

FINAL DEVELOPMENT PLAN TEXT—continuance 1 revisions

**5064 OLD 3C HIGHWAY
WESTERVILLE, OHIO 43082**

Parcel 317-240-03-019-000/1.09 acres

For R & M PROPERTY LLC as Property Owner and OLIVE LLC as Occupant Business:
THE OLIVE BRANCH

With the Principals of:
Ron and Mindy Kohsman, Genoa Township Residents,
5618 Harrow Glen Court
Galena, Ohio 43021

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Initial Submission Date: 04/15/2024

Final Development Plan Submission Date: 04/15/2024

Continuance 1 Revisions Submission: 5/20/2024 for 6/10/2024 Meeting

TABLE OF CONTENTS

01	COVER SHEET
02	TABLE OF CONTENTS
03	EXECUTIVE SUMMARY
04	PROPERTY NEW USE AND PROVENANCE
05	REFERENCE INFORMATION FOR 2705 and 500' LIST
06	ZONING RESOLUTIONS COMPLIANCE FOR 7,12, 16-21, 27
07	LIST OF DIVERGENCES REQUESTS AND NARRATIVE
08	EPA PHASE 1 SUMMARY REPORT OPINION LETTER
09	UTILITY WILL-SERVE DELCO/AEP, GAS NOT NEEDED
10	TECHNICAL MEMORANDUM-TRAFFIC/UNIT/DENSITY
11	HYDROLOGIC SOIL GROUP
12	VICINITY MAP
13	FINAL SITE PLAN C100, 101, 200
14	SETBACK EXHIBIT PLAN
15	MANEUVERABILITY EXHIBIT PLAN
16	ARCHITECTURAL PLAN

EXECUTIVE SUMMARY

R & M Property LLC and Olive LLC are owned by Ron and Mindy Kohsman, residents of Genoa Township, who purchased this property to develop it into offices for lease for local businesses. The primary business occupant will be Mindy Kohsman's The Olive Branch, which she operates as Psychiatric Mental Health Nurse Practitioner, with expertise in managing the needs of children and adolescents. It has long been Mindy's goal to have her business close to home, and to provide professional office space for others who might live in the area.

This business location, already zoned as a Planned Commercial District (PCD), is in alignment with the current zoning and guidelines of Genoa Township and its Development and Zoning. The existing building that had long occupied the corner of Big Walnut and Old 3 C seemed at the end of its useful life. More on the history of the property is attached in the Property New Use and Provenance page. By cleaning up the site, demolishing the existing building, and now hoping to develop a new small professional office congruent with some of the other new buildings in the area, The Kohsman's goal is to provide a modern, clean, aesthetically-pleasing, low-traffic but high-impact small commercial offices geared for the professional catering to one-on-one consulting and counseling. The business traffic would be small format and regular business and early evening hours.

The planned building will be similar in footprint to the demolished building, but be much more like the other recently-constructed commercial buildings in the area. Rather than the old wood-framed building, or even some of the masonry construction, the new building will utilize innovative insulated concrete form walls with traditional vertical board plank look, and a metal roof with a decorative cupola to add ambiance as a modern farmhouse style with the function of a commercial contemporary office. The owner particularly chose ICF construction, and KO Builders due to their "Building a Better Way to Build" systems, to provide additional structural safety and other responsibly-built construction methods, given the existing lot's site development necessities to locate the building in near proximity to the right-of-way and the street.

The new office building will be 75' long x 32' wide, 2400 square feet, single story office building, with an open storage room above, and will house six offices, two half-baths, a waiting room, a break room, and some storage. The offices will support the business occupants to provide professional services in small private office spaces focused on one-to-one consulting and counseling services.

The Final Development Plan is meant to comply with all applicable provisions of the zoning resolutions as well as incorporating feedback and resolving concerns expressed by the

Zoning Commission and Trustees. The purpose of this Development Plan Text is to demonstrate how our proposed development, property use, building, and occupancy will support the Township's plan for the property as well as be a welcome improvement and addition to the area. This Final Development Plan is also meant to support the Township's further consideration of traffic, access, general compatibility and suitability.

The cycle of traffic for this use is complementary to other uses in the area, and will be limited during peak traffic hours in the morning and evening. Given the small amount of office space, the almost one-to-one nature of the planned occupant businesses to the clientele, if anything this business should decrease traffic flow from previous businesses who occupied this site at its peak. Also of note, rather than an open parking lot, the directed access proposed should also improve how traffic flows at the intersection as well as the property.

This text also discusses how the proposed development will enrich the social and community aspects of the immediate area and Genoa Township as a whole. As this property is directly diagonal to the Township offices, we hope to provide a welcome small commercial professional office space with very limited traffic that improves the overall appeal with a responsible, safe, and aesthetically-appealing building with character and congruence to the corner.

While there are a number of divergence requests for the property, many iterations of layout and much professional consideration has been given to present the final development plan layout to consider the many factors necessary to account for the many challenges and restrictions necessary to even build a feasible, viable, aesthetically-pleasing while adequately functioning site and structure. Many complex factors such as the existing septic, no new spots for a new septic, septic being an only option as no sanitary sewer available or likely anytime soon, setback requirements on all sides and margins limiting buildable area to zero without divergences, the new right-of-way taking an additional 39% of the already small property, the PCD being usually a 20+ acre zoning being used for the this 0.7 acre property (post new -right-of-way), accounting for encroachment/screening into residential areas, and even, with Staff and Board Members also understanding and voicing but a difficult property this is to develop, and even more factors, all make it necessary to request divergences. While the number of divergence requests is larger than we would like, it is necessitated by numerous references to divergent zoning codes with related allusion as well as given the very small property under a generally larger property zoning zone designation, and the fact that without the divergences there would be no buildable or business-developable area. We have tried multiple approaches to minimize the number of divergence requests, and this is our absolute best effort to minimize it while still maintaining what we feel is a congruent, compatible, aesthetically-pleasing development for the site we all can be proud of.

As far as scheduling, it of course will follow with the approvals necessary. The hope, once we received Final Development Plan approval, is to move quickly. Our design/build team is in place with KO Builders as CM/GC, our architect as GAI, and our civil engineer as American Structurepoint. This team has been working on the site plan, this submission, and other programming details, and will quickly be ready to provide construction documents to submit for permits. Once permits are approved, the construction team would start immediately, and would work to meet a 6-8 month construction schedule. If everything was acceptable from initial submissions, including the continuance it would be possible to complete the project as early as the end of 2024/early 2025.

The PCD use, as it is, and our proposed continued use, is compatible with the adjoining commercial and residential uses. The office will be a pleasant addition that blends in nicely with the existing commercial and residential mix of buildings in the neighborhood. Our plan will provide a much-needed commercial office area without impacting the current traffic and access of the area, and also accounts for the future roundabout traffic plan. Please also see our other supporting documentation, information, and plans for further explanations of our proposed development. We look forward, as owners and occupants, to fostering the atmosphere that makes Genoa Township such a great place to live and work.

PROJECT NEW USE AND PROVENANCE

As a special reference and citation, Joe Schafter and his Staff provided detailed comments and content in the Memorandum and Technical Review dated 5/6/2024, which we have collaborated on and must give credit for their detailed content and contributions in the preparation and writing of this document.

This project seeks Final Development Plan approval to construct an approximately 2,400 square foot (75 feet long x 32 feet wide) office building and associated parking lot on approximately 1.09 acres of property (pre-right-of-way dedication) with 0.7 acres of developable land (post-right-of-way dedication) located at 5064 South Old 3C Highway in a Planned Commercial District (PCD), subject to the Hoover Watershed Overlay District (HOD). The site, formerly the Genoa Lawn Center, occupies the northwest corner of the intersection of South Old 3C Highway and Big Walnut Road.

The proposed office building, intended for use by The Olive Branch as a Psychiatric Mental Health Nurse Practitioner's practice, will feature six offices, two half-baths, a waiting room, a breakroom, main floor storage, and an open storage room on the second floor. The existing accessory building on the property will be retained as storage and maintenance for the property and in support of the proposed main structure.

Surrounding properties include a dwelling, a vacant lot intended for a single-family dwelling, existing residences, and the Genoa Township Administration and Zoning Offices, all within the Hoover Watershed Overlay District. On the North/Northeast, the existing dwelling at 5044 South Old 3C Highway was constructed in 1930 per County records. The use of this property is considered legal non-conforming as the property is zoned Planned Commercial (despite not having a final development plan in place). On the North/Northwest/West, the vacant lot zoned Rural Residential in the Mulberry Estates subdivision at 5075 Bespoke Court is intended for a single-family dwelling. On the South/Southwest is an existing residence at 5122 South Old 3C Highway in the Rural Residential zoning district. On the Southeast is Genoa Township Administration and Zoning Offices on property zoned Planned Community Facilities (PCF). On the East is an existing residence at 7641 Big Walnut Road in the Rural Residential zoning district.

A peanut-shaped roundabout, to be constructed by Delaware County, will replace the current 4-way stop intersection adjacent to the site in the next couple of years, with ongoing right-of-way acquisition.

Historically known as Franklin Corners or Genoa Crossroads, the site housed a primary building for over a century, initially established as a garage around 1905. Formerly a gas

station and general store, the property was later used for a lawn and garden business. Despite being zoned PD-2 in 1987, no final development plan was approved, creating a complex zoning situation.

The vicinity of the South Old 3C Highway and Big Walnut Road intersection was historically known as either Franklin Corners or Genoa Crossroads at one time or another due to being a postal "town" (these sites were transient and depended upon where the local postmaster at the time lived). The former and well-known primary building on this site was located on the property for over a century and was established well before Genoa Township adopted zoning. Staff research indicates it may have initially been built as a garage of some sort in 1905 in the area known as Africa near the intersection of Africa Road and Lewis Center Road in Orange Township. For reasons unknown, it was apparently moved to the subject site; possibly as early as 1920. Prior to becoming a lawn and garden business (1970s?), it operated as a gas station and a general store owned by Walter Booth.

It appears that due to its longstanding non-residential use, the property was zoned PD-2 (Planned Commercial-Office nka Planned Commercial) in 1987 when the township's two zoning codes were consolidated into one zoning code. Despite being zoned within a planned district, a Final Development Plan, which would normally be required for such a district, was not approved when this action occurred nor has one been approved since.

Accordingly, the provenance of this property has created a very odd and somewhat difficult zoning situation. A Final Development Plan was submitted on January 15, 2009 (ZC 2009-01) by Genoa Lawn Center to change the use of the property. It was later withdrawn so that BZA cases could be filed and acted upon quicker by the township instead thereby allowing the new business to open sooner. Of note, a comprehensive EPA Phase 1 report was completed in 2009, which has been attached to this current Final Development Plan Submittal in its entirety.

On February 24, 2009, the Board of Zoning Appeals approved the request for a non-conforming use (BZA 2009-02A), approved a variance to allow for the replacement of a non-conforming structure (BZA 2009-02B), and approved a variance for a sign (BZA 2009-02C). Per the Staff commentary, one or more of these matters may have been handled differently under the current zoning administration.

Zoning permit #2009035 was issued for the accessory building on March 16, 2009. Zoning permit #2009036 was issued for the changeable copy sign on March 16, 2009. On August 25, 2009, the Board of Zoning Appeals denied a change of use request for an outdoor vending machine (BZA 2009-12A), denied a change of use request to allow for outdoor display and retailing of patio and garden accessories (BZA 2009-12B), denied the change of

use request to allow for the placement of a propane tank to sell propane (BZA 2009-12C), and approved the change of use to allow for seasonal agricultural retail sales along Big Walnut Road (BZA 2009- 12D). Per the Staff commentary, one or more of these matters may have been handled differently under the current zoning administration.

Zoning permit #2010071 was issued for a temporary structure. Zoning permit #2010072 was issued for a temporary sign. Current zoning administration essentially considered the site grandfathered and instructed the prior owner (on numerous occasions) as well as interested parties the last few years that the only way to substantially change or modify anything on the site would be to apply for and obtain final development plan approval, hence the need for this application. New land uses, however, could be permitted so long as the use being proposed was permitted in the Planned Commercial District. This determination also did not preclude the demolition of existing structures nor the removal of vegetation.

Zoning permit #2023008 was issued on January 13, 2023, to AAD Locker LLC dba US Heating and Air Conditioning to utilize the property but the subject business was never established.

Zoning permit #2023097 was issued on April 26, 2023, to NextDoor Lawn and Landscape LLC to utilize the accessory building(s) portion of the property but the subject business was never established.

Zoning permit #2023098 was issued on April 26, 2023, to Halah Shop on April 26, 2023, to utilize the old primary building on the property but the subject business was never established.

Staff met with the current owners last year when they were considering the acquisition of the property. The property was transferred to the current owners (R&M Property LLC) on October 30, 2023. Demolition of the old primary building and removal of trees on the site occurred late last year and early this year.

The proposed building would sit near the southeast corner of the lot, parallel to Big Walnut Road. The proposed building height is 33 feet measured to the top of the proposed cupola as illustrated in the building elevation drawings. The Final Development Plan has been revised per recommendations, and represents our best efforts to comply with the recommendations made, minimize divergence requests to the extent possible while still maintaining a viable, feasible and reasonable Final Development Plan cognizant of all the many factors necessary for a buildable and business-developable lot for the use presented and intended.

The traffic and access of the property accounts for the future planned roundabout, of which the engineer of record is also the engineer for this FDP plan. The proposed development considers the future roundabout project access to the site provided via a single access point off Big Walnut Road. Access from South Old 3C Highway will be discontinued. A trip generation analysis indicates minimal traffic impact, with 9 AM trips and 11 PM trips anticipated. Per the Staff commentary, Township Staff sent a copy of the plans to the Engineer's office to provide them an opportunity to flag any issues. No response has been received as of the date of the Zoning Meeting on 5/13/2024.

The parking lot west of the proposed building will contain 16 regular parking spaces, and 1 handicap parking space, with curb blocks, exceeding the required 12 spaces. Also, per Staff recommendation, the FDP contains a Maneuverability Plan that shows the configuration provided would provide room for vehicles to do a turnaround so they would not need to back out of the parking lot, allowing for a safe turnaround for motorists.

A sidewalk system will run adjacent to the eastern parking row, around three sides of the building perimeter, connecting to the existing multi-use path along South Old 3C Highway. The existing septic tanks require a 10' setback from hardscape/paving, so the back of the building sidewalk, which has no doors, is precluded from having a sidewalk. No additional pedestrian infrastructure is proposed. Of note, the Township is actively pursuing money to construct a trail along the north side of Big Walnut Road from Route 3 to South Old 3C Highway. For context, Big Walnut Road (and associated right-of-way), is currently owned and maintained by the Township.

Pole-mounted and building-mounted light fixtures will illuminate the parking lot and building entrances, meeting code requirements. The signs will be illuminated by strictly screened uplighting or downlighting, also to ensure light sources are not directly visible and do not flood lighting off the property. Two pole-mounted light fixtures would be provided to illuminate the parking lot: one along the western parking row and one along the eastern parking row. The western, southern, and eastern entrances into the building would be flanked by building-mounted light fixtures. Fixture specifications and a lighting plan have been provided to demonstrate code compliance (i.e. 0 footcandle measurements along lot lines shared within residential properties).

The landscaping of the property is illustrated in the landscaping plan. Existing trees will be retained, and additional trees will be planted along the western lot line, as well as for the small lot line at Old 3 C that requires green screening. Building foundation shrubs and plantings will be provided adjacent to each building entrance. Two existing trees on the western end of the site near the septic mound would remain. Twelve additional trees would be planted along the site's western lot line shared with Mulberry Estates.

Building foundation shrubs and plantings would be provided adjacent to each building entrance. Also, green screening, including five trees, are being added to the eastern lot line at Old 3 C.

The signage for the building has been revised to be compliant in all ways except for the request for divergence from the new right-of-way setback. As the new right of way takes an extensive amount of the property's south side, and the sign, to be seen, would be helpful to be just outside the new right of way, as requested. Note the existing signage is to be demolished. Freestanding post and panel signs are proposed along Big Walnut Road and South Old 3C Highway, meeting height and message area requirements. Setback measurements and compliance with zoning regulations have been clarified, along with the divergence requests to be congruent and appropriate.

Two freestanding, post and panel signs (each having a face on each side) are proposed for the development, one along Big Walnut Road (moved out of the right-of-way since the application was filed) and another along South Old 3C Highway. Each sign would be illuminated externally. The height of the signs are 8 feet tall. References to changeable copy are removed. The message area of the sign, including the panels, have been reduced to be less than 25 square feet per sign. The current proposal does not seek to incorporate any sign bonuses allowed under the code. The bonuses are mentioned only for reference. Setback measurements for proposed signs have been provided, and signs are compliant with Section 1804.07. The signage will be controlled by automatic controls, including time and daylight settings, to be illuminated between 6:00am-11:59pm provided not shut off by daylight sensors. No building mounted signage is currently proposed. The applicant will be entitled to certain signage within Section 1803 of the Zoning Resolution. Signage authorized by this Section generally does not require a zoning permit (unless otherwise stated) and does not need to be included in the Final Development Plan.

The property will continue using a septic system, as sanitary sewer is not available in the area. We have been in multipoint contact with the Delaware Health Department, and feel confident the existing system will be approved in some format, even if some mitigation ends up being required. Stormwater management will be provided via an underground detention basin beneath the parking lot. Soil analysis indicates slow water infiltration rates. Of note, the Township Administration office is also on septic. The septic system was installed a dozen or so years ago to replace an outhouse on the property. The mound is located on the western end of the property while two tank areas are located immediately north of the proposed building. Stormwater management would be provided via an underground detention basin beneath the proposed parking lot. A brief soils analysis is also provided. The site, like much of the Township, is made up entirely of Bennington silt loam (slow water infiltration and transmission rates) and has very little slope.

Letters confirming utility availability have been provided from Del-Co (water) and AEP (electricity). A letter from the gas company was not included as gas is not requested or desired. The property plans to be developed as an all-electric facility for environmental and safety reasons. For waste and recyclables, the Owner intends to manage this through rollable cans, which could be kept in the proposed building or existing accessory storage/maintenance structure, as the waste generated should be less than for single family residence.

Several divergence requests are made to accommodate the site's size, geometry, and pending right-of-way expansion, including setbacks, sidewalk requirements, and parking lot design. We have gone through numerous iterations and given major professional consideration to the site layout and structure. We feel the Final Development Plan presented, with revisions, and in collaboration with Genoa Township Staff and Zoning Board Members thoughtful commentary demonstrating their understanding of the complexities of building or business-developing anything on this site, is a feasible, viable, reasonable, and aesthetically-pleasing design that accounts for the many factors that had to be considered but still provides a plan congruent with our understanding of the intent of Genoa Township and is a good fit for the community in general.

