreover, the operations of the proposed development further reduce traffic congestion as follows:

- Parents drop off / pick up at various times throughout the day (morning / midday / afternoon / early evening).
- Drop-off and pick up times will be staggered so that we have 10-15 families dropping off at a time
- Teachers/Staff members will collect children from parents outside to help expedite their time in parking spaces and ensure that traffic continues to flow

Divergence Request #2

Section 1406.07.A

A) Planned Community Facilities Districts less than twenty (20) or more acres in area shall have direct access to one (1) arterial street.

We request a divergence to 1406.07.A in accordance with 1409.02.L.4 & 1409.02.L.5

[4] The assurance of the compatibility of land uses which are either adjacent or in proximity to each other.

[5] The orderly development of all lands within the Township to its appropriate use.

The proposed development is not located on a major arterial street but is however located 2 lots away from major artery; State Route 3. The traffic lights at the end of Chandler Ct. are in place to handle the negligible additional traffic from the proposed development plan. We request a divergence to 1406.07.A so that the proposed development may be located on a 'local' street. The justification for this divergence is that additional traffic to Chandler Ct. and surrounding streets will be negligible, and that the proposed use of a kindergarten / childcare facility is harmonious with the intent of the zoning resolution.

According to 1406.01 "Elementary schools and playgrounds or parks intended for neighborhood use may, however, be located on local streets."

The proposed development has a similar use as an elementary school, and furthermore will have less children at any given time than most elementary schools in the district. As such, the proposed development does not vary greatly from the intent of the zoning resolution.

Additionally, Delaware County Engineers have stated that the proposed development will not require a parking study – indicating that the traffic impact from the proposed development will be negligible. They request only a traffic memo [Refer to Appendix B: Exhibits on Page 46]. Upon approval on this re-zoning request, the formal memo will be sent to Delaware County Engineers for approval. This traffic memo will be included in the Final Development Plan.

Moreover, the operations of the proposed development further reduce traffic congestion as follows:

- Parents drop off / pick up at various times throughout the day (morning / midday / afternoon / early evening).
- Drop-off and pick up times will be staggered so that we have 10-15 families dropping off at a time
- Teachers/Staff members will collect children from parents outside to help expedite their time in parking spaces and ensure that traffic continues to flow

Divergence Request #3

Section 1408

Minimum Setbacks and side and rear yard requirements will be according to the following table; shall be the highest Setback required by Zoning Districts on either side or directly across the street.

	RR	SR	PRD/PRD-V	PCD	LI/PID	CB	PCF
Front Parking	75 feet			30 feet			
Front Driveway	75 feet	50 feet	30 feet	30 feet			
Side Parking & Drive	25 feet			6 feet			
Rear Parking & Drive	75 feet			6 feet			
Building, Front	75 feet			100 feet existing, 50 feet new roads	50 feet		
Building, Side	Note A			25 feet			
Building, Rear	Note B			25 feet			

Note A: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Side Lot Line. In no case shall the Setback be less than twenty-five (25) feet.

Note B: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Rear Lot Line. In no case shall the Setback be less than fifty (50) feet.

We request a divergence to 1408 in accordance with 1409.02.L.4 & 1409.02.L.5.

[4] The assurance of the compatibility of land uses which are either adjacent or in proximity to each other.

The proposed development is requesting that the front parking setback be reduced from thirty (30) feet to eighteen (18) feet.

According to 1408 Dimensional Requirement Table, Minimum Setback for front parking and drive shall be no less 30'-0

This requirement does not match the existing conditions on Chandler Ct.. As seen in the image below, setbacks on Chandler Ct. range from eight feet to 24 feet, with the median of 18 feet. We are requesting a divergence that will allow us to place the parking in-line with other lot on Chandler Ct., an 18' front setback from the street. This divergence is justified as the site plan and approach to the building shall fit within the given character of the area. Doing so will also allow more area at the back of the site facing the cemetery, allowing more room for the play area.

The divergence will provide assurance of the compatibility of land uses, including setbacks and site-character, with adjacent sites and others in proximity to each other.



[5] The orderly development of all lands within the Township to its appropriate use.

The proposed development is requesting that ONLY the PCF setback requirements outlined in 1408 be upheld. According to 1408: *“Minimum Setbacks and side and rear yard requirements will be according to the following table; shall be the highest Setback required by Zoning Districts on either side or directly across the street.”*

This divergence is justified, because if the Zoning Resolution is applied to this requirement, the plot of land becomes unbuildable - as only a small sliver of land is available for either parking or a building - and therefore will remain vacant indefinitely.

As such, we are applying for a divergence to remove the stipulation that adjacent property’s zoning designation be applied with regard to setbacks. The proposed development is requesting that ONLY the PCF setback requirements be upheld. The proposed project will fit entirely within this area.