The proposed commercial use aligns with the Genoa Township Comprehensive Plan, with the property designated for neighborhood-scale commercial use. We have attempted to properly address the Staff's technical review. We hope we have identified and clarified consistently the details requested, including site acreage with and without right-of-way dedication, building size, prior approvals, parking lot design, landscaping, signage, septic system, and divergences.

The Olive Branch team hopes we are working collaboratively and cooperatively with the very competent Genoa Township Staff to accommodate reasonable divergences, given site challenges and the property's commercial zoning history. Without divergences, significant development of the property would be difficult if not completely undoable. Approval will involve review by the Zoning Commission and Board of Trustees per the Zoning Resolution provisions. We appreciate the Zoning Commission's Members' stated understanding of the complex nature of making any Final Development Plan work for a site that, without divergences and thoughtful consideration and planning, would be unbuildable and business-undevelopable.

Several divergences are requested due to the existing size and unique geometry of the subject parcel as well as due to the pending right-of-way expansion, including Section

703.03.A.4 which requires a 170-foot open space buffer along the tract's perimeter street frontage. The request is to provide a setback of 1 foot from the Big Walnut Road right-of-way.

Several divergences are requested due to the existing size and unique geometry of the subject parcel as well as due to the pending right-of-way expansion, including to Sections: 703.03.A.4 which requires a 170-foot open space buffer along the tract's perimeter street frontage. The request is to provide a setback of 1 foot from the Big Walnut Road right-of-way. This divergence request now notes the setback in text as well as the plan from South Old 3C Highway. It is also noted in the List of Divergence Requests.

In Section 703.08, which requires that parking lots be located no closer than 170 feet from the edge of the contiguous right-of-way, we have requested a setback of 1 foot from the Big Walnut Road right-of-way, the request now specifies the proposed setback from South Old 3C Highway right-of-way as well as notes additional green screening of 5 trees are being added for plantings as required by this section.

In Section 703.10, which requires a sidewalk, multi-use path, or pedestrian easement along the parcel's frontage on existing streets, the divergence request does not provide any of the amenities. Per Staff commentary, a multi-use path already exists along the site's South Old 3C Highway frontage. The County's current plans for the intersection do not contain any pedestrian ways along Big Walnut Road. Mulberry Estates provided an easement to the Township across their frontage for such an improvement when it was platted. As noted, the Township is seeking funding to construct a trail along this portion of Big Walnut Road. Given the existing MUP along Old 3C, the plans for a trail along Big Walnut, and the fact that the County's roundabout plans do not include new trails/paths/walks adjacent to the subject property, we maintain the request to diverge from 703.10. As noted, if a potential easement across the property was needed, the Owners are open to discussion with the Township as suggested by the Township's comment about Mulberry Estates, and have indicated at the meeting as well have explicitly noted to say here that they would have zero issue with the Township putting a sidewalk in the easement. The Owner would think it actually nice to have a sidewalk on Big Walnut all the way from the fire station/McNamara Park to and through the property.

In Section 1203.03 (A & B), which requires a 75-foot-wide green strip between any development of the property and any lot line shared with a residential or planned residential zoned property as well as to provide a 75-foot wide visual and mechanical buffer in such an area, the request is to reduce the required setback to 5 feet, if and where needed. As none of the proposed development appears to be within 5 feet of any lot line shared with a lot within a residential zoning classification, this reference is for note only as explanation for

how we are doing our utmost to not request divergences except as necessary to develop, even given the tight parameters throughout. The lot to the north/northeast containing the existing home does not qualify for such a setback as it is zoned Planned Commercial.

In Section 1203.09.C, which requires the parking lot be located no closer than 75 feet from the edge of the continuous right-of-way, the request is to reduce this setback to 1 foot along Big Walnut Road (similar to the request regarding Section 703.08.A).

In Section 1208.01, which requires buildings be separated by at least 50 feet and that no building be located closer than 100 feet to a (zoning) district boundary line or street right-of-way, the request is to construct a building 3 feet from the Big Walnut Road right-of-way and 35 feet from the South Old 3C Highway right-of-way. This request now specifies the proposed building setback from district boundary lines as well as the proposed separation between buildings on the plans. Note the Setback Plan Exhibit Plan.

A divergence to Article 7, Section 703.03.B, has been requested in both the development text and the List of Divergences Requests for The Olive Branch. This section requires certain planting ratios within the required buffer along Big Walnut Road and South Old 3C Highway. The proposed reduction of the required buffer to 1 foot will make complying with the planting standards seemingly impossible along Big Walnut Road. This divergence is similar and related to the divergences requested for Sections 703.03.A.4 and 703.08.A. It is also somewhat similar to the request regarding Section 1203.09.C. The Township is correct that we need another divergence here. It is very unlikely that we will be able to increase the buffer to provide plantings per 703.03.B.

Per the Staff's own commentary and our discussion at the Zoning Board meeting, while the number of divergences requested seems relatively large, this figure is somewhat misleading. Some of the requests deal with the same general concept or requirement but are requested separately due to the fact that the same or similar code standards exist in more than one applicable location within the Zoning Resolution. From a big picture perspective, the current requests boil down to a few issues necessary to even have a buildable and business-developable lot. To wit, those issues are:

Allowing the proposed parking lot to be located closer to both road frontages and not provide the required plantings along them if not practical (Sections 703.03.A.4, 703.08, 1203.09.C)

Not providing a pedestrian way or easement along Big Walnut Road (Section 703.10)

Allowing the development to encroach into the residential/planned residential setback (Sections 1203.03.A&B – which is noted for reference as may not be needed)

Allowing the building to be built closer to Big Walnut Road and South Old 3C Highway while simultaneously reducing zoning district boundary setback and the required building separation distance and providing required plantings (Sections 703.03.A.4, 703.08, 1208.01)

Not providing a sidewalk, multi-use path, or pedestrian easement along the parcel's frontage on existing streets. (Section 703.10) For continued explanation and justification for the plan presented, we are referencing Staff commentary summary, as reference to further bolster the design choices hereby presented.

Commercial utilization of the subject property is generally consistent with the recommendations of the Genoa Township Comprehensive Plan. Chapter 4 of the plan recommends Neighborhood-Scale commercial/office uses on parcels already zoned commercial and/or industrial. However, that recommendation technically only applies to properties serviced by sanitary sewer. While this property is not serviced by sanitary sewer, as already noted, it has been zoned for commercial use for decades and planned for commercial zoning/use since at least the 2008 Comprehensive Plan. Furthermore, the comprehensive plan map shows the land use recommendation of Neighborhood-Scale Commercial (Planned). This makes it clear that continued commercial use of the property is envisioned by the Township.

The primary reason for setback requirements from right-of-way lines is to ensure that sufficient room exists should a right-of-way ever need to be expanded to accommodate roads, pedestrian infrastructure, drainage, or utilities. The aesthetics of such are generally subjective. As a general matter, modern planners tend to advocate for buildings in particular to be located closer to the road as they enhance the pedestrian experience and can actually assist in traffic calming.

A significant portion of this lot's property along Big Walnut Road will be taken as right-of-way for most if not all of the aforementioned purposes. While Staff cannot say the road/intersection won't ever need to be expanded in the future, it seems unlikely that such expansion will be needed after the roundabout is complete. Furthermore, though the distance between the post-construction curb of the new Big Walnut Road is not labeled [now confirmed by the plan to be 46 feet to the building, 38.5 feet to the sidewalk], Staff estimate it to be approximately 30 feet in width (see plan and above listing). Assuming this is correct, the proposed parking lot and building will look like they are set back much further from the road than they actually are due to the fact that the right-of-way line is a considerable distance away from the paved roadway (parking lot = 31 feet from paved roadway, building = 33 feet from paved roadway) [now confirmed to be 38.5 feet from paved roadway and building at 46 feet from paved roadway].

Despite the numerous divergence requests, utilization of the current Planned Commercial zoning designation is, as noted, consistent with the Township's comprehensive plan map and, if nothing else, fair considering the fact that it was a classification seemingly imposed on the property by the township over 35 years ago.

Furthermore, asking the property owner to re-zone would be onerous as it is an action the Township may have been able to proactively and unilaterally undertake at any time had the planned designation been previously identified as a concern. Also, if the property was a straight zoning district, any relief to the standards of the Zoning Resolution would require variance(s). The legal standard for variances differs from those for divergences and could potentially be more difficult for the applicant to surmount given their quasi-judicial nature.

Staff recommends the Township work with the applicant to accommodate as many divergences as it comfortably can within reason due to the numerous challenges inherent to the site and its surroundings (size, geometry, corner lot, right-of-way dedication, septic system location), especially given that the proposed development is relatively modest in terms of its size and impact. Without divergences, development of this property in any kind of reasonable or significant manner would be very difficult if not impossible. Leaving the lot underdeveloped would not be good for the community and could potentially create legal problems for the Township. Subsequently, there are very few vacant or underutilized commercial properties left in the Township. This is especially important to note since the township is getting closer to reaching build-out. Allowing properties to be redeveloped will encourage reinvestment and will also allow the community to evolve to meet the needs of residents and the market as opposed to stagnating.

Once the Zoning Commission has issued a recommendation, the application will be forwarded to the Board of Trustees for acknowledgement and consideration pursuant to Sections 2706.09 – 2706.15 of the Zoning Resolution. If the application is approved, it shall be subject to the provisions of Sections 2706.16 – 2706.19 of the Zoning Resolution.

Again, The Olive Branch team hopes to demonstrate our intent to do our absolute utmost in our development of this property. Please also see our other supporting documentation, information, and plans for further explanations of our proposed development. We look forward, as owners and occupants, to fostering the atmosphere that makes Genoa Township such a great place to live and work.

REFERENCE INFORMATION

Legal description of tract: 1.09 acres, part of farm lot 8, quarter township 2, township 3, range 17 United States Military Land O.R. 889 PG. 1987

Parcel of tract: 317-240-03-019-000

Vicinity Map: Attached in Exhibit Plans

Acreage of tract: 1.09 acres, with 0.7 acres after right-of-way dedication

Legal description of tract: 1.09 acres, part of farm lot 8, quarter township 2, township 3, range 17 United States Military Land O.R. 889 PG. 1987

Deed restrictions: No planned changes to the deed by way of restrictions or covenants are requested from the existing

Address of tract: 5064 OLD 3C HIGHWAY, WESTERVILLE, OHIO 43082

Owner of tract: R & M PROPERTY LLC as Property Owner and OLIVE LLC as Occupant Business, with the Principals of: Ron and Mindy Kohsman, Genoa Township Residents, 5618 Harrow Glen Court, Galena, Ohio 43021

Past use of tract: Planned Commercial District, business (mechanic)

Proposed use of tract: Planned Commercial District, business (consulting and counseling)

Proposed density of tract: Proposed unit to be 1 office building, approximately 2400 square feet, with 6 offices for professional business use consisting of consulting/counseling services, with site acreage at 1.09 Acres the density therefore is 5.50 offices/acre

List of Owners within 500': List is attached in Exhibits, along with 2 sets of pre-addressed envelopes with postage

Other materials or plans are attached with this submittal as needed/requested, including plan exhibits to help explain the need and justification for divergence requests necessary to allow this site to be able to be buildable and business-developable

List of Owners within 500' of parcel 317-240-03-019-000 at 5064 Old 3C Highway, Westerville, Ohio 43082

MULLINS E
7421 BIG WALNUT RD
GALENA OH 43021

EVANS M
7453 BIG WALNUT RD
GALENA OH 43021

EVANS M
BIG WALNUT RD
GALENA OH 43021

4980 WALNUT LLC
5060 BESPOKE CT
GALENA OH 43021

4980 WALNUT LLC
5030 BESPOKE CT
GALENA OH 43021

KJLO LLC
5015 BESPOKE CT
GALENA OH 43021

4980 WALNUT LLC
5045 BESPOKE CT
GALENA OH 43021

4980 WALNUT LLC
5075 BESPOKE CT
GALENA OH 43021

R & M PROPERTY LLC
5064 OLD 3C HWY
WESTERVILLE OH 43082

DRAYER E
5044 OLD 3C HWY
WESTERVILLE OH 43082

ARNETT G & FRANCES D
4960 OLD 3C HWY
WESTERVILLE OH 43082

ARNETT G & FRANCES D
OLD 3C HWY
WESTERVILLE OH 43082

ARMENTROUT D & ANN C
4967 OLD 3C HWY
WESTERVILLE OH 43082

MURTO A & STROH KYLE J
TRUSTEES
4999 OLD 3C HWY
WESTERVILLE OH 43082

THOMPSON & ASHLEY
7641 BIG WALNUT RD
WESTERVILLE OH 43082

BROWN & KISS MATTHEW
7665 BIG WALNUT RD
WESTERVILLE OH 43082

MARTIN M & LAURA ANN
7695 BIG WALNUT RD
WESTERVILLE OH 43082

LOOP M
7700 BIG WALNUT RD
WESTERVILLE OH 43082

BOARD OF TOWNSHIP
TRUSTEES OF GENOA TWP
5111 OLD 3C HWY
WESTERVILLE OH 43082

GOODPASTER C
5201 OLD 3C HWY
WESTERVILLE OH 43082

RAMMELSBERG H & DINAH R
5172 OLD 3C HWY
WESTERVILLE OH 43082

CONKLIN L & RUSSELL D JR
5122 OLD 3C HWY
WESTERVILLE OH 43082

JOSEPH RAMMELSBERG
5140 OLD 3C HWY
WESTERVILLE OH 43082

LEAR R & BETH A
7490 BIG WALNUT RD
GALENA OH 43021

FRIEDA JUNE NG
7410 BIG WALNUT RD
GALENA OH 43021

ARTICLE 7: HOOVER WATERSHED OVERLAY DISTRICT (HOD)

Section 701: Intent and Purpose

Hoover Reservoir and its associated watershed are important and invaluable assets to Genoa Township as they both comprise a significant portion of the Township, are a primary source of potable water for the region, offer numerous opportunities for recreation, promote tourism, enhance property values, and serve as a vital habitat for a variety of species of native plants and animals, thus positively contributing to the overall wellness of the community. As such, it is within the interests of the public's health, safety, and general welfare to take proper measures to conserve and protect these unique and critical resources, to the greatest extent possible, from degradation, unbalanced runoff, erosion, excessive sedimentation, pollution of all types, traffic congestion, and over-development.

701.01 It is the policy of the Township to permit the creation of the Hoover Watershed Overlay District (HOD) to:

- A) Establish restrictive regulations that supplement and/or supersede other standards within this Zoning Resolution to protect the water quality, natural character, recreational amenities, riparian zones, and scenic beauty of Hoover Reservoir, its watershed, and its tributaries, while still providing for reasonable economic use of such property within Genoa Township.
- B) Promote responsible development that is context-sensitive, pedestrian-friendly, and environmentally conscious by incorporating certain best practices regarding land management and stewardship.
- C) Create opportunities for the public to access, study, and enjoy Hoover Reservoir, its watershed, and associated environs via interconnected greenways and waterways.
- D) Preserve the remaining agricultural, forested, and/or undeveloped lands within the subject watershed to the greatest extent practical and possible by requiring larger and/or more robust landscape buffers.
- E) Retain and/or establish viewsheds, vistas, night sky visibility, rural character, and corridors for native vegetation and wildlife to the greatest extent practical by means of protected open space, critical resource protection measures, and stringent lighting controls.
- F) Restrict land Uses to those which: are comparatively less intense in nature, are relatively clean in operation, service the typical, daily needs of nearby residents, enhance the area's more passive, bucolic ambiance, and/or are not vehicular-centric.
- G) Provide for consistency with the Genoa Township Comprehensive Plan.

Acknowledged.

701.02 The standards within this Article shall apply to all Lots or Tracts within Genoa Township that are located wholly or partially within the Hoover Reservoir Watershed, as further depicted on the Zoning Map, regardless of their existing or proposed Zoning District classification. This overlay zoning designation shall not remove or replace any existing zoning designation but rather shall be considered in addition to, and co-existing with, the existing underlying Zoning District.

Acknowledged.

701.03 Unless otherwise stated, the standards within this Article 7 shall supersede and control over any other conflicting standard within this Resolution. Any ambiguity shall be determined by the standards in this Article.

Acknowledged.

Section 702: Reserved

Section 703: Design Standards for Planned Developments

703.01 The standards within this Section shall apply to all Planned Zoning Districts, whether existing or proposed, within the Hoover Watershed Overlay District (HOD) as well as all existing or proposed Planned Developments within the HOD. The requirements and restrictions of the base District, existing or proposed, shall still apply for any standard not expressly regulated, supplemented, or altered herein. Should a conflict between regulations exist, the stricter requirement shall apply pursuant to Sections 701.03 and 701.04 of this Article.

Acknowledged.

703.02 Permitted Density shall be regulated by the underlying Planned District, existing or proposed.

Acknowledged.

703.03 Open Space areas shall be provided around the entire perimeter of the Lot or Tract. Such areas shall count towards the Planned Development's required Open Space acreage.

A) Perimeter buffers shall be required as follows:

- 1) A fifty (50) foot wide No Build Zone shall be provided immediately adjacent to any Lot containing Hoover Reservoir and owned by the City of Columbus (or its successors). Measurements shall be taken from the shared Lot Line. Sidewalks, trails, multi-use paths, boardwalks, residential docks, and other such conservation related land uses, or recreational amenities shall be permitted within the No Build Zone.

Not applicable.

- 2) A fifty (50) foot wide Common Open Space and/or Improved Common Open Space buffer shall be provided immediately adjacent to any No Build Zone required by Section 703.03.A.1.

Not applicable.

- 3) A One hundred (100) foot Common Open Space and/or Improved Common Open Space buffer shall be provided along any contiguous Lot or Tract not otherwise regulated by Section 703.03.A.1 above. Measurements shall be taken from the shared Lot Line.

Not applicable.

- 4) A One hundred seventy (170) foot Common Open Space and/or Improved Common Open Space buffer shall be provided along any of the Tract's perimeter street Frontage, measured from the Right-of-Way line.

A divergence is requested for 703.03.A.4. We are proposing the Common Open Space along Big Walnut Road to be 1 foot and 34 feet along Old 3C Highway. The open space requirements are difficult, and likely impossible, to achieve due to the size, location, and geometry of the property, in addition to the constraints imposed by the existing septic system and right-of-way dedication as part of the roundabout improvements. Without a divergence to this section, there is not enough site area for the proposed improvements.

B) The perimeter of said area shall be planted as follows:

A divergence is requested for 703.03.B. The project is proposing landscaping per the provided landscaping plan, including the preservation of large, mature trees on the property, near the proposed parking area. We believe the proposed landscaping captures the intent of the code and will be an improvement to the existing condition.

- 1) A mixture of erosion and pollution control plantings shall be planted at a rate of one (1) native deciduous or evergreen tree and three (3) native shrubs or tall grasses for every fifty (50) feet of site perimeter immediately adjacent to any Lot or Tract containing Hoover Reservoir and owned by the City of Columbus (or its successors).
- 2) Two (2) native evergreen trees and three (3) native deciduous trees for every fifty (50) feet of linear site perimeter not immediately adjacent to a Lot or Tract not otherwise regulated by Section 703.03.B.1.
- 2) Required plantings shall be planted in staggered rows or groupings to create a natural looking landscape buffer but shall still generally cover the entire linear perimeter of the Lot

or Tract.

- 3) In sections where existing woody vegetation, which is proven to be healthy, mature, and abundant enough to serve as a visual screen, occurs along the perimeter of the Lot or Tract, said vegetation may be credited towards the above planting requirements. Such sections shall be clearly depicted, defined, and identified on a site or landscape plan drawing.
 - 4) If a designated low-mow or no-mow zone is provided in Common Open Space sections abutting existing and designated Common Open Space areas on immediately adjacent properties, the linear footage shall not count towards the number of plantings required herein thereby resulting in a reduction in the number of required plantings.
 - a) A no-mow zone shall be considered to be any portion of land on which mowing is expressly prohibited to allow for natural biological progression and habitation.
 - b) A low-mow zone shall be considered to be any portion of land on which mowing is expressly restricted to no more than one (1) time every six (6) months.
 - c) To qualify for the reduction, an individual low-mow or no-mow zone shall be at least fifty (50) feet wide by one hundred (100) feet long.
 - d) Such a zone(s) shall be clearly depicted, defined, and identified on a site or landscape plan drawing.
 - 5) If a designated low-mow or no-mow zone is provided within the street Frontage buffer required by Section 703.03.A.4, the number of required plantings for said area shall be reduced by fifty percent (50%) subject to the provisions of Sections 703.03.B.4.a through 703.03.B.4.d. Should an odd number of plantings be initially required, the permitted reduction shall round down to the nearest whole number.
 - 6) The targeted removal of dead, dying, noxious, and/or invasive vegetation of any type and which is determined to be posing an immediate threat to health, safety, or general welfare in such an area, shall be permitted subject to any established re-vegetation or replacement policies.
- C) No Building or Structure shall be permitted within said area unless approved as part of the Planned Development's Common Open Space.
No building or structure is proposed within the proposed open space (should the divergence to 703.03.A.4 be granted).
- D) No Limited Common Element Area shall be permitted within said area.

No limited common element areas are proposed.

703.04 Critical Resource Protection.

- A) All Buildings, Structures, Streets, and Lots to be developed shall be set back at least one hundred (100) feet from any Lot containing Hoover Reservoir.
- B) All Buildings, Structures, Streets, and Lot Lines shall be set back at least fifty (50) feet from any Primary Conservation Area(s).
- C) Sidewalks, trails, multi-use paths, boardwalks, residential docks, and other such conservation related land uses, or recreational amenities shall be exempt from the above Setback requirements.
- D) Parking lots, club houses, and other similar facilities shall not be exempt from the above requirements unless said facility is pre-existing. Pre-existing facilities within the Setbacks herein may be improved but not expanded.
- E) No Limited Common Element Area shall be permitted within the required Setbacks for any critical resource protection area herein.

Not applicable.

703.05 Reserved.

703.06 Layout.

- A) At least seventy-five percent (75%) of Lots consisting of Dwellings within the Planned

Development shall abut a designated Open Space of at least half (1/2) an acre in size. A minimum of sixty (60) continuous linear feet per Lot shall abut a designated Open Space to count towards this requirement.

Not applicable.

703.07 Stormwater Management.

Not applicable. Stormwater Management is being provided via an underground detention facility. This applies to all of section 703.07.

A) Except for underground basins, any basin located closer than fifty (50) feet to a Street Right-of-Way or within a required Common Open Space perimeter buffer or setback, shall be designed as a wet basin or as a naturalized basin unless otherwise restricted or prohibited by the Delaware County Engineer.

B) Setbacks.

1) All above ground stormwater basins shall be set back a minimum of twenty (20) feet from: Lot Lines, Structures, designated Building Envelopes, and designated Limited Common Element Areas.

2) The setback distance shall be measured landward from the maximum one hundred (100) year stormwater surface elevation of the basin during a one hundred (100) year storm.

C) Landscaping.

1) All above ground basins shall have a landscape buffer around their entire perimeter. For every one hundred (100) feet of basin perimeter to be buffered, the following minimum quantities and types of plant materials shall be required:

a) Two (2) native evergreen trees.

b) Two (2) native ornamental trees.

c) One (1) native canopy tree.

2) All plantings, required or otherwise, shall be installed to not interfere with the proper function of the basin.

a) Plantings shall not be installed on any fill embankment or within ten (10) feet of the toe or top of a slope.

b) Required plantings which cannot be placed due to functionality restrictions shall be placed as close to the subject basin as possible.

703.08 Parking and Loading Areas.

A) No parking lot shall be located closer than one hundred seventy (170) feet from the edge of the contiguous Street Right-of-Way.

A divergence is requested for 703.08. We are proposing the Common Open Space along Big Walnut Road to be 1 foot and 108 feet along Old 3C Highway. The parking setback requirements are difficult, and likely impossible, to achieve due to the size, location, and geometry of the property, in addition to the constraints imposed by the existing septic system and right-of-way dedication as part of the roundabout improvements. Without a divergence to this section, there is not enough site area for the proposed improvements. Refer to Section 703.03 for open space and planting divergences in these areas.

B) Parking lots shall be landscaped and screened in accordance with Article 20. In addition, the following shall also be required:

A divergence is requested for 703.08.B. The proposed open space buffer and parking setbacks, for which divergences are requested (Sections 703.03 and 703.08), does not allow for full compliance with Section 703.08.B. The project is proposing landscaping per the provided landscaping plan, including the preservation of large, mature trees on the property, near the proposed parking area. We believe the proposed landscaping captures the intent of the code and will be an improvement to the existing condition. Also, the proposed lot coverage (impervious surfaces) is 38.3%, which is below the 50% impervious surfaces requirement in 703.14 and the 75% lot coverage requirement per 1203.06.

- 1) One planting island shall be provided every fifteen (15) parking spaces and at the end of each parking row unless an end cap is required. No more than fifteen (15) parking spaces may be situated between planting islands.
 - 2) An end cap planting island shall be provided at the end of each row of parking.
 - 3) The pervious area of all required planting islands shall be at least twelve (12) feet wide and fifteen (15) feet long.
 - 4) Every required parking island shall be planted with one (1) native deciduous tree with a clear trunk at least six (6) feet above finished grade to allow vehicular circulation and visibility beneath the canopy.
- C) Parking lots shall otherwise be designed, provided, and located in accordance with Article 19.

Acknowledged. Refer to the development text for Article 19.

703.09 Streets.

- A) Dead end stub Streets, including full or quasi hammerheads, Y-turns, and the like, as well as Common Access Driveways shall not be permitted unless otherwise required by the Genoa Township Fire Marshal or the Delaware County Engineer. This standard shall not be interpreted to be a prohibition of cul-de-sacs designed to public standards or stub streets being provided to allow for future connection to an immediately adjacent Lot or Tract.

Not applicable.

703.10 Sidewalks, Multi-Use Paths, and Trails.

A divergence is requested for section 703.10; however, the project's proposed internal sidewalks will be at least 4 feet wide and will be concrete. A multi-use path already exists along Old 3C Highway. The plans for the roundabout do not include any pedestrian walkways along the subject property's frontage. Additionally, we understand the Township is pursuing a trail in this area of Big Walnut Rd.

A) Sidewalks along Streets.

- 1) New Streets. Sidewalks and/or Multi-Use Paths shall be provided along both sides of any new public or private Street.
- 2) Existing Streets. Sidewalks and/or Multi-Use Paths shall be provided along any existing public or private Street within or immediately abutting the Planned Development.
- 3) Whether a sidewalk or Multi-Use Path is installed shall be determined upon the context of the surrounding area. Consistency in the type (sidewalk or Multi-Use Path) with neighboring properties and/or with a pedestrian network already established along the subject Street corridor shall be maintained and continued whenever possible, logical, and safe to do so.
- 4) Pedestrian Easement Option. When location of sidewalks and/or Multi-Use Paths is not possible or is not logical due to the lack of connections at both ends of the required improvement, easements, where necessary, allowing for future construction by the Township, or its assignee, and public pedestrian access shall be provided in lieu of the above. Easements shall be recorded with the Delaware County Recorder prior to the issuance of a Zoning Permit for any Building within the Planned Development.

B) A Multi-Use Path or Trail system shall be provided in any required Open Space buffer required by Section 703.04 herein in accordance with Sections 703.10.A.3 and 703.10.A.4 above.

C) Sidewalks shall be at least four (4) feet wide and constructed of concrete or another similar type of surface.

D) Multi-Use Paths shall be at least ten (10) feet wide and constructed of asphalt or another similar type of surface.

E) Trails, where provided, shall be at least four (4) feet wide and may be paved or unpaved but must be visually delineated in some fashion.

703.11 Reserved.

703.12 Landscaping.

- A) The types and sizes of all required landscape plantings shall adhere to Sections 2005 and 2006 of this Resolution.

Acknowledged. Refer to the development text for Article 19.

- B) All required landscaping in the Final Development Plan/Amendment shall be maintained. Dead and dying plants shall be replaced with a plant of a similar type no later than the subsequent planting season.

Acknowledged.

- 703.13 Trash, Junk, and litter shall be controlled and stored in containers. Dumpsters, and other similar types of large waste containers which are typically not moved by Manual means, and which are not considered to be a Portable Storage Unit, shall not be permitted in a required Front Yard and shall be enclosed and screened in accordance with Section 2003.

Acknowledged.

- 703.14 Non-Residential Buildings, Structures, and Surfaces.

- A) Total land occupancy by all non-residential Buildings, Structures, and Impervious Surfaces shall not exceed fifty percent (50%) of the area of the Lot or Tract.

The proposed impervious area accounts for 38.3% of the property.

- B) No Structure shall exceed 20,000 square feet in gross Floor Area. A Commonly Controlled Business Operation shall not exceed usage of 20,000 square feet of gross Floor Area within one or more Structures.

Acknowledged. The proposed building has a gross floor area of 2,400 sq. ft. and the existing building has a gross floor area of 576 sq. ft..

- 703.15 Lighting.

- A) Light fixtures taller than eight (8) feet and intended to service the entire Planned Development shall only be permitted in the following locations:

Refer to architectural site plan on A-0.1 and site lighting exhibits submitted for further information on proposed site lighting designs. Only two (2) fixtures are proposed that will be taller than 8 feet, and those fixtures will be provided adjacent to parking lots and are permitted to exceed 8 feet per 703.15.6.

- 1) Vehicular access point(s) into the Planned Development;

Not applicable, no fixtures taller than 8 feet proposed at vehicle access point(s).

- 2) Street intersections within the Planned Development;

Not applicable, no fixtures proposed at street intersections.

- 3) Where any Street intersects with a pedestrian route, such as, but not necessarily limited to, sidewalks, trails, crosswalks, and Multi-Use Paths;

Not applicable, no fixtures taller than 8 feet are proposed at street and pedestrian route intersections.

- 4) Where any cluster mail kiosks are provided;

Not applicable, no mail kiosks are proposed.

- 5) Adjacent to a recreational amenity, such as, but not necessarily limited to, playground equipment, exercise stations, pools, playfields, game courts, and the like;

Not applicable, no residential amenities in project.

- 6) Adjacent to parking lots; and/or

Two (2) fixtures are proposed that will be taller than 8 feet adjacent to the surface parking lot. The fixtures are 8 foot tall pole fixtures on a 2 foot concrete base.

- 7) Adjacent to any waste collection area, such as, but not necessarily limited to, dumpsters.

Not applicable, no fixtures taller than 8 feet are proposed at waste collection areas.

- B) The restrictions established within Section 703.15.A above shall not apply to, or be considered a prohibition of, the installation of architectural lighting, landscape lighting, decorative lighting, and/or Sign lighting.

Acknowledged; refer to sheets A-0.1, A-2.0, and/or site lighting exhibits for proposed architectural lighting at building entrances and lighting related to external sign illumination.

- C) All lighting pertaining to Signs shall comply with all applicable provisions of Article 18.

Acknowledged; refer to sheets A-0.1 and Article 18 responses for further information.

- D) All lighting not pertaining to Signs and not otherwise regulated herein shall comply with the applicable provisions of Article 21 if required by the underlying Zoning District.

Acknowledged; see Article 21 responses for further information.

Section 704: Permitted, Conditional, and Prohibited Uses

- 704.01 Unless otherwise specified elsewhere within this Resolution, the following Principal Uses shall be permitted on any Lot or Tract within the Hoover Watershed Overlay District regardless of the underlying Zoning District:

- A) Religious Establishments as regulated by Section 1706.
- B) Marinas, sailing/boating clubs, docks (wet or dry), and associated storage.
- C) Forest and wildlife preserves.
- D) Projects specifically designed for watershed protection, conservation of soil or water, or for flood control.
- E) Agriculture as regulated by Section 1714.
- F) Agritourism as regulated by Section 1715.
- G) Farm Markets as regulated by Section 1716.
- H) Public and private utilities as regulated by Section 102.06 and Article 22.
- I) Governmental Facilities as regulated by Section 102.07.
- J) Outdoor advertising and Signs as permitted and regulated by Section 102.09 and Article 18.

No uses listed in Section 704.01 are proposed.

- 704.02 Unless otherwise specified, the following Principal Uses shall be permitted in all underlying Residential Zoning Districts, excluding Planned Residential Zoning Districts, so long as they are also authorized within the existing or proposed underlying Zoning District applicable to the given Lot or Tract:

- A) All Uses identified within Section 704.01.
- B) Single-family detached Dwellings exclusive of the land area in Common Access Drive easements.
- C) Day Care Centers provided in home for six (6) or fewer children who are not members of the immediate resident Family provided the Use is accessory to the Use of the Dwelling as the provider's residence and further provided that such Use qualifies as a Type B family day care home as defined in Ohio Revised Code Section 5104.01.
- D) Residential Care Facilities for five (5) or fewer residents (excluding caregivers) as regulated by Section 1704.

No uses listed in Section 704.02 are proposed.

- 704.03 Unless otherwise specified, the following Principal Uses shall be permitted in all underlying Planned Residential Zoning Districts:

- A) Without Conservation Development Standards:
 - 1) All Uses identified within Section 704.01.

- 2) Single-family detached Dwellings.
- 3) Nonresidential Uses of a cultural, educational, or recreational nature or character to the extent they are designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located with direct access to Arterial or Collector Streets so as to permit access without burdening residential Streets.
- 4) Open Space, Common Open Space, and Improved Common Open Space.
- 5) Non-exempt Agriculture, Agritourism, and/or Farm Markets pursuant to Section 906.09.

B) With Conservation Development Standards:

- 1) All Uses identified within Section 704.01.
- 2) Single-family detached Dwellings.
- 3) Single-family zero Lot line units, attached twin singles, townhouses, or other similar forms of residential development.
- 4) Common Wall Single-Family Attached Dwellings.
- 5) Nonresidential Uses of a cultural, educational, or recreational nature or character to the extent they are designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located with direct access to Arterial or Collector Streets so as to permit access without burdening residential Streets.
- 6) Open Space, Common Open Space, and Improved Common Open Space.
- 7) Non-exempt Agriculture, Agritourism, and/or Farm Markets pursuant to Section 906.09.

Not applicable. The proposed development is not zoned a Planned Residential Zoning District.

704.04 Unless otherwise specified, the following Principal Uses shall be permitted in all underlying Non-Residential Zoning Districts so long as they are also authorized within the existing or proposed underlying Zoning District applicable to the given Lot or Tract:

- A) Office of any type, including financial institutions, without Drive-Through Facilities.

An office is the proposed use of the property.

- B) Retail of any type without Drive-Through Facilities.
- C) Service Businesses without Drive-Through Facilities, including, but not necessarily limited to barber and beauty shops, pick-up stations for dry cleaning and laundromats, health studios, photo studios, and the like as well as repair shops for shoes, toys, watches, clocks, jewelry, radios, televisions, consumer electronics, lawn care equipment, home improvement tools, and/or other similar types of items.
- D) Restaurants without Drive-Through Facilities or outdoor live entertainment.
- E) Indoor recreational, athletic, and/or fitness facilities.
- F) Medical Clinics.
- G) Veterinary or animal hospitals provided that any Building, outside enclosed area, or outside run is a minimum of five hundred (500) feet from any existing Dwelling.
- H) Clubs and meeting halls.
- I) Day Care Centers as regulated by Section 1703.
- J) Outdoor Storage which shall be wholly enclosed by a continuous visual and mechanical barrier eight (8) feet in height. Material so stored shall not extend over or project above such enclosure.
- K) Greenspace and landscape buffers.

No uses in 704.04, other than the use specified in 704.04.A, are applicable.

704.05 Unless otherwise specified, all lawful Accessory Uses permitted within an underlying Zoning District shall continue to be permitted within said District in accordance with any regulations or stipulations

set forth within Article 16 and/or the underlying Zoning District applicable to the given Lot or Tract.

Acknowledged.

704.06 Unless otherwise specified, all lawful Conditional Uses permitted within an underlying Zoning District shall continue to be permitted within said District in accordance with Article 3 and any supplemental regulations specified in Article 17 and/or the underlying Zoning District applicable to the given Lot or Tract.

Acknowledged.

704.07 Unless otherwise specified, Uses which are prohibited within an underlying Zoning District applicable to the given Lot or Tract shall remain prohibited within said District.

Acknowledged.

704.08 Unless otherwise specified or controlled by Sections 704.05 or 704.06, Principal Uses which are permitted within an underlying Zoning District applicable to a given Lot or Tract but not expressly listed as permitted within this Section shall be considered prohibited for any Lot or Tract within the Hoover Watershed Overlay District.

Acknowledged

Section 705: Administration and Enforcement

705.01 All property subject to the Hoover Watershed Overlay District, as further described within Section 701.02, shall be displayed on the Zoning Map and shall be considered to have been zoned with said overlay upon successful adoption of this Article. As such:

- A) Any Legal Approvals granted within the subject District, other than Rezoning, shall be considered a ministerial act and shall not be considered an amendment to the Genoa Township Zoning Resolution.
- B) The existence of this overlay District shall not prohibit or preclude the Re-Zoning of a Lot or Tract from one underlying Zoning District to another.
- C) The Re-Zoning of a Lot or Tract within this overlay District from one underlying Zoning District to another shall not void or invalidate the applicability of the Hoover Watershed Overlay District.
- D) Re-Zoning of a Lot or Tract within this overlay District from underlying Zoning District to another shall be subject to the applicable provisions of Article 26 and/or Article 27.
- E) No additional property shall be re-zoned to add the Hoover Watershed Overlay District designation unless it can be demonstrated that it is partially or wholly located within the Hoover Reservoir Watershed. Any such re-zoning shall be subject to the procedures set forth for Zoning Map Amendments in Article 26.