The left diagram indicates the buildable area if only the PCF [Planned Community Facilities] dimensional requirements are applied as outlined in 1408 of the Zoning Resolution. The diagram on the right indicates the buildable area of the plot if the Zoning Resolution is upheld on the stipulation that adjacent properties zoning

designation is also included. As indicated, we are requesting that Building and Parking setbacks are upheld for ONLY the PCF setback requirements. The proposed building will fit entirely within this area:

Front Setback: 50'

Side Setback: 25'

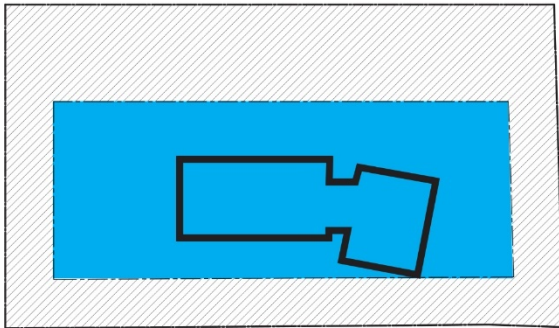
Rear Setback: 25'

Front Parking: 18' [Reduced from 30' as indicated above]

Side Parking: 6'

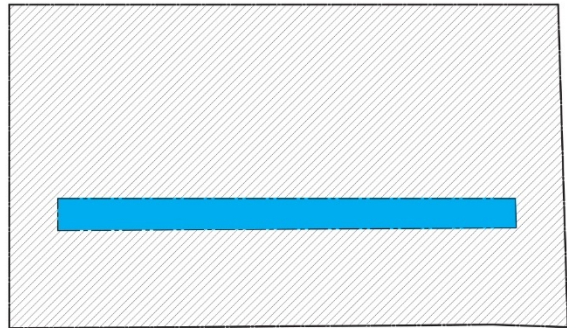
Rear Setback: 6'

Buildable Area [PCF only]



Front Setback: 50'
Side Setback: 25'
Rear Setback: 25'

Buildable Area [PCF & adjacent: RR & PID]



Front Setback: 100' [PID Exist. Road]
Side Setback: 25' [PID]
Rear Setback: 50' [RR Note B]

APPENDIX B: Exhibits

Exhibit #1: Property Deed

The Property Deed exhibited here serves as the legal description of property. More information on the property can be found at Plat Book 21, Page 107, at the Delaware County Recorder's Office.

GENERAL WARRANTY DEED

GENERAL WARRANTY DEED*

OSCAR DEL TEDESCO AND CONSTANCE M. DEL TEDESCO, HUSBAND AND WIFE of Delaware County, Ohio; for valuable consideration paid, grant(s) with general warranty covenants, to PERFECT IMAGE INVESTMENTS LLC AN OHIO LIMITED LIABILITY CO., whose tax-mailing address is, 6830 Flagg Center Dr. - Columbus, Ohio 43229 the following REAL PROPERTY:

[Redacted area]

Situated in the State of Ohio, County of Delaware, and in the Township of Genoa:

Being Lot Number 1428 in Chandler Corporate Park as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 21, Page 107, Recorder's Office, Delaware County, Ohio.

PROPERTY ADDRESS: 5940 Chandler Ct., Delaware, Ohio 43015
PARCEL NUMBER: 31731305014000

DESCRIPTION APPROVED
FOR TRANSFER
Chris Bauserman
Delaware County Engineer

CROWN SEARCH BOX

SUBJECT TO RESERVATIONS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF RECORD IF ANY AND TAXES AND ASSESSMENTS HEREAFTER DUE AND PAYABLE.

Prior Instrument Reference: Vol: OR 534, Page 1014 and Vol. DB599, Page 700 of the Deed Records of Delaware County, Ohio.

Executed this 20th day of December, 2005.

Oscar Del Tedesco
Oscar Del Tedesco

Constance M. Del Tedesco
Constance M. Del Tedesco

STATE OF OHIO

COUNTY OF FRANKLIN, ss.

BE IT REMEMBERED, That on this 20th day of December, 2005, before me, the subscriber, a Notary Public in and for said State, personally came OSCAR DEL TEDESCO AND CONSTANCE M. DEL TEDESCO, the Grantor(s) in the foregoing instrument, and acknowledged the signing thereof to be their voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

[Signature]

Notary Public-State of Ohio
My Commission Expires:

-(Notary Public)

200500052839
Filed for Record in
DELAWARE COUNTY, OHIO
ANDREW D BRENNER
12-29-2005 At 09:48 am.
DEED 28.00
OR Book 677 Page 1084 - 1084

Provisions contained in any deed or other instrument for the conveyance of a dwelling which restrict the sale, rental or use of the property because of race or color are invalid under federal law and are unenforceable



200500052839
CROWN SEARCH

ROZANN L. DOWDY
Notary Public, State of Ohio
My Commission Expires
1-30-2010

Delaware County
The Grantor Has Complied With
Section 319.202 Of The R.C.

DATE 12/28/05 Transfer Tax Paid \$56.00
~~TRANSFERRED OR TRANSFER NOT NECESSARY~~
Delaware County Auditor By: [Signature]

This instrument was prepared by: James Scott Stevenson
Attorney at Law

FILE #05-HT4628OR

Auditor's and Recorder's Stamps

*See Sections 5302.05 and 5402.06 Ohio Revised Code.

Exhibit #2: Utility Availability - Water

The email below from DelCo indicates that water service is available at the property.