All standards in Section 705.01 are acknowledged.

705.02 Applications for Zoning Permits and Certificates of Compliance shall be administered in accordance with Section 115 as well as all other applicable provisions of this Resolution.

Acknowledged.

705.03 Applications for Variances, Conditional Uses, and Administrative Appeals shall be administered in accordance with Article 3.

Acknowledged.

705.04 Applications and requests pertaining to Planned Developments shall be administered in accordance with Article 27.

Acknowledged.

705.05 A Zoning Permit shall be required for any subdivision of property within the Hoover Watershed Overlay District which requires the signature of the Genoa Township Zoning Inspector.

Acknowledged.

705.06 Enforcement shall be conducted pursuant to Section 116 as well as any other applicable provisions of this Resolution.

Acknowledged.

ARTICLE 12: PLANNED COMMERCIAL DISTRICT (PCD)

Section 1201: Intent and Purpose

This District is provided in recognition that a mixing of land uses combined with increased densities allows a developer more flexibility in development design and provides more convenience in the location of commercial uses and business services, while still protecting public health, safety, morals, and general welfare. Provisions of this non-residential Zoning District are formulated to achieve harmoniously designed structures upon a well landscaped site, achieving a high degree of pedestrian vehicular separation, all of which shall be compatible with surrounding land Uses. This District is limited to areas served by central sewer wastewater treatment plants operated by the Delaware County Sanitary Engineer and to areas served by a Central Water System and by an adequate transportation network.

1201.01 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;
- B) Provide the economic and social advantages resulting from an orderly planned use of large parcels of land;
- C) Provide a more useful pattern of Open Space and recreation areas;
- 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;
- 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
- F) Promote development patterns in harmony with land use Density, transportation facilities and community facilities.

1201.02 This Section establishes standards for the Planned Commercial District served by central sanitary sewers and Central Water Systems, or developments utilizing other sewage treatment options approved in the development plan.

Section 1202: Contiguity of Land and Project Ownership

1202.01 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.

Acknowledged.

1202.02 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 married couple; corporation; partnership; or two or more property owners who have entered into a general development plan for a Planned Development.

Acknowledged.

Section 1203: General Requirements

1203.01 The provisions herein shall apply to all lands zoned in the Planned Commercial District (PCD). Only parcels of at least five (5) acres in size or adjacent to other parcels zoned PCD or under application for Rezoning to PCD that collectively sum five (5) acres or more shall be considered for PCD zoning.

The proposed development area is less than 5 acres.

- A) Any Lot or Tract depicted on the Zoning Map as being wholly or partially within the Hoover Reservoir Watershed shall also be subject to the additional provisions established within Article 7 of this Zoning Resolution, the Hoover Watershed Overlay District (HOD). Should these two articles conflict with one another, the requirements of Article 7 shall apply unless otherwise expressly stated within this Resolution.

The site area is within the Hoover Reservoir Watershed, refer to responses in Article 7 regulations.

1203.02 Developments within this District shall be planned as groups having common parking area and common ingress and egress points to reduce the number of potential accident locations at intersections with Thoroughfares.

- A) Planned Commercial Districts having less than twenty (20) acres in area shall have direct access to at least one (1) Arterial Street.

The project is proposing one access point along Big Walnut Road, which is classified as an arterial road.

- B) Planned Commercial Districts of twenty (20) or more acres in area shall have direct access to one (1) Arterial street and one (1) Collector street and/or two (2) access points on an Arterial Street.

Not applicable. The site is less than 20 acres.

1203.03 Where the Lot Lines separate a Planned Commercial District from a Residential or Planned Residential District:

- A) There shall be created, at a minimum, an undeveloped green strip of seventy-five (75) feet planted with grass and/or landscaped with the purpose of providing a year-round combination of shrubs and trees; and

A divergence is requested for 1203.03.A. We are proposing a 40-foot undeveloped green strip along the shared lot line of PID 317-240-03-018-007, which we believe is zoned Rural Residential. Refer to sheet C200 for landscaping details.

- B) A visual and mechanical barrier, in accordance with Section 2003, shall be provided seventy- five (75) or more feet from said Lot Lines.

A divergence is requested for 1203.03.B. We are proposing a 40-foot visual and mechanical barrier along the shared lot line of PID 317-240-03-018-007 in the form of landscaping in compliance with Section 2003. Refer to sheet C200 for landscaping details.

1203.04 Reserved.

1203.05 Reserved.

1203.06 Total land occupancy by all Buildings and Impervious Surfaces on a Lot or Tract in this District shall not exceed seventy-five percent (75%) of the area of the said Lot or Tract provided, however, that underground parking structures, the highest portions of which are not more than thirty (30) inches above the level of the centerline of the nearest adjacent Street, shall not be included in computations of land occupancy by Buildings.

The proposed impervious area for the site is 38.3%, which is below the maximum of 75%. This impervious area calculation excludes any impervious area within the R/W (both before and after the R/W dedication associated with the roundabout improvements) and includes existing/proposed buildings, structures, pavement, and gravel.

1203.07 Maximum Gross Floor Area. No Building shall exceed 65,000 square feet in gross Floor Area on a single Lot or Tract. A Commonly Controlled Business Operation shall not exceed usage of 65,000 square feet of gross Floor Area within one or more Buildings on a single Lot or Tract.

The proposed building has a gross floor area of 2,400 sq. ft. and the existing building has a gross floor area of 576 sq. ft. for a total of 2,976 sq. ft., which is below the maximum of 65,000 sq. ft.

1203.08 Storm Water Management – all Planned Developments shall have a storm water management plan, approved by the Delaware County Engineer’s Office, if required.

Acknowledged. The proposed storm water management for the site will include an underground detention facility beneath the proposed parking lot and will be routed to the nearest available outlet, likely to an existing storm sewer in Big Walnut Rd.

1203.09 Parking and Loading Areas

- A) Reserved.

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

A divergence is requested for 1203.09.B, as screening is not proposed between the parking lot and Big Walnut Road. However, the proposed parking spaces are parallel to Big Walnut Road, so headlights from parked vehicles will not be directed toward Big Walnut Road. Parking lot screening is proposed along the western lot line that is shared with the Rural Residential property as well as along the Old 3C Highway street frontage (see sheet C200). Refer to the responses provided for Section 703.08 and the development text in Article 20.

- C) No parking lot shall be closer than twenty-five (25) feet from the edge of the Contiguous Street Right-of-Way in a Planned Commercial District, unless the parking lot is Contiguous to a Residential or Planned Residential District, in which case seventy-five (75) feet shall be the closest distance of the parking lot to the edge of the Contiguous Street Right-of-Way.

A divergence is requested for 1203.09.C. Refer to the responses provided for Section 703.08.

1203.10 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;

Not applicable.

- B) Curbs and gutters shall be installed; and

Not applicable.

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

Not applicable.

1203.11 Walkways – All walkways shall be constructed of a suitable, dust free, hard surfacematerial.

Acknowledged.

1203.12 Trees

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

Acknowledged. Land disturbance will be kept to a minimum to preserve the existing natural conditions of the site. The areas north and west of the proposed parking lot will not be disturbed, except to add landscaping as proposed.

- 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.

Acknowledged. The project does not anticipate tree removals.

- 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.

Acknowledged. The project does not anticipate tree removals.

1203.13 Landscaping – All areas shall be landscaped. The developer shall submit a conceptual landscaping plan to be reviewed as part of the development plan. Each Lot shall be seeded or sodded in accordance with the approved development plan before a Certificate of Zoning Compliance is issued.

Acknowledged.

Section 1204: Required Conditions for Businesses

No Use shall be approved in a Planned Commercial District until the applicant certifies as part of the Final Development Plan that:

1204.01 Activities, excluding parking, shall primarily be conducted within a completely enclosed Building or other appropriate structural element(s) unless otherwise permitted herein.

Acknowledged.

1204.02 Reserved.

1204.03 Reserved.

1204.04 All premises shall be furnished with all weathered 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.

Acknowledged. The proposed walks will be concrete and the non-hardscape areas shall be landscaped/planted (see sheet C200).

1204.05 Where the Lot Lines separate this District from a Residential or Planned Residential District, a visual and mechanical barrier, a minimum of five and one-half (5 ½) feet in height, shall be provided along the common Lot Line.

Acknowledged. The proposed development has provided landscape screening with a minimum height of 6' along a common lot line with a Rural Residential property (see sheet C200).

1204.06 No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.

Acknowledged.

1204.07 The emission of smoke or other air pollutants and dust borne by wind shall be kept to a minimum by appropriate Landscaping, paving, or other acceptable means.

Acknowledged.

1204.08 There will be no emission of odors or odor causing substances which can be detected without the use of instruments at or beyond the Lot Lines.

Acknowledged.

1204.09 There will be no vibrations which can be detected without the use of instruments at or beyond the Lot Lines.

Acknowledged.

1204.10 A Zoning Permit shall be obtained before any Use is initiated, changed, or altered in accordance with Section 115.02.

Acknowledged.

1204.11 Trash, Junk, and litter shall be controlled and stored in containers. Dumpsters, and other similar types of large waste containers which are typically not moved by Manual means, and which are not considered to be a Portable Storage Unit, shall not be permitted in a required Front Yard and shall be enclosed and screened in accordance with Section 2003.

Acknowledged. Refuse and recycling will be minimal due to the proposed use of the facility, collected in a standard portable refuse tote, and will be kept in an inconspicuous location on non-collection days.

Section 1205: Permitted Principle Uses

The proposed building will consist of offices, which is a permitted use as outlined under 1205.01.A.

Section 1206: Permitted Accessory Uses

- 1206.01 Accessory Buildings and/or Structures as regulated by Section 1609.
- 1206.02 Portable Storage Units as regulated by Section 1707.
- 1206.03 Off-Street parking and loading spaces as regulated by Article 19.
- 1206.04 Offices, Retail operations, and or Service Businesses incidental and ancillary to the principal Use.
- 1206.05 Fences, Accessory Walls, and Retaining Walls as regulated by Article 20.
- 1206.06 Aerial Antennas and Satellite Dish Antennas as regulated by Section 2203.
- 1206.07 Temporary Uses and Special Events as regulated by Section 1702.
- 1206.08 Incidental manufacturing, processing, packaging, repair, or treatment of goods.
- 1206.09 Agriculture exempted from zoning by the Ohio Revised Code per Section 1714.
- 1206.10 Agritourism exempted from zoning by the Ohio Revised Code per Section 1715.
- 1206.11 Farm Markets exempted from zoning by the Ohio Revised Code per Section 1716.
- 1206.12 Public and private utilities, including telecommunication towers, as regulated by Section 102.06 and Article 22.
- 1206.13 Governmental Facilities as regulated by Section 102.07.
- 1206.14 Outdoor advertising and Signs as regulated by Section 102.09 and Article 18.

No such uses listed in Section 1206, other than the existing accessory building permitted under Section 1206.01, are currently proposed. The existing accessory building will be used for storage and maintenance purposes.

Section 1207: Prohibited Uses

- 1207.01 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.
- 1207.02 The Outdoor Storage of inoperable, unlicensed, or unused motor vehicles for a period exceeding seven (7) days is prohibited. Said vehicle, if stored on the premises, shall be enclosed within a Building so as not to be visible from any adjoining property or public road.
- 1207.03 Except as may be specifically permitted by Section 1702, no Mobile Home or mobile home office Structure shall be placed or occupied in this District.
- 1207.04 Sexually Oriented Businesses.
- 1207.05 Residential Care Facilities regardless of the number of residents. 1207.06 Agriculture, Agritourism, and Farm Markets not otherwise exempted from zoning by the Ohio Revised Code.

No uses listed within Section 1207 are proposed.

Section 1208: Dimensional Requirements

- 1208.01 Minimum Yard requirements: Front, Side, and Rear Yards shall be designed so that no Building is closer than fifty (50) feet to any other Building. No Buildings shall be located closer than one hundred (100) feet to any District boundary line or one hundred (100) feet from a street Right-of- Way.

A divergence is requested for 1208.01. We are proposing the building to be approximately 8.5 feet from the Big Walnut Road R/W and approximately 35.5 feet from S. Old 3C Highway R/W. Additionally, the proposed building is located approximately 72 feet from the existing accessory building on the property and approximately 65 feet from the existing building on PID 317-240-03-020-000. The proposed building is also located approximately 138 feet from the northern shared property line of the rural residential zoned property and approximately 156 feet from the western shared property line.

- 1208.02 Building Height limits: Unless otherwise permitted in Section 1616, no Building in this District shall

exceed thirty-five (35) feet in height. No Aerial Antenna or tower shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line less ten (10) feet of said Tract.

The height of the proposed office building is 33 feet, which meets the maximum requirement of 35 feet. The height of the existing accessory building is 12', which also meet the maximum requirement. There are no aerial antennas proposed.

Section 1209: Administration and Enforcement

1209.01 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 general 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.

Acknowledged.

1209.02 Applications and requests pertinent to the Planned Commercial District, including: Zoning Map Amendments, Preliminary Development Plans, Final Development Plans, Final Development Plan amendments, Divergences, modifications/alterations, subdivisions, Zoning Permits, and Certificates of Compliance, shall be administered in accordance with Article 27.

Acknowledged.

1209.03 Enforcement shall be conducted pursuant to Section 2713.

Acknowledged

ARTICLE 16: GENERAL DEVELOPMENT STANDARDS

Section 1601: Intent and Purpose

The following general regulations are applicable to all Zoning Districts unless otherwise stipulated or modified by the requirements of a specific Zoning District.

Section 1602: Street Frontage Required

No new Lot shall be created, nor shall any Building be erected, upon a Lot which does not possess its own access drive and the required minimum Frontage upon a public or an approved private street or Common Access Drive (CAD) established for the District in which such Lot is located.

Not applicable.

Section 1603: Reserved

Section 1604: Common Access Drives

A Common Access Drive shall be permitted if approved by the Delaware County Regional Planning Commission.

Not applicable.

Section 1605: Access Drives and Appurtenant Structures

All private access drives and necessary or related appurtenant Structures shall conform to the following requirements and may be subject to approval by the Genoa Township Fire Department:

1605.01 Private access driveways for individual Lots that terminate at a length greater than eighty (80) feet from a public street shall be not less than twelve (12) feet in width and shall be constructed over an aggregate base of ten (10) inches or other depth as necessary to support the weight of service and emergency vehicles.

Not applicable.

1605.02 Private access driveways for individual Lots with a travel length over four hundred (400) feet shall be designed to provide widened paved passing areas at least fifteen (15) feet in width and sixty (60) feet in length at intervals not more than three hundred (300) feet in distance from each other.

Not applicable.

1605.03 All culverts, bridges, and similar drainage facilities constructed as integral components of access drives shall be certified by a professional engineer in writing that good engineering practices have been utilized in their design and construction and that such Structures meet current standards as necessary to protect the public safety and general welfare.

None of these drainage facilities are currently proposed.

1605.04 Gates erected across an access drive, or across any part of a property's ingress/egress and/or incorporated in an Entry Feature of any property shall provide manual or automatic release mechanisms for emergency vehicle access. Electronically or manually locking gates that cannot meet the above requirements are prohibited.

Not applicable.

1605.05 Entry Features.

A) The maximum height permitted for an Entry Feature, excluding architectural features or gates spanning over a driveway, shall be eight (8) feet.

Not applicable.

B) Entry Features erected approximately parallel to a Lot's linear Right-of-Way Frontage shall comprise no more than fifty percent (50%) of the length of said Frontage. Said measurement shall exclude any architectural features or gates spanning over a driveway.

Not applicable.

Section 1606: Principal Buildings per Lot

No more than one (1) Principal Building or Structure may be constructed upon any one Lot for the purposes of this Resolution unless approved as part of a Planned Development. No Divergence shall be required to place more than one (1) Principal Building or Structure in a Planned Development.

Only one building is proposed for the site.

Section 1607: Reduction of Area or Space

1607.01 No Lot, Yard, court, parking area, or other space shall be reduced in area or dimension thus making said area or dimension less than the minimum required by this Resolution without a Variance or Divergence. If said area or dimension is already less than the minimum required by this Resolution, it shall be considered to be non-conforming and subject to Article 25.

Acknowledged.

1607.02 No part of a Yard, court, parking area, or other space provided for any Building or Structure for the purpose of complying with the provisions of this Zoning Resolution shall be included as part of a Yard, court, parking area or other space required under this Zoning Resolution for another Building or Structure unless otherwise specified herein.

Acknowledged.

Section 1608: Architectural Projections Into Required Yards

All architectural projections shall be in accordance with the following provisions:

1608.01 Sills, pilasters, cornices, eaves, gutters, and other similar architectural features may project into any required yard Setback, No Build Zone, or No Disturb Zone a maximum of twenty-four (24) inches.

Acknowledged, proposed building projections will not extend to yards, setbacks, or similar zones.

1608.02 Decks, steps, elevated patios, Awnings, balconies, and other similar types of incidental Structures which are attached to a Principal Building may extend into the required Front and Rear Yard a maximum of ten (10) feet.

Acknowledged, there are no proposed extensions into yards.

1608.03 No Structure, unless otherwise specified herein, may project into a required Side Yard.

Acknowledged, there are no proposed extensions into yards.

1608.04 Window wells.

A) Egress window wells may extend into a required side yard provided that the well is covered with a hard surface and the well is no closer than six (6) feet to any adjoining Lot Line.

B) Window wells which do not provide egress and are two (2) feet or less in depth may extend to the Lot Line.

Not applicable, window wells not proposed.

Section 1609: Accessory Structures

1609.01 All Accessory Buildings shall be in conformity with the following provisions:

A) No Accessory Building shall be erected within any required Front Yard Setback of the Principal Building.

Existing Accessory Building to remain is not located in a Front Yard.

B) Side and Rear Yard Setbacks for Accessory Buildings shall be ten (10) feet. When the required Side Yard Setback is less than ten (10) feet, the Accessory Building may be located at that reduced Setback.

Existing Accessory Building to remain is not located within 10 feet of a side or rear property line.

- C) The maximum number of permitted Accessory Buildings per Lot shall be one (1) plus one (1) for each full acre of Lot size, but in no case shall exceed five (5) Accessory Buildings on a Lot.

One existing Accessory Building will remain, project complies with requirement.

- D) The maximum height shall not exceed twenty-two (22) feet on a Lot under three (3) acres in size. On parcels three (3) acres or larger, the maximum height shall not exceed thirty-five (35) feet.

Existing Accessory Building to remain complies with requirement.

- E) Accessory Buildings shall be subject to any applicable Building and/or Lot Coverage restrictions within this Resolution.

Existing Accessory Building included in lot coverage calculations.

- F) No Accessory Building within any district shall contain an Accessory Dwelling unless such Use is permitted as a Conditional Use within a District. Accessory Dwellings, where permitted, shall comply with Section 1713.

Acknowledged, no Accessory Dwelling proposed in scope of application.

1609.02 All Accessory Structures shall be in conformity with the following provisions, unless otherwise stated within this Resolution:

- A) No Accessory Structure shall be erected within any required Front Yard Setback.
- B) Side and Rear Yard Setbacks for Accessory Structures shall be ten (10) feet. When the required Side Lot or Rear Lot Line for the Principal Building on that property is less than ten (10) feet, the Accessory Structure may be located at that reduced Setback.
- 1) A propane tank is permitted in a Side or Rear setback so long as it is placed in accordance with the minimum setback requirements set forth in the National Fire Protection Association's Liquefied Petroleum Gas Code (NFPA 58), as may be amended, and thus shall not require a Zoning Permit.
 - 2) Mechanical structures, such as air conditioners and generators, shall be exempt from any Side or Rear Yard requirements and thus shall not require a Zoning Permit.
- C) No Accessory Structure shall exceed twelve (12) feet in height.
- D) Solar panels shall be constructed to not protrude more than two (2) feet above the roofline of a building on which they are mounted, not to exceed the maximum building height.
- E) Accessory Structures shall be subject to any applicable Lot Coverage restrictions within this Resolution.
- F) Fences, Accessory Walls, and retaining walls shall be regulated by Article 20.
- G) Entry Features shall be regulated by Section 1605.
- H) Outdoor advertising and Signs shall be regulated by Article 18.

No accessory structures, existing or proposed, are included within the plan other than the existing accessory building referenced in Section 1609.01.

Section 1610: Outdoor Storage and Waste Disposal

All Outdoor Storage and waste disposal shall be in accordance with the following provisions:

1610.01 Highly flammable or explosive liquids, solids, or gases shall not be stored in bulk above or below

ground in any Residential or Planned Residential District.

1610.02 The storage of hazardous or toxic materials shall not be permitted without documented approval by the Ohio Environmental Protection Agency.

1610.03 Materials or wastes which might cause fumes or dust, which constitute a fire hazard, or which may be edible or attractive to rodents or insects shall be stored outdoors only in closed containers constructed of impervious material.

1610.04 No materials or wastes shall be deposited upon a Lot in such form or manner that they may be transferred off the Lot by wind, flood, or natural causes or forces.

All of Section 1610 is acknowledged.

Section 1611: Nuisances

1611.01 Any Building or Structure declared unfit for human habitation in any Zoning District by the Board of Health, or any Building or Structure in the township declared insecure, unsafe, or structurally defective by the Township Fire Department, the County Building Department or other authority responsible under Chapter 3781 of the Ohio Revised Code for the enforcement of building regulations, shall be removed or repaired to a safe and structurally sound condition. Enforcement shall be accomplished through the procedures outlined in Section 505.86 of the Ohio Revised Code.

1611.02 The following shall be prohibited and subsequently considered a Nuisance. Enforcement shall be accomplished through the procedures outlined in Section 505.87 of the Ohio Revised Code, where applicable, and/or via Section 116 of this Resolution:

The storage or accumulation of trash, garbage, refuse and other debris (including, without limitation, discarded household goods, discarded commercial products, discarded building materials, discarded industrial by-products, discarded brush and other vegetation and other similar materials). Garbage, refuse, and debris that is completely enclosed within an appropriate container and placed at an assigned location for regularly scheduled pick-up shall not be considered a violation of this standard.

- A) The storage or accumulation of Junk, Junk Vehicles, vehicle parts and other similar debris. Outdoor Storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days shall not be considered a violation of this standard provided such vehicles are completely enclosed within a Building so as not to be visible from any adjoining property or public road.
- B) Overgrown or unmaintained weeds, grasses, and/or vegetation which are/is noxious, pose(s) a threat to public health, safety, or general welfare, or constitute(s) a significant annoyance and/or inconvenience to the general public.

All of Section 1611 is acknowledged.

Section 1612: Objectionable Practices or Conditions

1612.01 The occupation or Use of any Lot, Building, or Structure in any District shall be in violation of this Resolution if one or more of the following conditions is found to exist at any time:

- A) Noise or vibration which, at the Lot Line of the Lot on which such noise or vibration is produced, exceeds a level that is normally perceptible from other activities in the area, significantly out of character for the area, and/or poses a direct and immediate threat to public health, safety, or general welfare.
- B) Direct or reflected glare exists that is in violation of Article 21.

1612.02 The operation of Off-Road Motorized Vehicles including but not limited to all-terrain vehicles, snowmobiles, and motor bikes, are a Nuisance per se when operated in such a manner that causes excessive noise, loss of protective vegetation, damage to property or loss of wildlife habitat. Accordingly, to protect the health and safety of Genoa Township residents such vehicles shall be operated only in conformance with the following standards:

- A) No Off-Road Motorized Vehicle shall not be operated in any public park, wildlife preserves, or forest preserve unless a designated trail is provided and marked as such.

- B) Erosion shall be physically controlled and detained on-site in accordance with the standards and regulations of Delaware County.

All of Section 1612 is acknowledged.

Section 1613: Reserved

Section 1614: Water Impoundments

- 1614.01 All water impoundments, such as ponds or lakes, shall be constructed and developed so that said impoundment(s) is/are set back at least fifty (50) feet from the Front Lot Line and ten (10) feet from any Side or Rear Lot Line. This standard shall not apply to stormwater basins, decorative ponds, lakes, or water features located within designated Open Space areas of Planned Developments.

All of Section 1614 is acknowledged.

Section 1615: Sight Distance

- 1615.01 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 public Streets. In determining if any sight impediment exists, the Zoning Inspector, or their designee, 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.

All of Section 1615 is acknowledged.

Section 1616: Exceptions, Modifications, and Interpretations of Height Regulations

- 1616.01 Height limits stipulated elsewhere in this Zoning Resolution shall not apply to:

- A) Spires, belfries, cupolas, domes, bulkheads, elevator penthouses, or parapet walls extending not more than four (4) feet above the limiting height of the Building.
- B) Fire towers, cooling towers, grain elevators, gas holders or other Structures; provided, however, that, all such Structures above the heights otherwise permitted in the District shall not occupy more than twenty-five percent (25%) of the area of the Lot and shall be distant not less than twenty-five (25) feet in all parts from every Lot Line.

All of Section 1616 is acknowledged.

Section 1617: Dangerous Wild Animals

- 1617.01 No person within any District shall own, harbor, keep, breed, sell, or import any dangerous wild animal, as defined and regulated by ORC 935.01(C), as may be amended, and the Ohio Department of Agriculture, unless otherwise exempted by said law or agency.

All of Section 1617 is acknowledged.

ARTICLE 18: SIGN STANDARDS

Section 1801: Intent and Purpose

- 1801.01 Signs obstruct views, may distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. In addition to causing distractions and obstructions that may contribute to traffic and pedestrian accidents, Signs are as much subject to control as noise, odors, debris and like characteristics of a use that, if not controlled and regulated, may become a Nuisance to adjacent properties or the community in general.
- 1801.02 The intent and purpose of this Article is to regulate the size, color, illumination, movement, materials, location, height and condition of all Signs for exterior observation and to balance the protection of public health, safety, and general welfare of Genoa Township with the need to adequately identify, communicate, and advertise via Signs, by:
- A) preserving the noncommercial character of residential neighborhoods;
 - B) providing reasonable, yet appropriate, conditions for identifying businesses and services rendered in commercial districts;
 - C) reducing traffic and pedestrian hazards by restricting Signs, including Signs with lights and/or motion, which may exceed the viewers' capacity to receive information or which increase the probability of accidents created by distracting attention or obstructing vision;
 - D) promoting expeditious and safe navigation and wayfinding for pedestrian and vehicular traffic through legible and appropriate Signs;
 - E) preserving order, attractiveness, and cleanliness; maintaining open spaces, avoiding the appearance of clutter, and preventing Nuisances and invitations to vandalism;
 - F) requiring Signs be constructed and maintained in a structurally sound and attractive condition;
 - G) maintaining property values and ensuring compatibility with surrounding landscape and architecture including, but not limited to, areas of historical significance;
 - H) encouraging aesthetic quality in the design, location, and size of all Signs; and
 - I) protecting and encouraging a more attractive economic, business, and overall physical appearance of the community.
- 1801.03 This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of other provisions of this article which can be given effect without the invalid provision.
- 1801.04 Genoa Township does not have jurisdiction to regulate Signs on property of the United States Government, the State of Ohio, Delaware County, or those Signs erected pursuant to, and in furtherance of, a governmental function thereof.

Section 1802: General Provisions and Safety Requirements

1802.01 Scope and Applicability.

- A) The requirements of this Article apply to all Signs, Sign Structures, Awnings, and other types of Sign devices located with Genoa Township, as defined within this Resolution, except as may be exempted or otherwise specified.

Acknowledged.

- B) All Government Signs are hereby exempted from the restrictions of this Article and need not comply with any restriction contained hereinafter. The inclusion of "government" in describing some Signs does not intend to subject any of the aforementioned entities to regulation but, instead, is intended to help clarify the type of Sign that falls within the immunities of government from regulation.

Acknowledged.

1802.02 No Zoning Permit shall be issued for an existing or proposed Sign requiring such permit pursuant to this Zoning Resolution unless said Sign is found to be consistent with the requirements of this Resolution as well as with any Legal Approval applicable to said Sign.

- A) Content of the message displayed on the Sign, whether it be Commercial Speech or Non-Commercial Speech, shall not be reviewed or considered in determining whether to approve or deny a Zoning Permit for a Sign, unless said speech is found to be Illicit.

Acknowledged.

- B) Any conflicting or more restrictive Sign provision located within any Legal Approval granted prior to adoption of this Article shall supersede this Article unless said provision is found to be illegal or content-based, in which case this Article shall prevail.

Acknowledged.

- C) Modifications or Alterations to a Sign with pre-existing Legal Approval may require new or amended Legal Approval as established within, and in accordance with, this Zoning Resolution.

Acknowledged.

1802.03 Measurement.

- A) With regards to any existing or proposed Sign, the Zoning Inspector shall be authorized to determine each of the following:

- 1) The type of Sign (including the type of Temporary Sign) within the definitions contained within this Resolution; or
- 2) Whether a Sign Structure has a communicative element to it and is therefore part of the Sign Area; or
- 3) The Height, Width, or other measurable characteristics of a Sign or component thereof; and
- 4) Whether a Sign is Abandoned or Deteriorated as defined herein.

All requirements of 1802.03.A are acknowledged.

- B) For Signs with Internal Illumination, the entire lighted surface shall be considered part of the Sign Area.

Not applicable.

- C) For spherical Sign Structures or portion(s) thereof, the sphere shall be dissected by an imaginary line through the center of the sphere and the surface area of the half sphere shall be counted as the Sign Face. The Zoning Inspector shall have discretion to use similar methods.

Not applicable.

- D) For cubical Sign Structures or portion(s) thereof, the area of all display faces (all faces not parallel to the ground) shall be included in determining the Sign Area. The Zoning Inspector shall have discretion to use similar methods.

Not applicable.

- E) The Zoning Inspector shall have discretion to use a similar method of calculation identified in Sections 1803.02.C and 1803.02.D for Sign Structures that are not flat but have non-cubical or non-spherical shapes.

Acknowledged.

- F) Where a Sign has two (2) or more display faces, the area of all faces of the Sign shall be included in determining the Sign Area unless:

- 1) Two (2) display faces join back-to-back, parallel to each other, and are not more than twenty-four (24) inches apart; or
- 2) Such faces meet and form a V-angle of less than forty-five (45) degrees.

All requirements of 1802.03.F are acknowledged.

1802.04 Prior to occupancy, each Building within Genoa Township shall be identified with street address numbers in Arabic numeral form.

Residential Buildings shall be identified with reflective address numbers, not less than three (3) inches in height, posted on both sides of the mailbox for that Building. Address numbers may also be posted on the principal residential Structure. For residences located on a Common Access Drive, address numbers shall be located at the split of the drive and at the street. Common Wall Single-Family Attached Units and Residential Buildings whose mailboxes are located on the opposite side of the street shall place the address on the fronts of the building facing the street to show unit numbers contained within that Building. These addresses shall also be required on the mailbox(es).

Acknowledged.

- A) Non-Residential Buildings shall be identified with street numbers not less than six (6) inches in height, which shall be posted on the Structure no more than three (3) feet from the main entrance. Large Buildings containing multiple units shall place the address on the fronts of the building facing the street to show unit numbers contained within that Building. These addresses will also be located on the mailbox(es).

Acknowledged, see keyed note 17 on building elevations.

1802.05 All Signs erected or located within Genoa Township shall be in conformance with the following requirements unless otherwise exempted and/or regulated by this Resolution:

- A) Sign Structures, and any Sign affixed to a Sign Structure, shall not be erected within, nor project into, any public Right-of-Way unless otherwise specified within this Article or authorized by the entity owning said Right-of-Way. Written proof of such authorization shall be required at the time of permit application.

Acknowledged, no signs are proposed to be located within the R/W.

- B) Signs shall not be erected on, or project over, any public property unless otherwise authorized by the public entity owning said property. Written proof of such authorization shall be required at the time of permit application.

Acknowledged, no signs are proposed to be located within the R/W.

- C) Signs shall not prevent free ingress to or free egress from any door, window, or fire escape.

Acknowledged.

- D) Signs shall not obstruct free and clear visibility at any intersection.

Acknowledged.

- E) Signs shall not be located or designed to interfere with, obstruct the view of, any authorized traffic control Sign, signal, or device.

Acknowledged.

- F) No Sign shall be designed to mimic, or cause a reasonable person to confuse said Sign, with, a Government Sign or any public safety, warning, or notice Sign or device.

Acknowledged.

- G) Illumination.

- 1) External Illumination. External Illumination of a Sign shall be permitted by a white, steady, stationary light of reasonable intensity directed solely at the Sign and/or otherwise prevented from beaming directly onto adjacent properties or Right-of-Ways. Light fixtures shall be screened from view by site grading or evergreen shrubs. No exposed light sources are permitted.

External illumination for the signage is being proposed. Said illumination will be directed

solely at the sign. Refer to sign details #2 and #3 on sheet A-0.1.

- 2) Internal Illumination. Internal Illumination of a Sign shall be permitted by white interior light of reasonable intensity with primary and secondary images lit or silhouetted on an opaque background. No additional background lighting or illuminated borders shall be permitted. This standard shall not apply to Electronic Message Center (EMC) Signs or Changeable Copy signs, where permitted.

Not applicable.

- 3) The level of illumination emitted or reflected from a Sign shall not be of intensity sufficient to constitute a demonstrable hazard to vehicular or pedestrian traffic on any Right-of-Way, Lot, easement, or parking lot from which the Sign may be viewed.

Acknowledged.

- 4) No Sign shall make use of rotating, fluctuating, blinking, flashing, or intermittent lights. All lighting, indirect or internal, shall consist of constant illumination which is uniform in intensity.

Acknowledged.

- 5) All lighting shall be properly directed and shielded to not create a Nuisance to surrounding properties or Right-of-Ways because of glare.

Acknowledged, lighting to be screened by landscaping as shown on sign details #2 and #3 on sheet A-0.1.

- 6) Illumination of Signs via band or strip lighting shall be prohibited.

Acknowledged.

- 7) Illumination shall not exceed one (1) Foot-candle at any Lot Line located immediately adjacent to a Planned Residential or Residential Zoning District.

Acknowledged, lighting levels directed at signs will not exceed 1 foot candle at residential districts. See sign details #2 and #3 on sheet A-0.1.

- 8) No Sign within a Planned Residential or Residential Zoning District, or within one-hundred and fifty (150) feet of a Residential Zoning District, shall be illuminated between the hours of 12:00 a.m. midnight and 6:00 a.m.

Acknowledged, see note on drawings regarding western sign complying with this requirement, as the sign will be located approximately 89 feet from a residential district.

- H) Signs shall not be posted, Attached, or otherwise applied to; trees, vegetation, rocks, traffic control Signs, bus shelters, utility poles, benches, street lights, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting Structure, unless otherwise permitted by this Resolution.

Acknowledged.

- I) Signs shall not be erected or located upon any property or Building without the consent of the owner(s) or an authorized representative. Written proof of such authorization shall be required at the time of application for Signs requiring a Zoning Permit.

Acknowledged.

- J) All Signs shall be placed so that at least six (6) feet of sidewalk, walkway, bikeway, pathway, or trail width clearance is provided and maintained at all times to allow for safe and convenient movement of pedestrians and bicyclists. No Signs shall be placed within a sidewalk, walkway, bikeway, pathway, or trail improvement less than six (6) feet wide.

Acknowledged, signs will not be located to restrict any sidewalk. See drawing A-0.1.

- K) The maximum permitted Sign Height of a Sign shall be eight (8) feet unless otherwise regulated or exempted by this Article.

Acknowledged, signage proposed will not exceed 8 feet.

- L) No Sign shall extend or project above or beyond the roof line of a Building, Awning, Canopy, or Marquee.

Acknowledged, no such signs are proposed.

- M) The minimum vertical clearance for all Building Mounted Signs shall be ten (10) feet, measured from the bottom of the Sign Structure to the finished grade immediately below the Sign. Such Signs erected over an area inaccessible to pedestrians or vehicles shall have no minimum vertical clearance requirement.

Acknowledged, no building mounted signs will be proposed.

- N) The maximum projection distance from a Building for any Building Mounted Sign shall be four (4) feet.

Acknowledged, no building mounted signs will be proposed.

- O) Signs shall not contain movement, the appearance of optical illusion or movement, or varying light intensity.

Acknowledged.

1802.06 All Signs shall be designed, constructed, and maintained in accordance with the following standards:

- A) Any and all applicable building, electrical, or other such third-party permits shall be obtained from Delaware County or any other public agency having authority prior to erection of a Sign.

Acknowledged.

- B) All Signs shall be maintained in good structural condition and in compliance with this Resolution as well as all applicable building codes, electrical codes, or other such codes, standards, or resolutions adopted by a legitimate public entity.

Acknowledged.