Officers

DAVID A. BENDER
President
PERRY K. TUDOR
Vice President
ROBERT W. JENKINS
Secretary
G. MICHAEL DICKEY
Treasurer
GLENN MARZLUF
General Manager/CEO
SHANE CLARK
Deputy General Manager



6658 OLENTANGY RIVER ROAD
DELAWARE, OHIO 43015
www.delcowater.org
Phone (740) 548-7746 • Fax (740) 548-6203

Directors

BRUCE A. BLACKSTON
BRIAN P. COGLAN
WILLIAM E. COLE
DOUGLAS D. DAWSON
PAMALA L. HAWK
TIMOTHY D. MCNAMARA

June 4, 2019

Erica Wares
Bright Path Learning
401 E. Schrock Road
Westerville, Ohio 43081

Via Email: erica@brightpathactivelearning.com

RE: Water Availability – 5940 Chandler Ct.

Dear Ms. Wares:

As requested, this is to inform you that Del-Co Water can provide water service to the site described below upon plan approval and payment of the required fees:

Development:

Address: 5940 Chandler Ct.

Proposed Land Use: Children's Learning Center

Location: South side of Chandler Ct., ±800 feet west of State Route 3

Land Size: ±1.077 acres

This site can be served from an existing 8-inch waterline located on Chandler Ct.

This letter of water availability is valid for a period of one year from the date of this letter. Del-Co makes no guarantee of water availability beyond this period. Contact our Engineering Department if you have any questions on the plan review process, or our Customer Service Department for information on tap fees.

Sincerely,
DEL-CO WATER COMPANY, INC.

A handwritten signature in black ink that reads "Shane F. Clark".

Shane F. Clark, P.E.
Deputy General Manager

Exhibit #3: Utility Availability - Sewer

The email below from Delaware County Regional Sewer indicates that sanitary service is available at the property.

From: Janczak, Mason mjanczak@co.delaware.oh.us 
Subject: 5940 Chandler Ct
Date: June 4, 2019 at 4:29 PM
To: ericawares@yahoo.com



Erica:

I am responding to your information request regarding sewer availability for 5940 Chandler Ct. Sewer is available to this property and is located on the northwest corner. If you have additional questions please let me know.

Thanks,



Mason Janczak, P.E.
Staff Engineer II
Delaware County Regional Sewer District
a: 50 Channing Street (South Wing) Delaware, OH
43015
p: (740) 833-2240
www.co.delaware.oh.us/sanitary

DISCLAIMER NOTICE This e-mail, together with any attachments or files transmitted with it, may contain confidential information belonging to the sender, or constitute non-public information that is not subject to disclosure under O.R.C. Section 149.43, Ohio's Public Records Act. Additionally, if the sender is an employee of the Delaware County, Ohio Prosecuting Attorney's Office, this e-mail, together with any attachments or files transmitted with it, may contain information that is protected by the attorney-client privilege or other applicable privileges. The information in this e-mail is intended solely for the use of the individual or entity to whom it is addressed. If you are not the named addressee, you should not disseminate, distribute, or copy this e-mail. If you have received this e-mail in error, please immediately notify the sender by e-mail and delete this e-mail from your system. If you are not the intended recipient, do not disclose, copy, distribute, or re-distribute this e-mail or take any action in reliance on the contents of the information contained in this e-mail. Nothing contained in this disclaimer notice by itself exempts, nor should it be interpreted to by itself exempt, this e-mail from disclosure as a public record upon the proper submission of a request for public records pursuant to O.R.C. Section 149.43, Ohio's Public Records Act.

Exhibit #4: Utility Availability - Power

The letter below from AEP indicates that electrical service is available at the property.



Erica Wares

BrightPath Active Learning

**401 E Schrock Rd
Westerville, OH 43081**

05/20/19

This correspondence is in response to your request confirming the availability of electric service at:

5940 Chandler Ct, Westerville, OH 43082

American Electric Power will serve the needs of its customers as those needs occur. Any extension of our facilities to serve a customer will be made in compliance with all rules and regulations your state's utility commission. Any cost associated with providing service to the above addressed will be discussed prior to service being installed.

Before construction begins, please notify AEP's Customer Solutions Center at 1-888-710-4237 to make arrangements for service. We ask that you allow us as much notice as possible, so we can prevent any delays.

Please do not hesitate to contact us if you need any assistance or further information.

Sincerely,

Johnnie Clark

American Electric Power
Business Operations

Exhibit #5: Traffic Study Waiver

The email below from Delaware County Engineering Office indicates that a traffic study has been waived in lieu of a traffic memo. The Traffic Memo has also been included, which will be submitted for Engineering approval from the Delaware County Engineers Office as required for permit, and will be also be included in the Final Development Plan.

From: **Matthew Teismann** mteismann@lionarchitecture.com
Subject: Fwd: FW: proposed day care
Date: June 5, 2019 at 4:49 PM
To: **Erica Wares** erica@brightpathactivelearning.com

Hi erica,

See below from County Engineers office explaining the memo.