- C) All Signs shall be maintained in good physical condition with no chipped, peeling, or fading faces or structures and no loose or missing material or lettering. Metal surfaces shall be maintained free of rust. All Signs shall be maintained free of Deterioration, decomposition, and/or decay.

Acknowledged.

- D) Maintenance of Signs and associated landscaping shall be assumed to be the responsibility of the owner of the property or Building where the Sign is located unless a legally executed easement, covenant, maintenance agreement, contract or other such document stating otherwise is provided to the township as evidence proving otherwise.

Acknowledged.

1802.07 The standards, restrictions, provisions, or requirements of any legitimate and recognized public government entity, agency, law, act, or order, having jurisdiction, such as, but not limited to, the Americans with Disabilities Act (ADA), shall supersede any conflicting standards, restrictions, provisions, or requirements within this Zoning Resolution. Approval of a Zoning Permit for a Sign by Genoa Township shall not constitute verification of compliance with the Americans with Disabilities Act (ADA) or any other standard, restriction, provision, or requirement of any non-Township entity, agency, law, act, or order.

Acknowledged.

1802.08 Refacing or repainting of any existing Sign, whether it be a legal Nonconforming Sign or erected under an approved Zoning Permit, shall be permitted without obtaining a Zoning Permit so long as said Sign has no open or pending zoning violations and is one-hundred (100%) consistent with the existing Sign

that is being replaced in regards to; Sign Area, Sign Structure, Sign Height, type, location, spacing, number, dimensions, Setbacks, vertical clearance, projection distance, illumination, and brightness. Such Signs will still be required to comply with all other applicable provisions or standards of this Zoning Resolution. The Zoning Inspector shall have discretion to determine whether the refacing or repainting of a Sign complies with the spirit and intent of this sub-section.

Acknowledged.

1802.09 Any Refacing of a Sign that requires the modification, alteration, or expansion of said Sign shall not be eligible for Zoning Permit exemption and shall be required to comply with all applicable standards of this Resolution. Such a Sign must be brought into compliance with all provisions of this Resolution within thirty (30) days.

Acknowledged.

Section 1803: Authorized Signs for All Zoning Districts

1803.01 The following Signs are authorized in every Zoning District without a Zoning Permit, unless otherwise restricted or prohibited by the Table of Permitted Sign Types by Zoning District:

A) Government Signs in accordance with Section 1802.01.B of this Article.

Not applicable.

B) Any Sign required to be posted by the Federal government, the State of Ohio, Delaware County, Genoa Township, or sub-entity thereof.

Not applicable.

C) Traffic control devices on private or public property erected and maintained to comply with the Manual on Uniform Traffic Control Devices (MUTCD) adopted by the Federal Highway Administration (FHA).

Acknowledged.

D) Any non-Temporary Sign permitted by the Table of Permitted Sign Types by Zoning District whose Sign Area equals eight (8) square feet or less and whose Sign Height measures four (4) feet or less. Any Sign with a Sign Area of two (2) square feet or less which is also two (2) feet or less in height, regardless of type, shall also be permitted unless said type is outright prohibited in Section 1808.

Acknowledged, temporary signs are not part of this application.

E) Any Sign permitted by the Table of Permitted Sign Types by Zoning District whose Sign Area is sixty (60) square feet or less in size, is set back one-hundred (100) feet or more from any Lot Line and is not intended to be visible from any immediately adjacent Right-of-Way.

Acknowledged.

F) Address Signs subject to the size and location restrictions contained in this Article.

Acknowledged.

G) Awning Signs.

Not applicable.

H) Billboard Signs

Not applicable, no billboards are proposed as a part of this development.

1) Minimum Acreage required: One (1) acre.

2) Maximum Number permitted: One (1) per Lot or Tract.

a) No Billboard Sign shall be located within two thousand six hundred and forty (2,640) feet

in any direction of any other existing or proposed Billboard Sign.

- b) No Billboard Sign shall be permitted on any Lot or Tract which already contains a Sign.
- c) No other Sign shall be permitted on any Lot or Tract containing a Billboard Sign.

3) Maximum Sign Area permitted:

- a) Non-Residential Zoning Districts: Three hundred (300) square feet.
- b) Planned Residential and Residential Zoning Districts: Sixty-four (64) square feet.

- c) No Billboard Sign shall have more than two (2) sides or surfaces and the display area of any one (1) side or surface shall not exceed one-half of the total display area permitted.
- d) The length of a Billboard Sign shall not exceed four (4) times the height of the Sign Area.

4) Maximum Sign Height permitted:

- a) Non-Residential Zoning Districts: Thirty-five (35) feet.
- b) Planned Residential and Residential Zoning Districts: Fifteen (15) feet.

5) Minimum Setbacks:

- a) Seventy-five (75) feet from any right-of-way or Lot Line adjacent, in part or in whole, to a Non-Residential Zoning District.
- b) One hundred (100) feet from Lot Lines which are immediately adjacent, in part or in whole, to a Planned Residential or Residential Zoning District.
- c) One thousand (1,000) feet from any Residential Dwelling.

6) Illumination permitted: External Illumination in accordance with Section 1802.05.G. No direct ray of light shall extend above or beyond the face of the Sign.

7) No Billboard, or portion thereof, shall consist of an Electronic Message Center (EMC) Sign or an Animation or Video Display Sign.

I) Bulletin Boards of twelve (12) square feet or less.

Not applicable.

J) Flags. Sign Height restrictions within this Article shall not apply to Flags. Flags may encroach into a public Right-of-Way so long as:

- 1) The Flag's supporting Structure does not encroach into the public Right-of-Way pursuant to Section 1802.05.A; and
- 2) The minimum vertical clearance of the bottom of the Flag over the public Right-of-Way is at least ten (10) feet.

Not applicable.

K) Human Signs.

Not applicable.

L) Integral Ground Signs.

Not applicable.

M) Landscape Signs.

Not applicable.

N) Light Pole Signs.

Not applicable.

O) Monuments, sculptures, and other similar forms of public or private artwork.

Not applicable.

P) Sidewalk Signs;

Not applicable.

- 1) Any such Sign shall not exceed ten (10) square feet in area per side.
- 2) Any such Sign shall not exceed four (4) feet in total height, including the Sign Structure.
- 3) Location:
 - a) Any such Signs shall only be placed within two (2) feet of a sidewalk, walkway, bikeway, trail, or other similar non-motorized pedestrian way.
 - b) Any such Signs shall be located no closer than two (2) feet to any public or private street Right-of-Way.

Q) Temporary Signs.

Acknowledged.

- 1) Temporary Signs, Large.
 - a) Such Signs shall not require a Zoning Permit so long as they are erected for no more than seventy-two (72) consecutive hours in a thirty (30) day period.
 - b) Such Signs shall still be required to comply with the standards established in Section 1803.01.Q3) below.
- 2) Temporary Signs, Small.
 - a) The maximum number permitted on a Lot shall be as follows:
 - i) Non-Residential Zoning Districts: One (1) per Lot plus one (1) per every two hundred (200) feet of Lot Frontage on a public or private street.
 - ii) Planned Residential and Residential Zoning Districts: One (1) per Tract plus one (1) per every one-hundred and fifty (150) feet of frontage on a public or private street.
 - iii) Small Temporary Signs located seventy-five (75) feet or more away from a Right-of-Way, regardless of Zoning District, shall not count towards the aforementioned maximums.
 - b) Such Sign shall have no minimum spacing requirements.
 - c) Such Sign shall be placed no closer than two (2) feet to any Lot Line or street Right-of-Way.
 - d) Such Signs shall be permitted to be erected without a Zoning Permit for no more than ninety (90) consecutive days. Small Temporary Signs erected for more than ninety (90) consecutive days shall require a Zoning Permit and shall be subject to the restrictions set forth under Section 1803.01.Q3) below.
- 3) All Temporary Signs which are not exempt from permit, as identified above, shall adhere to the following:
 - a) Maximum number permitted: One (1) per each Lot or each Limited Common Element Area, which must be situated on said Lot or Limited Common Element Area, and one (1) per Tract.
 - i) Small Temporary Signs not requiring a Zoning Permit pursuant to Section 1803.01.Q shall not count towards this requirement.
 - ii) Temporary Signs that are erected in lieu of a permitted Sign that is being repaired or replaced shall not count towards this requirement so long as said Sign is erected in the exact same location and is equal to or smaller than the Sign it is temporarily replacing.
 - iii) The number of Signs on any single given Lot, Limited Common Element Area, or Tract

shall not count toward the permitted maximum on any other Lot, Limited Common Element Area, or Tract.

- iv) The number of Signs permitted, in whole or in part, on any Lot, Limited Common Element Area, or Tract shall not be transferrable to any other Lot, Limited Common Element Area, or Tract.
 - b) Maximum Sign Area permitted per Lot, Limited Common Element Area, or Tract:
 - i) Non-Residential Zoning Districts: Sixty (60) square feet.
 - ii) Planned Residential and Residential Zoning Districts: Thirty (30) square feet.
 - iii) Temporary Signs erected in lieu of a permitted Sign that is being repaired or replaced, for a period less than ninety (90) consecutive days, shall be permitted to be as large as the Sign it is temporarily replacing so long as it is erected in the exact same location as the Sign being repaired or replaced.
 - iv) Permitted square footage on any single given Lot, Limited Common Element Area, or Tract shall not count towards the permitted maximum on any other Lot, Limited Common Element Area, or Tract.
 - v) Permitted square footage, or portions thereof, shall not be transferrable to any other Lot, Limited Common Element Area, or Tract.
 - c) Maximum Sign Height permitted: Six (6) feet.
 - d) Minimum Setbacks: Ten (10) feet from any Right-of-Way or Lot Line.
 - e) Illumination permitted: External Illumination in accordance with Section 1802.05.G.
 - f) Zoning Permits for such Signs erected longer than ninety (90) consecutive days shall be renewed by the applicant of record for the Sign, or their designee, once a year. For the purposes of this provision, a year shall be measured from the date the original Zoning Permit was issued.
- R) Vehicle Signs and other Signs and/or graphics which are printed, wrapped, painted or otherwise permanently or semi-permanently adhered or incidental to machinery, computers, pumps, and/or other similar pieces of equipment.

Acknowledged.

- S) Window Signs located on the interior side of said window.

Acknowledged.

- T) Any Sign located inside a Building or a Structure.

Acknowledged.

- U) Signs specifically related to the practice of Agriculture, Agritourism, or the operation of a Farm Market pursuant to ORC 512.21, as may be amended.

Not applicable.

- V) Any existing Sign, whether it be a legal Nonconforming Use or erected under an approved Zoning Permit, that has no open or pending zoning violations may be replaced with a new Sign, regardless of content, without having to obtain a new Zoning Permit so long as the new Sign is one-hundred percent (100%) consistent with the existing Sign that is being replaced in regards to type, location, spacing, number, Sign Area, dimensions, Sign Height, setbacks, vertical clearance, projection distance, illumination, and brightness. Such Signs will still be required to comply with all other applicable provisions or standards of this Zoning Resolution. Any replacement Sign which requires the modification, Alteration, or expansion of the structure(s) or components supporting the Sign shall not be eligible for Zoning Permit exemption and shall be required to obtain a Zoning Permit and comply with all applicable standards of this Zoning Resolution. The Zoning Inspector shall have discretion to determine whether the replacement of a Sign complies with the spirit and intent of this sub-section.

Not applicable.

1803.02 Any Sign permitted by the Table of Permitted Sign Types by Zoning District but not specifically identified as being exempt from obtaining a Zoning Permit in Section 1803.01 above, shall require a Zoning Permit be obtained prior to installation unless otherwise specified herein.

Not applicable.

Section 1804: Non-Residential Zoning District Regulations

1804.01 The following restrictions shall apply to all Lots and Tracts within a Non-Residential Zoning District.

1804.02 Explanation and Rationale. The purpose of these Non-Residential Zoning District Regulations is to allow for commercial character of non-residential neighborhoods in accordance with Section 1801 of this Article. As such, the regulation of Sign types, sizes, colors, illumination, movements, materials, location, height, and other non-content related matters related to Signs on Lots or Tracts located within Non-Residential Zoning Districts will be different than those established for Signs located on Lots within Planned Residential or Residential or Zoning Districts.

Acknowledged.

1804.03 Authorized Signs and Prohibited Signs. Signs within Non-Residential Zoning Districts shall be authorized or prohibited in accordance with the Table of Permitted Sign Types by Zoning District and Sections 1802 and 1808 of this Article.

Acknowledged.

1804.04 Base Restrictions on Signage. The amount of signage permitted shall be determined by the amount of Frontage of each Lot or Tract.

See drawings for calculations of allowable maximum number of signs and permanent message area base on frontage of property on right of ways. Proposed signs comply with restrictions in 1804.04. The calculated linear frontage cumulatively exceeds 300 linear feet. Two (2) freestanding signs are proposed. Signs will be 8 feet in height. Permanent message area will be 16 SF per side of sign.

Frontage	Max. # of Signs	Sign Structure			Max. Message Area	Max. Chngbl. Copy/EMC Area ²
		Total Permitted Size (sq. ft.)	Max. Height	Max. Width		
≤ 99.99 feet	One (1) Building Mounted One (1) Freestanding ¹	n/a	Eight (8) feet	n/a	Building Mounted = One-quarter (0.25) of a square foot per one (1) linear foot of Lot or Tract frontage (cumulative) Freestanding = Twenty-five (25) square feet per side	Fifty percent (50%) of the Max Message Area or fifty (50) square feet, whichever is smaller
100 – 299.99 feet	Two (2) Building Mounted One (1) Freestanding ¹					
≥ 300	Two (2) Building Mounted, Two (2) Freestanding ¹					

¹ See Section 1803.01.H for Billboard Sign regulations.

² See Section 1804.10 for Electronic Message Center (EMC) Sign regulations.

1804.05 Adjustments to Base Restrictions. The Base Restrictions on Signage permitted in Section 1804.04 hereinabove may be adjusted based upon the following (where any calculation results in a partial number, the calculation's result shall be rounded to the nearest usable unit, with any calculation of 0.500 or lower being rounded down, and any calculation of 0.501 or higher being rounded up):

Acknowledged, see drawings for adjustments to base restrictions allowable for property based on speed limit of roadways. Proposed signs comply with restrictions in 1804.

- A) Lot or Tract Size. Lots or Tracts of the following sizes shall be entitled to increase any or all Base Restrictions of Signage stated in Section 1804.04 as defined below:

LOT OR TRACT SIZE	PERCENTAGE
≤ 1.99 acres	No Bonus
2 - 9.99 acres	Five percent (5%)
≥ 10 acres	Ten percent (10%)

- B) Width of Right-of-Way. Any or all Base Restrictions of Signage stated in Section 1804.04 may be increased based upon the width of the Right-of-Way that abuts the Lot or Tract. For purposes of this subsection, the width shall be measured at the narrowest point directly adjacent to the Lot or Tract.

WIDTH	PERCENTAGE
≤ 74.99 feet	No Bonus
75 - 99.99 feet	Five percent (5%)
≥ 100 feet	Ten percent (10%)

- C) Speed Limit on Roadway. Any or all Base Restrictions of Signage stated in Section 1804.04 may be increased based upon the speed limit upon the Right-of-Way that abuts the Lot or Tract. The speed limit shall be measured at the slowest permitted speed directly adjacent to the Lot or Tract.

SPEED LIMIT	PERCENTAGE
≤ 34.99 MPH	No Bonus
35 - 44.99 MPH	Five percent (5%)
45 - 54.99 MPH	Ten percent (10%)
55+ MPH	Fifteen percent (15%)

- D) Height of Building. Any or all Base Restrictions on Signage stated in Section 1804.04 may be increased based upon the height of the largest Building which is visible from the public Right-of-Way on the Lot or Tract.

HEIGHT	PERCENTAGE
≤ 19.99 feet	No Bonus
20 - 34.99 feet	Five percent (5%)
≥ 35 feet	Ten percent (10%)

- E) Square footage of Building on Property. Any or all maximum signage requirements stated in Section 1804.04 may be increased based upon the Floor Area of all permitted Primary Structures on the Lot or Tract.

TOTAL SQUARE FOOTAGE	PERCENTAGE
≤ 9,999 square feet	No Bonus
10,000 - 64,999 square feet	Five percent (5%)
≥ 65,000 square feet	Ten percent (10%)

- F) Square footage on a façade. Any or all maximum signage requirements stated in Section 1804.04 may be increased based upon the total square footage of the façade of the largest Building which faces the public Right-of-Way on the Lot or Tract.

TOTAL SQUARE FOOTAGE	PERCENTAGE
≤ 1,999 square feet	No Bonus
2,000 – 5,000 square feet	Five percent (5%)
≥ 5,000 square feet	Ten percent (10%)

1804.06 Maximum Sign Restrictions Regardless of Adjustment.

A) All applicable Signs shall comply with the following restrictions, which may not be adjusted according to the Adjustments to Base Restrictions in Section 1804.05.

Acknowledged.

Frontage	Max. # of Signs	Sign Structure			Max. Message Area	Max. Chngbl. Copy/EMC Area ²
		Total Permitted Size (sq. ft.)	Max. Height	Max. Width		
≤ 99.99 feet	Two (2) Building Mounted, Two (2) Freestanding ¹	n/a	Ten (10) feet	n/a	Building Mounted = One-third (0.33) of a square feet per linear foot of Lot or Tract frontage (cumulative) Freestanding = Thirty-five (35) square feet per side	Sixty percent (60%) of the Max Message Area or sixty (60) square feet, whichever is smaller
100 – 299.99 feet	Three (3) Building Mounted, Two (2) Freestanding ¹					
≥ 300	Three (3) Building Mounted, Three (3) Freestanding ¹					

¹ See Section 1803.01.H for Billboard Sign regulations.
² See Section 1804.10 for Electronic Message Center (EMC) Sign regulations.

1804.07 Setbacks. All Signs shall be set back a minimum of ten (10) feet from the Right-of-Way unless otherwise permitted by this Resolution.

We request a divergence to 1804.07. We are proposing two signs be located to be set back from the newly established property line by 2 feet. The sign oriented toward S Old 3C Hwy property line will be approximately 30 feet from the edge of pavement with a 2 foot setback from the newly created property line, and the sign oriented toward Big Walnut Road will be approximately 40 feet from the edge of pavement.

1804.08 Illumination of Signs shall be as specified in Section 1802.05.G.

Acknowledged, see Section 1802.05.G.

1804.09 Temporary Signs shall be permitted in accordance with Section 1803.01.Q.

Acknowledged.

1804.10 Electronic Message Center (EMC) Signs

Not applicable.

- A) Such Signs shall not be permitted on any property that contains an existing or proposed Changeable Copy Sign unless the latter Sign is being completely removed in favor of the former.
- B) Such Signs shall be incorporated into a Ground Monument or Wall Sign.
- C) Maximum number permitted: One (1) per Lot.
- D) All images, messages, and graphics displayed shall be static. Animation and Video Displays are prohibited as is the use of streaming or full-motion video.
- E) Each individual message or display shall be displayed a minimum of fifteen (15) consecutive seconds.
- F) The transition from one static display to another shall be instantaneous without any effects including, but not necessarily limited to the following transition types; fading, flashing, spinning, revolving, scrolling, slot machine, splice, mesh, radar, kaleidoscope, spin, swipe, or any other such transition.
- G) The entire Sign display shall be solid black or blank for a minimum period of three (3) seconds between each message.
- H) The images and message displayed shall be complete in themselves without continuation in content to the next image or message or to any other Sign.
- I) Displays shall be equipped with a means to immediately discontinue the display in the case of malfunction.
- J) Such Signs shall not contain movement, the appearance or optical illusion of movement, or varying light intensity.
- K) Brightness.
 - 1) Any such Sign shall have a mechanism which automatically adjusts the illuminative brightness of the display.
 - 2) No Sign shall be brighter than five thousand (5,000) Nits between sunrise and sunset.
 - 3) No Sign shall be brighter than two-hundred and fifty (250) Nits between sunset and sunrise.
 - 4) The intensity of the Sign light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or general welfare.
 - 5) The brightness of a Sign may not interfere with nearby traffic control devices, regardless of whether the Sign in question was in place prior to said device.
 - 6) Brightness shall be measured in accordance with industry standards

Section 1805: Planned Residential Zoning District Regulations

Not applicable.

Section 1806: Residential Zoning District Regulations

Not applicable.

Section 1807: Nonconforming Signs

1807.01 The continuance of an existing Sign that does not meet the regulations and requirements of this Resolution shall be deemed a Nonconforming Sign that shall terminate upon becoming an Abandoned Sign.

Acknowledged.

1807.02 A Sign that is deemed a Nonconforming Sign shall not be structurally relocated or replaced unless it is brought into compliance with the provisions of this section.

Acknowledged.

1807.03 A Sign that is deemed a Nonconforming Sign shall be maintained or repaired in accordance with

the following provisions:

- A) The size and structural shape shall not be changed or altered.

Acknowledged.

- B) In case damage occurs to the Sign to the extent of fifty percent (50%) or more of either the Structure or the replacement value of the Sign, said Sign shall be brought into one hundred percent (100%) compliance with this Zoning Resolution. Where damage to the Sign is less than fifty percent (50%) of the Structure or its replacement value, the Sign shall be repaired within sixty (60) days. If the Sign is not repaired, it shall be removed in accordance with Section 1809.

Acknowledged.

Section 1808: Prohibited Signs

1808.01 The following Signs are prohibited within the Township:

- A) All Signs not expressly authorized or exempted from regulation in accordance with this Resolution, including those identified as being prohibited on the Table of Permitted Sign Types by Zoning District.

Acknowledged.

- B) Any Sign which has been constructed or installed without obtaining all required permits or is otherwise in violation of the provisions of this Resolution.

Acknowledged.

- C) Abandoned Signs.

Acknowledged.

- D) Non-Government Signs erected on public property without consent of the owner of said property.

Acknowledged.

- E) Any Sign containing content that is considered Illicit unless said content is a permissible expression under the First Amendment of the United States Constitution and therefore not subject to regulation by Genoa Township.

Acknowledged.

- F) Animation or Video Displays on any Sign requiring a Zoning Permit or that is intended to be viewed from the Right-of-Way.

Acknowledged.

- G) Window Signs located on the exterior side of said window and larger than eight (8) square feet in size unless otherwise exempted or expressly permitted within this Resolution; and

Acknowledged.

- H) Temporary Signs exceeding sixty (60) square feet in total Sign Area, unless otherwise expressly permitted by this Resolution.

Acknowledged.

Section 1809: Removal of Signs

1809.01 All Signs erected within Genoa Township under this Zoning Resolution are subject to inspection, whether a Zoning Permit is required or not.

Acknowledged.

1809.02 The Zoning Inspector, or their designee, may revoke a Zoning Permit for the following reasons:

A) Information provided in the Zoning Permit application is found to be materially false or misleading;

Acknowledged.

B) The Sign as installed does not conform to its Legal Approval;

Acknowledged.

C) The Sign is in violation of this Resolution or any other applicable laws or codes adopted by a legitimate government agency having jurisdiction;

Acknowledged.

D) The Sign has not been maintained in accordance with the provisions of this Article;

Acknowledged.

E) The Sign has been determined to be objectionable, noxious, or dangerous pursuant to Section 1611;

Acknowledged.

F) The Sign has been determined to be insecure, unsafe, or structurally defective pursuant to Section 1612;

Acknowledged.

G) The Sign is prohibited by Section 1808.

Acknowledged.

1809.03 Unattended Signs on public property, including, but not necessarily limited to, parks and Rights-of-Way shall be considered Abandoned Signs and may be disposed or destroyed without notice. Such disposal or destruction is not subject to appeal.

Acknowledged.

1809.04 Signs found to be in violation of this Article shall be subject to the provisions of Section 116 of this Resolution.

Acknowledged.

1809.05 Abandoned Signs shall be removed, replaced, or repaired within thirty (30) days of notification by the Zoning Inspector or their designee.

Acknowledged.

Section 1810: Substitution

1810.01 Signs containing Non-Commercial Speech are permitted anywhere that Signs containing Commercial Speech are permitted, subject to the same regulations applicable to any such Sign.

Acknowledged.

ARTICLE 19: PARKING STANDARDS

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.

See civil plan C100 for the proposed parking plan.

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 Lot 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 are 90-degrees with a width of 10 feet, a depth of 20 feet, and a parking aisle width of 25'.

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.

The proposed development has a two-lane access to a public street in compliance with 1903.02.

1903.03 Unless otherwise permitted within this Resolution, all required parking spaces including driveways and other circulation shall be hard-surfaced with asphaltic concrete, Portland cement concrete pavement, or permeable pavement.

The planned development's parking and drive aisles will be composed of asphalt pavement with a stone base.

1903.04 All parking spaces, together with driveways, aisles, and other circulation areas shall be graded and drained 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 in accordance with Delaware County and/or National Flood Insurance Program (NFIP) standards.

Acknowledged.

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

Parking lot does not extend to a Lot Line. No concern with parked vehicles extending beyond the Lot Line.

1903.06 Screening shall be required as provided in Article 20.

Acknowledged. Refer to the development text in Article 20 and Section 1203.09.B.

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. No such activities are proposed.

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

Acknowledged. No such activities are proposed.

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.

Acknowledged.

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.

There is no landscaping proposed near the access drive off Big Walnut Road that would hinder the sight distance of a vehicle entering or exiting the parking area. See sheet C200 for the landscaping plan.

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.

Acknowledged, site lighting intends to illuminate the parking area and limit illumination to subject property only, see site lighting exhibit drawings submitted.

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

Acknowledged.

Section 1904: Parking Space Requirements

For the purposes of this Resolution the following minimum parking space requirements shall apply.

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

Not applicable.

- 1904.02 Animal hospitals or Kennels - one for every four hundred (400) square feet of Floor Area and one (1) for every employee;
Not applicable.
- 1904.03 Religious Establishments - one (1) for every four (4) seats in main sanctuary;
Not applicable.
- 1904.04 Business, technical, and trade schools - one (1) for every two (2) students and one (1) for every teacher;
Not applicable.
- 1904.05 Colleges and universities - one (1) for every four (4) students and one (1) for each employee;
Not applicable.
- 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;
Not applicable.
- 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;
Not applicable.
- 1904.08 Golf courses open to the general public - five (5) for every hole and one (1) for every employee;
Not applicable.
- 1904.09 Clubs and lodges - one (1) for every three (3) persons capacity and one (1) for every employee;
Not applicable.
- 1904.10 Tennis facilities, racquetball facilities or similar Uses - two (2) for every three (3) playing areas and one (1) for every employee;
Not applicable.
- 1904.11 Swimming Pools - one (1) for every three (3) persons pool is designed to serve and one (1) for every employee;
Not applicable.
- 1904.12 Residential Care Facilities - one (1) for every employee and one (1) for every resident who is permitted to operate a motor vehicle;
Not applicable.
- 1904.13 Day Care Centers - 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;
Not applicable.
- 1904.14 In Planned Residential Zoning 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;
Not applicable.
- 1904.15 Laundromats - one (1) for every washing or dry-cleaning machine;
Not applicable.
- 1904.16 Libraries, museums, and art galleries - one (1) for every three hundred (300) square feet of Floor Area;
Not applicable.
- 1904.17 Medical and dental offices - three (3) for every examination or treatment room and one (1) for each employee;
Not applicable.
- 1904.18 Offices, public or professional administration, or service building - one (1) for every two hundred (200) square feet of Floor Area;
The proposed building has a gross floor area of 2,400 square feet, requiring a total of 12 parking spaces. The development is proposing 16 standard parking spaces and 1 ADA parking space.

- 1904.19 Restaurants - one (1) for every three (3) persons capacity and one (1) for each employee;
Not applicable.
- 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;
Not applicable.
- 1904.21 Hospitals, convalescent home, or similar institution - one (1) for every three (3) beds;
Not applicable.
- 1904.22 Theater or auditorium, sports arena, stadium, or gymnasium - one (1) for every five (5) seats or bench seating spaces;
Not applicable.
- 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
Not applicable.
- 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.
Not applicable.
- 1904.25 All other non-residential Uses: Three (3) parking spaces per one thousand (1,000) square feet of Floor Area.
Not applicable.

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 Districts, Planned Industrial 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.
Not applicable.
- 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.
Not applicable.
- 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.
Not applicable.
- 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 to provide a durable and dust free surface.
Not applicable.
- 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.
Not applicable.
- 1905.06 Screening shall be required as provided in Article 20.
Not applicable.
- 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.
Not applicable.

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.

Not applicable.

1905.09 For Uses exceeding 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.

Not applicable.

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.

Acknowledged.

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 or Planned Residential District.

Acknowledged.

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.

Acknowledged.

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.

Acknowledged.

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

Acknowledged.

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 or Planned Residential District.

Acknowledged.

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.

Acknowledged.

ARTICLE 20: LANDSCAPING STANDARDS

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 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 Lot Lines.

Each property owner shall determine exact locations of Lot Lines to ascertain no encroachment upon another Lot. 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 Fences and Accessory Walls on Corner Lots shall not interfere with sight distance as further regulated in Section 1617.

No fences or accessory walls are currently proposed.

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

No fences or accessory walls are currently proposed.

2002.03 The maximum permitted height for a Fence or Accessory Wall located twenty (20) or more feet away from any Street Right-of-Way line shall be eight (8) feet. The maximum permitted height for a Fence or Accessory Wall located less than twenty (20) feet from a Street Right-of-Way line shall be thirty-six (36) inches, unless specified below.

A) Fences and Accessory Walls located within designated Open Space areas of Planned Developments shall not be subject to the thirty-six (36) inch height restriction but shall be subject to the eight (8) foot height restriction.

No fences or accessory walls are currently proposed.

B) Fences and Accessory Walls exceeding thirty-six (36) inches in height shall be permitted if they are required by Section 1709.01 and placed ten (10) feet or less from the edge of a Swimming Pool. This exception shall only apply to the portion(s) of the Fence or Accessory Wall meeting said parameters. The maximum eight (8) foot height restriction established herein shall remain applicable.

No fences or accessory walls are currently proposed.

2002.04 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.

No fences or accessory walls are currently proposed.

2002.05 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.

No fences or accessory walls are currently proposed.

2002.06 On Lots of less than one (1) acre, electrified Fences that follow the Lot Line shall be prohibited unless otherwise exempted under Sections 102.03, 102.04, or 102.05. Electrified Fences shall only be permitted on Lots of less than one (1) acre if they are located within the required Lot Setback.

Not applicable.

2002.07 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.

No fences or accessory walls are currently proposed.

2002.08 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.

No fences or accessory walls are currently proposed.

2002.09 Entry Features to private residential properties are exempted from Section 2002 but are regulated under Section 1605.

Not applicable.

Section 2003: Screening

When screening is required in any District the provisions of this Section shall apply.

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);

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

Item B not applicable – No screening of residential-grade condensing units for the building’s HVAC system are required by other sections.

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

Item C not applicable – No permanent dumpsters included in proposed development, residential grade refuse containers will be adequate to serve the small amount of waste collection needs of the proposed building.

2003.02 Screening may be one of the following or a combination of two or more:

A) A solid masonry wall;

B) A solidly constructed decorative Fence;

C) Louvered Fence;

D) Dense evergreen plantings; and/or

E) Landscaped mounding.

Screening will be implemented using dense landscaping in the areas required. See sheet C200 for reference.

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

The landscaping used for screening will have a minimum height of 6’. See the “Plant Schedule” on sheet C200 for reference.

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.

With the proposed use of the development, the noise generated will not exceed what is typical for the district/area. Therefore, Section 2003.04 is not applicable.

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. All proposed parking areas will be equipped with individual bumper blocks.

2003.06 The Board of Zoning Appeals may require a screening plan in approving a Conditional Use.

Not applicable.

Section 2004: Retaining Walls

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

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.

Not applicable.

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

Not applicable.

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

Not applicable.

Section 2005: Street Trees

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

Not applicable.

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

Not applicable.

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. See "Plant Schedule" on sheet C200.
- 2006.03 All evergreen trees shall be a minimum of five and one-half (5 ½) feet in height, measured from finished grade.
Acknowledged. See "Plant Schedule" on sheet C200.
- 2006.04 All shrubs shall be a minimum twenty-four (24) inches in height at the time of planting.
Acknowledged. See "Plant Schedule" on sheet C200.

ARTICLE 21: LIGHTING STANDARDS

Section 2101: Intent and Purpose

2101.01 Lighting that is well-designed, correctly installed, and appropriately utilized promotes safety, increases security, and assists wayfinding, by enhancing visibility of Lots, Buildings, Structures, Streets, parking lots, sidewalks, bikeways, Open Spaces, landscape features, and the like. In the same vein, proper lighting can also greatly improve aesthetics, beautify neighborhoods, and add value to a community. Lighting which is poorly designed, incorrectly installed, and/or inappropriately utilized is, at best, a Nuisance, and, at worst, a hazard. The intent and purpose of this Article is to reasonably regulate lighting in a manner which protects public, health, safety, and general welfare, by:

- A) establishing standards for brightness, spread, and intensity of light;
- B) creating dimensional restrictions for poles and supports;
- C) providing restrictions related to the orientation of fixtures;
- D) preserving order, attractiveness, and cleanliness; maintaining Open Spaces, avoiding the appearance of clutter, and preventing Nuisances and invitations to vandalism;
- E) maintaining property values and ensuring compatibility with surrounding landscape and architecture including, but not limited to, areas of historical significance;
- F) protecting and encouraging a more attractive economic, business, and overall physical appearance of the community; and
- G) protecting the environment from light pollution which not only can be visually disruptive but can have a negative impact and detrimental effect on vegetation and wildlife.

All items above A through G are acknowledged. Refer to architectural site plan on A-0.1, building elevations on A-2.0, and/or site lighting exhibits submitted for further information on proposed site lighting designs.

2101.02 All exterior parking lots, non-residential driveways, Streets, pedestrian-oriented amenities, and loading areas shall be illuminated in a contextually sensible manner to provide safe movement on site, where necessary.

Acknowledged.

2101.03 The regulations within this Article are applicable to the Districts within which they are specified unless otherwise stipulated, supplemented, and/or modified by the regulations within a specified Zoning District.

Acknowledged.

Section 2102: General Provisions and Design Standards

2102.01 Parking lot lighting:

- A) Parking lot lights shall be designed so that the source of illumination is concealed within the housing of the light fixture.

Acknowledged, fixtures proposed comply with requirement. See fixture product data information added to site lighting exhibits.

- B) All parking lot light fixtures shall be equipped with lenses that are flat and installed parallel to the ground.

Acknowledged, fixtures proposed comply with requirement. See fixture product data information added to site lighting exhibits.

- C) Lighting shall not be provided via floodlight, spotlight, or any fixture that does not direct light downward.

Acknowledged, fixtures proposed comply with requirement. See fixture product data information added to site lighting exhibits.

- D) Parking lot light dispersal from a Lot within a Non-Residential Zoning District shall not exceed one (1) Footcandle at any Lot Line that is Contiguous with a Lot or Tract within a Residential or Planned Residential Zoning District.

Acknowledged, see photometric plan exhibit.

- E) Parking lot lights located within fifty (50) feet of any Lot Line Contiguous to a Residential or Planned Residential District shall be designed to not direct any light towards said Lot Line. This shall be achieved by:

- 1) Shields affixed to the source of illumination: and/or
- 2) Directing LEDs away from said Lot Line; and/or
- 3) Other innovative forms of control which achieve this requirement.

Requirement is acknowledged, note that no light fixtures are proposed within 50 feet of a residential or planned residential district, so the requirements of 2102.01.E appear to not be applicable to project. However, the submitted photometric plan exhibit and light fixture product data demonstrate that the above items are complied with via the proposed site lighting.

- F) Parking lot lights may be attached to poles, Buildings, or other Structures, but shall still comply with the provisions herein.

Acknowledged, pole mounted, building mounted, and grade mounted fixtures are proposed.

- G) Parking lot lights shall not exceed a maximum height of twenty-five (25) feet. The measurement shall be taken from the finished grade established not closer than fifteen (15) feet to the pole.

Acknowledged, the proposed parking lot fixtures are 10 feet in height total (8 ft fixture on a 2 ft tall concrete base).

- H) The correlated color temperature (CCT) of any LED fixture shall not exceed 3,000° Kelvin.

Acknowledged, the Site Plan Legend on sheet A-0.1 indicates that the color temperature of the proposed light fixtures will be 3000K or less color temperature.

2102.02 Pedestrian-oriented lighting not located in parking lots:

- A) Pedestrian-oriented lights on poles shall be designed so that the source of illumination is housed within the housing of the light fixture.

Not applicable, pedestrian-oriented lights on poles not proposed.

- B) Pedestrian-oriented lighting shall not be via floodlight or spotlight.

Not applicable.

- C) Pedestrian-oriented lighting may be achieved by exposed light bulb strings or similar types of fixtures. Such fixtures are intended for lighting of pedestrian-oriented areas and may be placed on Buildings or Structures.

Not applicable.

- D) Illumination shall only be permitted via LED.

Acknowledged, LED fixtures proposed exclusively.

- E) Pedestrian-oriented lighting shall not exceed a maximum height of fifteen (15) feet measured from the adjacent grade.

Acknowledged, pedestrian lighting to be 7 feet above grade.