Best,

----- Forwarded message -----

From: **Piccin, John** <jp Piccin@co.delaware.oh.us>
Date: Wed, Jun 5, 2019, 15:59
Subject: FW: proposed day care
To: mteismann@lionarchitecture.com <mteismann@lionarchitecture.com>
Cc: arlingtonbuilders@columbus.rr.com <arlingtonbuilders@columbus.rr.com>, Love, Michael <mlove@co.delaware.oh.us>

Matthew:

The traffic memo should state the proposed traffic to the business and whether or not it will have any impact on the adjacent intersection. The submittal should include a Review Submittal Cover Sheet (attached), as well as a review fee of \$200. Checks should be made payable to "Delaware County Engineer".

If you have any specific traffic questions, please contact Mike Love, our traffic engineer, who is included in this email string.

Please do not hesitate to call should you have any questions or require additional information.

Thanks.



John Piccin, PE, PS

Deputy Development Engineer

Delaware County Engineer's Office

a: 50 Channing St., Delaware, OH 43015

p: (740) 833-2435

e: jp Piccin@co.delaware.oh.us

w: www.delawarecountyengineer.org

DISCLAIMER NOTICE This e-mail, together with any attachments or files transmitted with it, may contain confidential information belonging to the sender, or constitute non-public information that is not subject to disclosure under O.R.C. Section 149.43, Ohio's Public Records Act. Additionally, if the sender is an employee of the Delaware County, Ohio Prosecuting Attorney's Office, this e-mail, together with any attachments or files transmitted with it, may contain information that is protected by the attorney-client privilege or other applicable privileges. The information in this e-mail is intended solely for the use of the individual or entity to whom it is addressed. If you are not the named addressee, you should not disseminate, distribute, or copy this e-mail. If you have received this e-mail in error, please immediately notify the sender by e-mail and delete this e-mail from your system. If you are not the intended recipient, do not disclose, copy, distribute, or re-distribute this e-mail or take any action in reliance on the contents of the information contained in this e-mail. Nothing contained in this disclaimer notice by itself exempts, nor should it be interpreted to by

June 18, 2019

Delaware County Engineer's Office
50 Channing Street
Delaware, OH 43015
ATTN: Mike Love

Dear Mr. Love,

At the request of the Delaware County Engineer, this traffic memo has been prepared for the proposed BrightPath Active Learning facility on Chandler Court in Genoa Township. The proposed facility is composed of a 5,000 square foot child care facility to be built in a single phase.

The closest intersection to the proposed site is the signalized intersection of N State Street (OH Route 3) and Chandler Court/Mount Road Avenue. This intersection is approximately 800 feet from the closest driveway of the proposed site.

A traffic generation evaluation of the proposed Day Care Center (Land Use 565) was performed using the Institute of Transportation Engineers' Trip Generation, 10th Edition. The generation used the ITETripGen Web-based App, Version 2.3.1. Table 1 provides a summary of the trip generation analysis and attached is the backup documentation with the ITE trip generation printouts.

Table 1: Trip Generation Summary

Evaluation Period		Enter	Exit	Total
Daily		119	119	238
AM	Peak	29	26	55
	Peak of Generator	31	28	59
PM	Peak	26	30	56
	Peak of Generator	28	31	59

Based on the Delaware County Traffic Impact Study Standards, "A traffic impact study shall be submitted when a new development or expansion of an existing development generates greater than 100 trip ends during the peak hour of the land use or the peak hour of the roadway." Therefore, a Traffic Impact Study is not warranted. Further, based on the trip generation analysis, the generated traffic from the BrightPath Active Learning facility will not have an impact on the adjacent intersection.

Please feel free to contact me at (717) 856-7907 with any comments or questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Kupko', with a long horizontal flourish extending to the right.

Jeffrey J. Kupko, P.E., PTOE

Associate

Attachments

ATTACHMENTS

ITE TRIP GENERATION REPORT PRINTOUTS

Day Care Center (565)

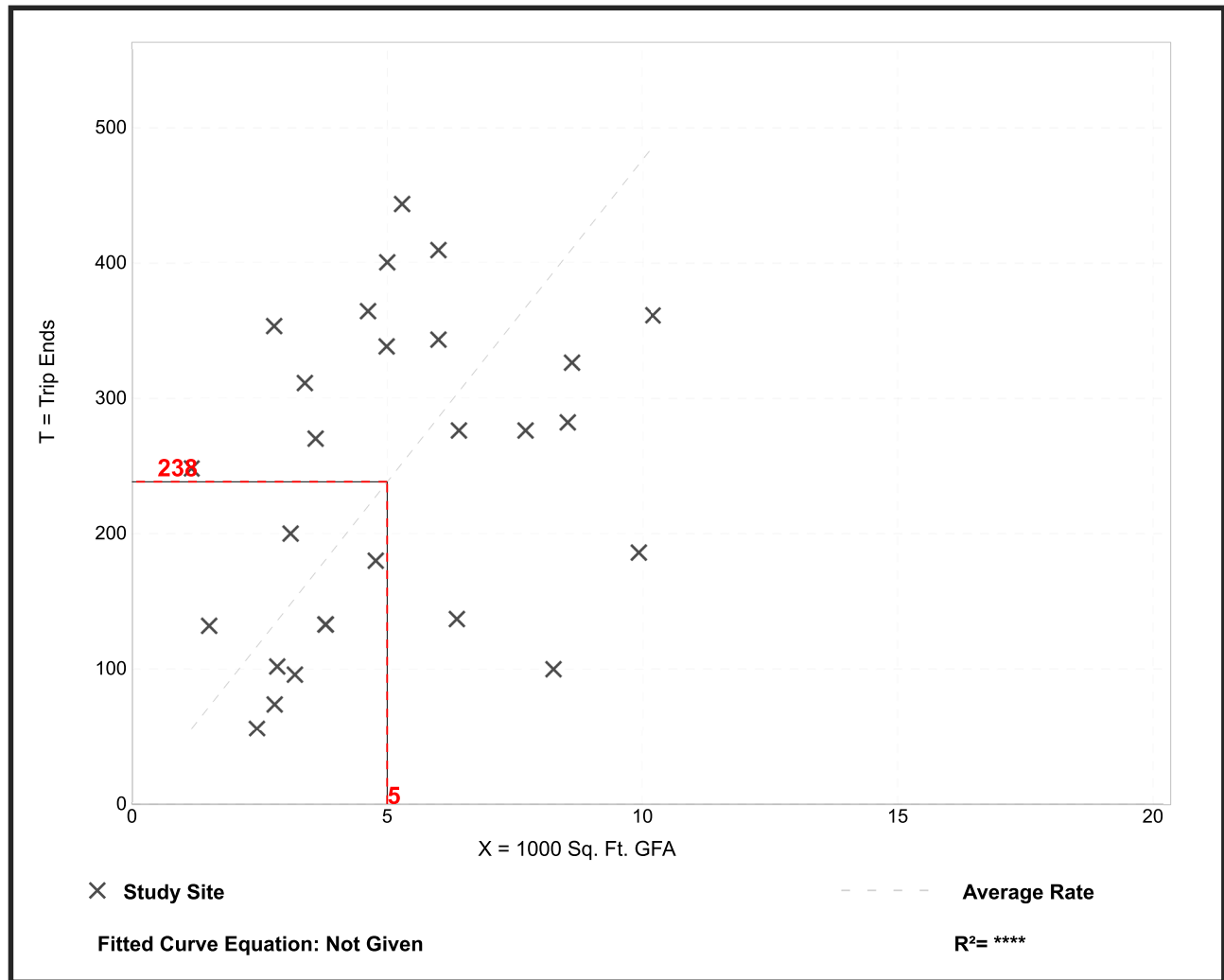
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 27
Avg. 1000 Sq. Ft. GFA: 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
47.62	12.12 - 211.06	29.78

Data Plot and Equation



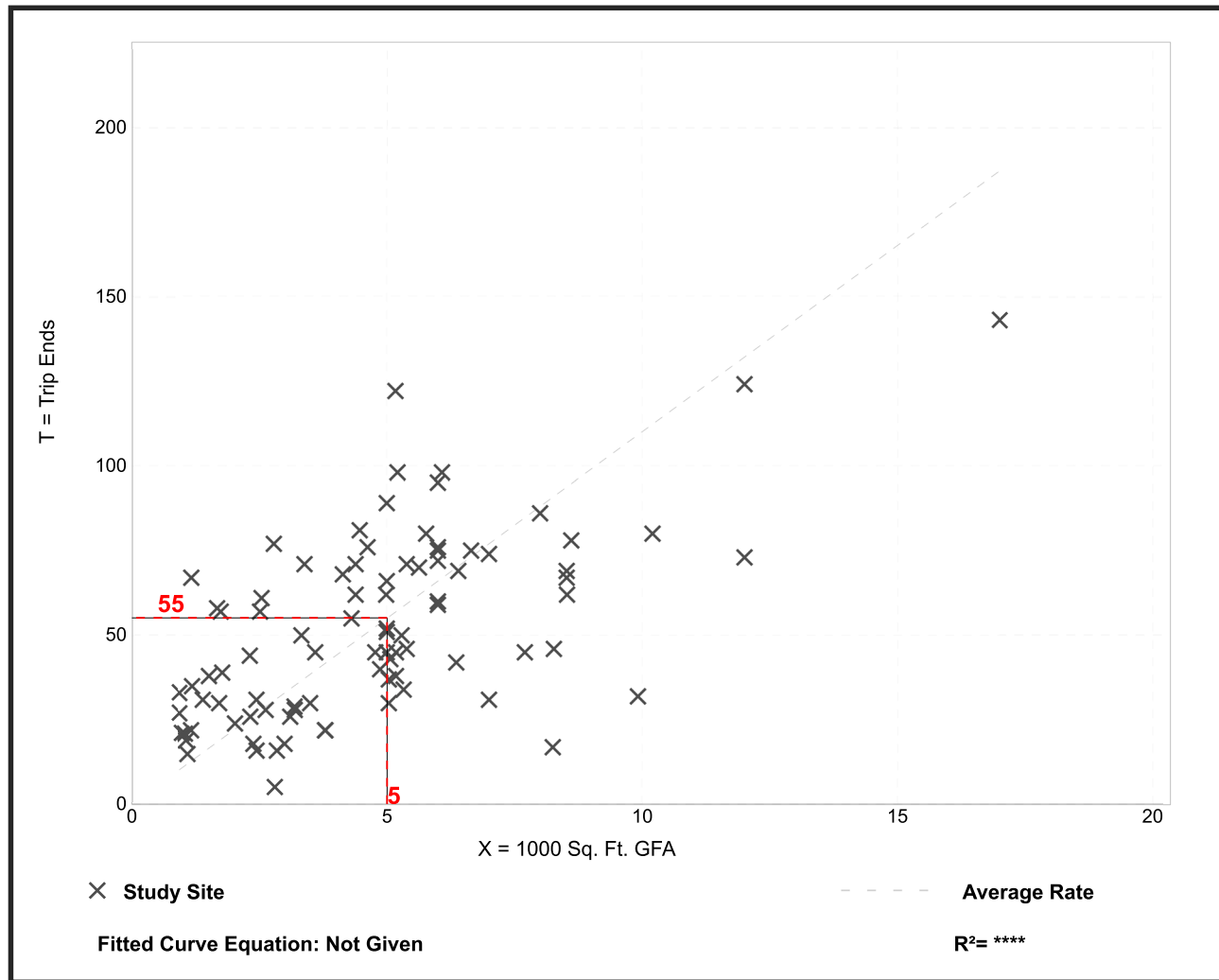
Day Care Center (565)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 89
 Avg. 1000 Sq. Ft. GFA: 5
 Directional Distribution: 53% entering, 47% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
11.00	1.79 - 57.02	6.08

Data Plot and Equation



Trip Generation Manual, 10th Edition • Institute of Transportation Engineers

Day Care Center (565)

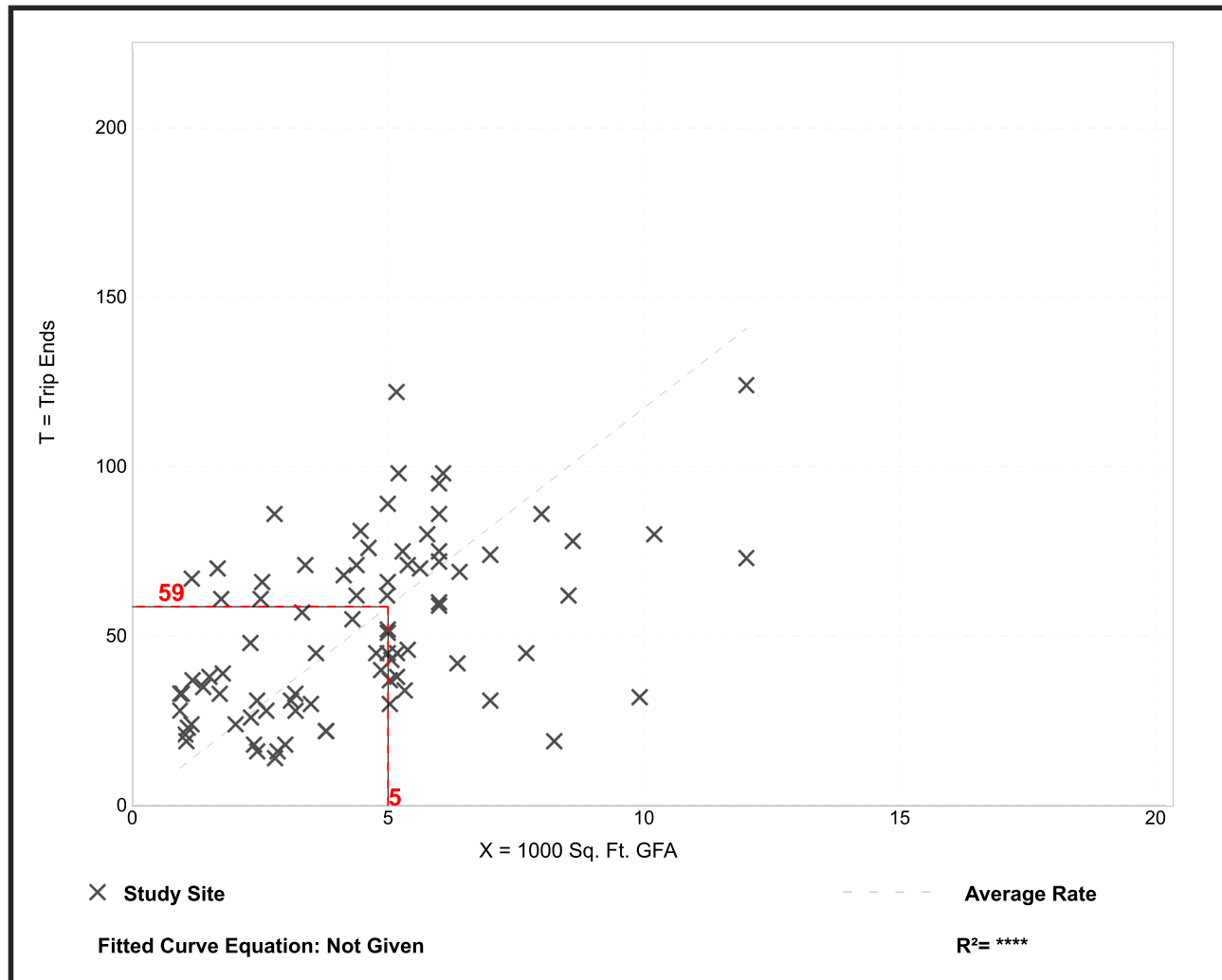
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
AM Peak Hour of Generator

Setting/Location: General Urban/Suburban
 Number of Studies: 84
 Avg. 1000 Sq. Ft. GFA: 4
 Directional Distribution: 53% entering, 47% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
11.73	2.30 - 57.02	6.78

Data Plot and Equation



Trip Generation Manual, 10th Edition • Institute of Transportation Engineers

Day Care Center (565)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

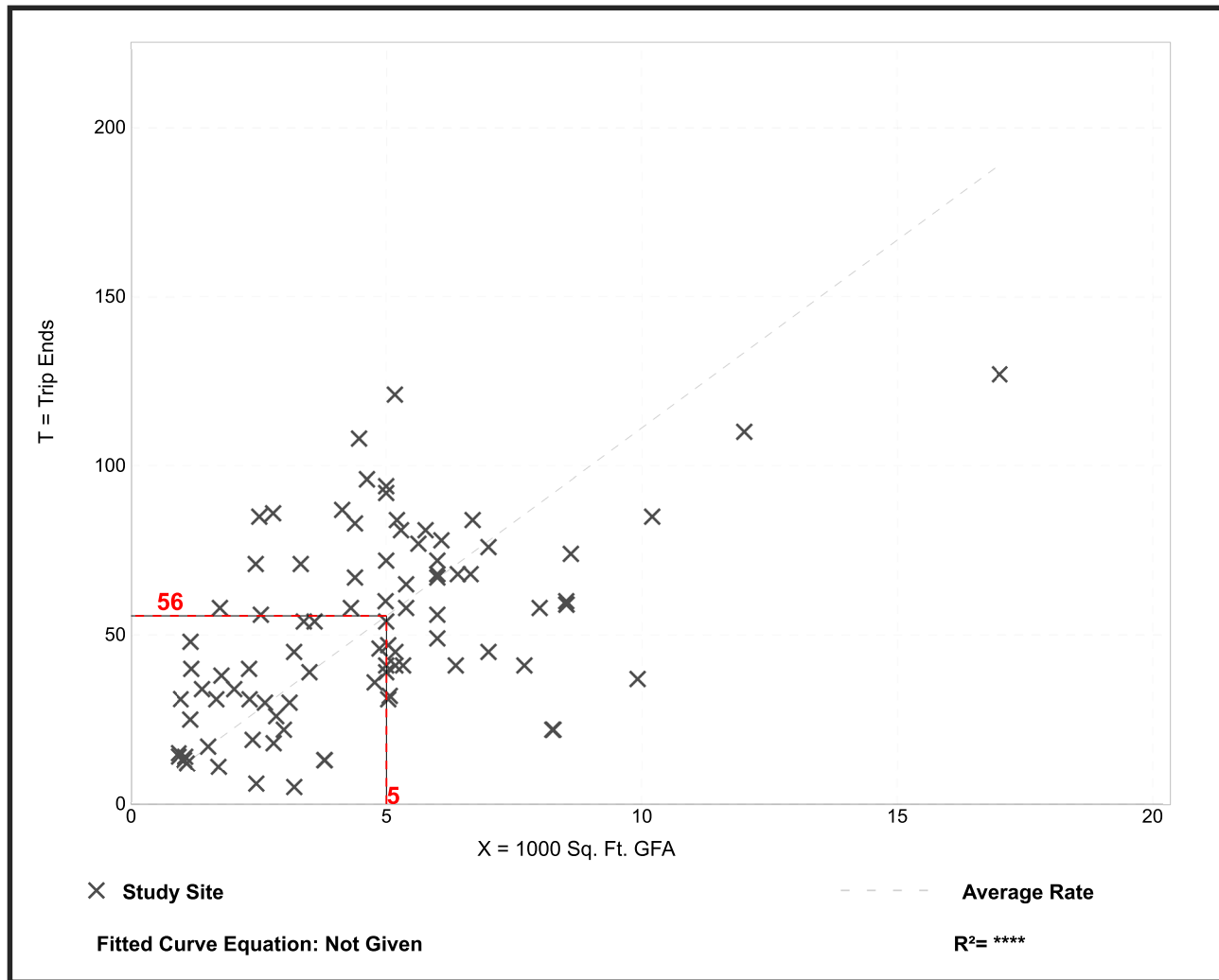
Setting/Location: General Urban/Suburban

Number of Studies: 90
 Avg. 1000 Sq. Ft. GFA: 5
 Directional Distribution: 47% entering, 53% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
11.12	1.56 - 40.85	6.28

Data Plot and Equation



Trip Generation Manual, 10th Edition • Institute of Transportation Engineers

Day Care Center (565)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban
 Number of Studies: 84
 Avg. 1000 Sq. Ft. GFA: 4
 Directional Distribution: 47% entering, 53% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
11.82	2.67 - 40.85	6.80

Data Plot and Equation

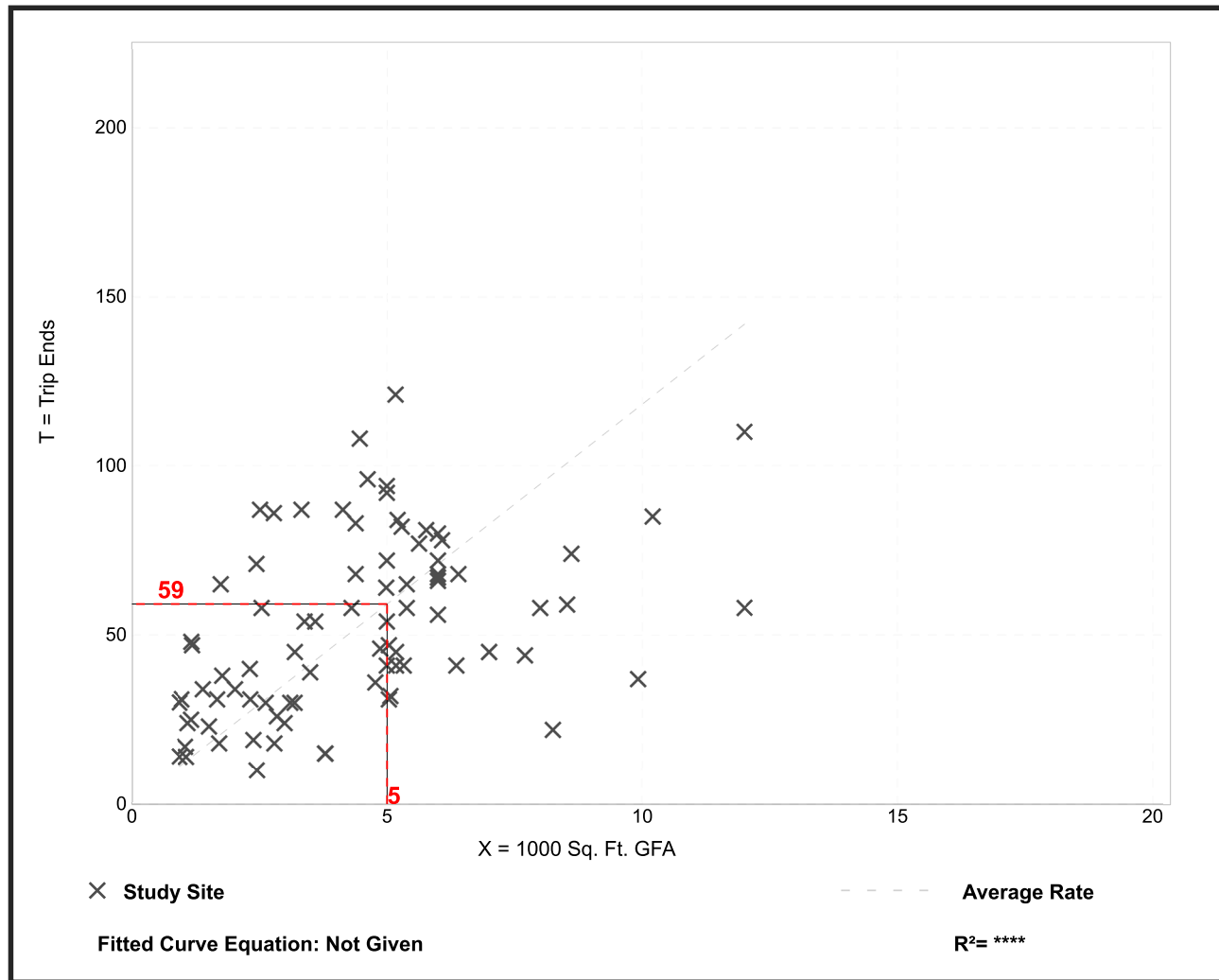


Exhibit #6: Fire Marshall Letter

The email below indicates that Genoa Township Zoning staff is in possession of a letter from the Fire Marshall indicating no anticipated problems with the proposed development.

On May 20, 2019, at 1:46 PM, Shafer, Joe <jshafer@genoatwp.com> wrote:

Erica,

The Fire Marshal has made me aware that he did issue a letter to staff stating he had no concerns with your zoning application. I must've missed it in the shuffle when I returned from being on leave. This letter is in our file and is enough to address comment #7 in the development review. Your response to comments can simply cite that staff is in possession of this letter.

Joe Shafer

Office: 614.899.0725

Direct: 614.568.2031

Cell: 614.779-1459

From: Caito, Tony

Sent: Monday, May 20, 2019 1:43 PM

To: Shafer, Joe <jshafer@genoatwp.com>

Subject: letter

<image001.png>

Tony Caito

Fire Marshal

<image002.png>

7049 Big Walnut Road

Galena, Ohio 43021

Direct: 614.568.2040

www.GenoaTwp.com