- F) Pedestrian-oriented lighting installed integral within sidewalks or other similar types of paved

areas shall be installed flush with said surface.

Not applicable.

- G) The correlated color temperature (CCT) of any LED fixture shall not exceed 3,000° Kelvin.

Acknowledged.

2102.03 Building-mounted lighting, including canopies:

- A) Building-mounted lights shall be designed so that the source of illumination is concealed within the housing of the light fixture.

Acknowledged, building mounted wall sconces will illuminate sidewalks and will contain the source of illumination.

- B) All building-mounted fixtures shall be equipped with lenses that are flat and installed parallel to the ground.

Acknowledged, fixtures proposed comply with requirement. See fixture product data information added to site lighting exhibits.

- C) Lighting shall not be provided via floodlight, spotlight, or any fixture that does not direct light downward. Lighting required by applicable building or fire codes shall be exempt from this standard.

Acknowledged, fixtures proposed comply with requirement. See fixture product data information added to site lighting exhibits.

- D) Light dispersal from a Lot within a Non-Residential Zoning District shall not exceed one (1) Footcandle at any Lot Line that is Contiguous with a Lot or Tract within a Residential or Planned Residential Zoning District.

Acknowledged, see photometric plan exhibit submitted. Site illumination at lot lines will not exceed 1 fc.

- E) The correlated color temperature (CCT) of any LED fixture shall not exceed 3,000° Kelvin.

Acknowledged, the Site Plan Legend on sheet A-0.1 indicates that the color temperature of the proposed light fixtures will be 3000K or less color temperature.

2102.04 Architectural lighting intended to highlight architectural features:

- A) Architectural lighting shall not allow the source of light to be directly viewed from any Lot Line's standard line of sight.

Acknowledged, proposed fixtures comply with requirement.

- B) Architectural lighting shall be permitted to have colors or shades that change but shall not be permitted to flash, change, and/or pulse in a rapid manner.

Acknowledged, proposed fixtures comply with requirement.

2102.05 Streetlighting:

- A) Streetlights shall be designed so that the source of illumination is a top-down diode concealed within the housing of the light fixture.

- B) Fixtures shall be equipped with lenses that are flat and installed parallel to the ground.

- C) Streetlights installed integral within sidewalks or other similar types of paved areas shall be installed flush with said surface.

- D) The correlated color temperature (CCT) of any LED fixture shall not exceed 3,000° Kelvin.

- E) The maximum wattage output shall be 75-watts which shall be achieved by utilizing a wattage selector.

Not Applicable.

2102.06 In addition to the provisions of this Article, all outdoor light fixtures shall be installed in conformity with all other applicable provisions of this Resolution.

Acknowledged.

ARTICLE 27: PLANNED DEVELOPMENT ADMINISTRATION AND PROCEDURES

Section 2705: Final Development Plan Submission Requirements

- 2705.01 Application –A fully completed, signed, and dated application which shall include, at minimum, the following information:
- A) The address(es) and parcel identification number(s) of the Tract;
 - B) The name(s), address(es), and contact information of the property owner(s) of record, as listed on the tax list of the Delaware County Auditor at the time of submission;
 - C) The name(s), address(es), and contact information of the applicant(s) of record, if different than that of the property owner;
 - D) The name(s), address(es), and contact information of any engineers, architect(s), attorneys, and/or consultants of record, if any.
 - E) Exact acreage of the Tract;
 - F) The present Use(s) of the subject Tract;
 - G) The Zoning District(s) comprising the subject Tract;
 - H) Proposed Use(s) for the subject Tract;
 - I) Proposed unit count and Density of the Planned Development, if applicable.
 - J) Any additional information which may be requested on the official application form.

All submission requirements of 2705.01 have been provided to the Township.

- 2705.02 Documentation and Studies:

All requested documentation and studies have been provided per 2705.02, except as noted below.

- A) A legal description of the Tract;
- B) A complete list of all parcel identification numbers within the Tract;
- C) A Vicinity Map, on a sheet of paper no larger than 11" x 17", illustrating the size and location of the proposed Planned Development, existing Lot Lines, acreage, parcel identification numbers, existing streets, existing Structures and Signs on or within five hundred (500) feet of the property's boundary, existing Zoning District classifications and boundaries, and other such items;
- D) If the applicant is not the current property owner of record, a letter from the property owner(s) authorizing the applicant to submit the subject application on their behalf and/or proof that the applicant has a legal interest in the property in the form of an executed sales agreement, option, transfer, or other similar type of legal instrument.
- E) Letters from public utility providers confirming the availability of services;
The project does not require gas service.
- F) A traffic study, analysis, or memo, as required by Delaware County, examining the impact of the development on existing infrastructure, modifications required to handle the increased traffic, and the mechanism(s) proposed to complete the necessary improvements. Genoa Township reserves the right to request a traffic study, analysis, or memo during its review of the application even if one is not required by Delaware County;
- G) Any other materials proving that all other required permits, licenses, or approvals issued by a non-Township entity have been obtained, if applicable.

The existing septic system was designed for 100 gpd which is similar to the anticipated design flow of the proposed use. We have contacted the health department and septic designer regarding the system and will work with both parties to confirm the existing system is sufficient to handle the proposed development.

- H) Any materials previously submitted during the Zoning Map Amendment and Preliminary Development Plan approval process; updated and revised accordingly to accurately reflect the proposed Final Development Plan.
- I) A list of all property owners within five hundred (500) feet of, Contiguous to, and directly across the street from the Tract, and others that may have a legitimate, legal interest in the case, as they appear on the tax list of the Delaware County Auditor at the time of submission.
 - 1) The applicant shall provide one (1) set of pre-addressed, stamped business-size envelopes with postage sufficient to send a notice via first class mail for each property owner listed.
 - 2) A second set of envelopes shall be provided for the Township Trustees hearing once the Zoning Commission has voted on their recommendation.

2705.03 Final Development Plan Text – A written document containing the following:

All submission requirements have been provided to the Township per 2705.03.

- A) A narrative describing the Planned Development, including all the information listed in Section 2705.01, as well as:
 - 1) The relationship and compatibility of the proposed Planned Development to existing and probable Uses of surrounding areas during the development timetable;
 - 2) The proposed, non-binding time schedule for development of the site including Streets, Buildings, utilities, amenities, and other facilities;
 - a) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first shall be fully described to provide township officials guidelines for approval of future phases.
 - b) Each phase of the proposed development, as it is proposed to be completed, shall contain parking, landscaping, utilities, drainage, and stormwater management necessary for creating and sustaining a desirable and suitable environment.
 - 3) That the physical character of the site is suitable for development in the manner proposed without creating 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.
- B) A review of the required Planned Development District requirements and other applicable portions of the Zoning Resolution, including, but not necessarily limited to: Article 16 (General Development Standards), Article 17 (Special and Miscellaneous Uses), Article 18 (Sign Standards), Article 19 (Parking Standards), Article 20 (Landscaping Standards), and Article 21 (Lighting Standards); with detailed responses explaining how the proposal complies with each standard;
- C) Calculations demonstrating compliance with any required Density or Open Space provisions for the Planned Development.
- D) Limitations and controls being established to regulate the development, Uses, Open Space management, and architecture. The text shall specify any controls which are to be administered by a private organization;
- E) Identification of parties responsible for responsibility and maintenance of any Open Space areas, facilities, amenities, and/or other similar types of improvements within the Planned Development;
- F) A specific list of all Divergences being requested, if any. Said list shall be itemized in numerical order and shall cite the specific section number(s) of the Zoning Resolution from which relief is desired, the verbatim requirement of said section, what is being proposed in lieu of said requirement, and the applicant's justification for said request, citing the standards found within Section 2707;
- G) A review of the Genoa Township Comprehensive Plan with a detailed analysis of how the proposal

adheres to the recommendations of said Plan. Should the proposal deviate from, or be inconsistent with, the Plan, an explanation as to why such a deviation is warranted shall be provided. Deviations from the Comprehensive Plan shall not be considered Divergences as defined within this Zoning Resolution and shall not be subject to the provisions of Section 2707; and

The proposed development is consistent with the recommendations of the Genoa Township Comprehensive Plan. Chapter 4 of the plan recommends Neighborhood-Scale commercial/office uses on parcels already zoned commercial. The property is not serviced by sanitary sewer; however it has been zoned for commercial use and planned for commercial zoning since the 2008 Comprehensive Plan (if not earlier).

H) Any other pertinent information.

2705.04 Final Development Plan Drawings – The Final Development Plan set of drawings shall visually demonstrate compliance with the Zoning Resolution and shall include the drawings listed below on both 11" x 17" (or smaller) and 24" x 36" sheets of paper. Two or more drawings may be combined into a single sheet so long as the features and information on said drawing are legible and discernible from one another. Phasing lines, if proposed, shall appear on each applicable drawing. The following shall be required as part of the formal submittal:

All requirements of 2705.04 have been met.

- A) An existing features plan-drawing which illustrates the following items within the Tract unless otherwise specified:
- 1) Tract boundaries and acreage;
 - 2) One (1) foot contours based upon the nearest benchmark;
 - 3) Primary Conservation Areas and Secondary Conservation Areas;
 - 4) Soil boundaries as shown on USDA Natural Resource Conservation Service maps;
 - 5) Streams, wetlands, and other similar types of natural water features on the Tract or within five hundred (500) feet of the Tract;
 - 6) Schools, parks, and other community facilities on the Tract or within five hundred (500) feet of the Tract;
 - 7) Historic and/or cultural features on the Tract or within five hundred (500) feet of the Tract;
 - 8) Buildings, Structures, or Signs on the Tract or within five hundred (500) feet of the Tract;
 - 9) Thoroughfares and/or rail tracks on the Tract or within five hundred (500) feet of the Tract;
 - 10) Sidewalks, Multi-Use Paths, or Trails on the Tract or within five hundred (500) feet of the Tract;
 - 11) Right-of-Ways and/or easements on the Tract or adjacent to the Tract; and
 - 12) An aerial photograph with USGS contours of the Tract and immediately surrounding area.
- B) A tree inventory plan-drawing identifying the locations, size, and type of each existing tree, 3-inches or larger in caliper, on the Tract and whether said tree will be preserved or removed as a result of the Planned Development;
- C) A grading plan-drawing illustrating grades, elevations, and stormwater management facilities, pending approval by Delaware County;
- D) A general site plan-drawing which clearly illustrates:
- 1) The boundaries and Frontage(s) of the Tract;
 - 2) The location, dimensions, and sizes of all proposed Lots.
 - 3) All Setbacks, buffers, and conservation areas;
 - 4) The locations, dimensions, and, if applicable, intended Uses, of all proposed Buildings, and/or Structures;
 - 5) The locations and dimensions of all proposed Signs, parking lots, pavement markings, landscape areas, Open Spaces, pedestrian/bicycle amenities, stormwater management

- facilities, and other such site improvements;
- 6) Clearly illustrated and labeled phasing lines, if applicable;
- 7) A table comparing applicable zoning requirements, including Density, to those which are proposed.
 - a) Calculations supporting the data in the table shall be provided.
 - b) Phased developments shall contain a column for each phase as well as for the development as a whole; and
- 8) A list of all requested Divergences.
- E) A utility plan-drawing illustrating the locations of all utilities and easements, pending approval by Delaware County;
- F) A lighting plan-drawing illustrating the locations of all proposed light fixtures, both freestanding and those mounted to a Building, Structure, or Sign;
- G) A signage plan-drawing illustrating all proposed Sign dimensions and locations;
- H) An Open Space plan-drawing clearly identifying all areas to be designated as Common Open Space or Improved Common Open Space;
- I) A landscape plan-drawing illustrating the exact locations of all proposed plantings, buffers, and conservation areas;
- J) A traffic control plan-drawing illustrating access points, traffic patterns, and controls; pending approval by Delaware County and the Genoa Township Fire Marshal;
- K) A pedestrian/bicycle circulation plan-drawing illustrating any proposed pedestrian/bicycle amenities, easements, and/or facilities, including: Sidewalks, Multi-Use Paths, Trails, and the like;
- L) Construction design details, cut-sheets, specifications, and/or cross-sections for all proposed fixtures, amenities, facilities, controls, pavement, markings, and other such improvements;
- M) Planting design details and specifications for all proposed plantings, including: types, sizes, heights, and any other pertinent specifications; and
- N) An architecture plan-drawing illustrating all proposed building designs and construction materials, including color.

2705.05 Any final deed restrictions or covenants which may be part of the proposal.

The final deed has been provided to the Township.

2705.06 Any other applicable documentation, studies, plans, and/or exhibits necessary to demonstrate compliance, concepts, and/or address concerns related to the request.

Acknowledged.

2705.07 One (1) optical disc, Universal Serial Bus (USB) flash drive, or other similar type of readable storage device, containing the materials listed in Sections 2705.01 - 2705.06 in Portable Document Format (.PDF) and/or another similar type of widely-utilized, non-proprietary digital format approved by the Zoning Inspector or their designee.

A readable storage device containing our materials has been provided to the Township.

2705.08 A fee as may be established by the Township Trustees.

The fee has been paid.

2705.09 A response to comments letter shall be provided with each submitted revision to identify and explain all the revisions made to the submission, and to identify how any comments or concerns raised by staff, the Zoning Commission, the Township Trustees, other agencies, and/or the general public have been addressed.

Acknowledged.

2705.10 Number of Copies:

A) Ten (10) copies of the items listed herein, divided into sets, shall be provided when the proposal

is being submitted to the Zoning Commission for review, unless otherwise noted.

- B) Six (6) copies of the items listed herein, divided into sets, shall be provided when the proposal is being submitted to the Township Trustees for their consideration, unless otherwise noted.
- C) The Zoning Inspector, or their designee, is authorized to revise the number of required copies, as necessary, for administrative purposes.

Acknowledged.

Section 2706: Final Development Plan Procedure

2706.01 In addition to any other procedures set out in this Resolution, all applications for a Final Development Plan shall follow the procedures set forth herein. A Final Development Plan shall not be applied for until any/all required Zoning Map Amendment/Preliminary Development Plan(s) approvals have been obtained and said Zoning Map Amendment has become effective pursuant to Sections 2704.18 - 2704.22.

Acknowledged.

2706.02 In the event that a Final Development Plan is located adjacent to another political jurisdiction, an additional copy of the application shall be provided and forwarded to the Chair of the planning commission or the zoning commission of that jurisdiction. Any comments provided by the adjoining jurisdiction shall be presented during the public hearing of the Zoning Commission.

Not applicable.

2706.03 The Zoning Commission shall schedule a public hearing upon the filing of an application for a Final Development Plan. Said hearing shall not be less than twenty (20) nor, unless permitted by the applicant, more than forty (40) days from the filing of such application.

Acknowledged.

2706.04 Before the public hearing, notice shall be given by the Zoning Inspector or their designee by at least one (1) publication in a newspaper of general circulation within the Township at least ten (10) days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the application, and a statement that after the conclusion of such public hearing the matter will be referred to the Township Trustees for final consideration.

Acknowledged.

2706.05 Written notice of the hearing shall be mailed by the Zoning Inspector or their designee by first class mail using pre-addressed, business-size envelopes provided by the applicant at least ten (10) days before the date of the public hearing to all owners of property within five hundred (500) feet of, Contiguous to, and directly across the Street from, the Tract to the address of such owners appearing on the County Auditor's current tax list. The failure to deliver the notice, as provided in this Section, shall not invalidate any application. This notice shall set forth the time and place of the public hearing, the nature of the application, and a statement that after the conclusion of such public hearing the matter will be referred to the Township Trustees for final consideration.

Acknowledged.

2706.06 The Zoning Commission may continue a public hearing to a future meeting with consent of the applicant. If said hearing is continued to a date, time, and certain re-advertisement of the hearing is not required. Otherwise, once a new meeting date, time, and place is determined, advertisement shall occur again in accordance with Sections 2706.04 and 2706.05.

Acknowledged.

2706.07 Revisions and/or supplemental materials shall be due on a date and time determined by the Zoning Commission and/or in accordance with a pre-determined schedule as authorized in Section 2701.03.

Acknowledged.

2706.08 Within thirty (30) days of the conclusion of the public hearing, the Zoning Commission shall vote, based upon findings of fact, to recommend approval or denial of the Final Development Plan, including any applicable Divergences and/or conditions; and subsequently submit said

recommendation together with the application and all associated materials to the Township Trustees for their consideration. The Zoning Commission shall be allowed to take more than thirty (30) days to make their recommendation with the applicant's consent.

Acknowledged.

2706.09 Following the recommendation(s) of the Zoning Commission, the Zoning Inspector, or their designee, shall forward the Commission's recommendation(s) and reasons for said recommendation(s) to the Township Trustees.

Acknowledged.

2706.10 The Township Trustees shall acknowledge receipt of the Zoning Commission's recommendation(s) via resolution, and shall schedule a public hearing date for the application, at the first regularly scheduled Township Trustee meeting to occur following the Zoning Commission's vote unless: said meeting is canceled, a special meeting is scheduled within the required thirty (30) day timeframe by the Township Trustees, or the initiator/applicant requests and is granted otherwise a continuance by the Township Trustees, in which case such action shall take place at the next subsequent regular or special meeting of the Township Trustees. Unless otherwise authorized on

the record by the initiator/applicant, the date of said hearing shall be not more than thirty (30) days from the Township Trustees' receipt and acknowledgement of the recommendation from the Zoning Commission.

Acknowledged.

2706.11 Notice of the required public hearing shall be given by the Zoning Inspector or their designee by at least one (1) publication in a newspaper of general circulation within the Township. Said notice shall be published at least ten (10) days before the date of the required hearing. This notice shall set forth the time and place of the public hearing and the nature of the application.

Acknowledged.

2706.12 Written notice of the hearing shall be mailed by the Zoning Inspector or their designee, by first class mail using pre-addressed, business-size envelopes provided by the applicant at least ten (10) days before the date of the public hearing to all owners of property within five hundred (500) feet of, Contiguous to, and directly across the Street from the Tract to the address of such owners appearing on the County Auditor's current tax list or lists that may be specified by the Township Trustees. The failure to deliver the notice, as provided in this Section, shall not invalidate the application. This notice shall set forth time and place of the public hearing, and the nature of the application.

Acknowledged.

2706.13 The Township Trustees may continue a public hearing to a future meeting with consent of the applicant. If said hearing is continued to a date, time, and place certain, re-advertisement of the hearing is not required. Otherwise, once a new meeting date, time, and place is determined, advertisement shall occur again in accordance with Sections 2706.11 and 2706.12.

Acknowledged.

2706.14 Revisions and/or supplemental materials shall be due on a date and time determined by the Township Trustees and/or in accordance with a pre-determined schedule as authorized in Section 2701.03.

Acknowledged.

2706.15 Within twenty (20) days of the conclusion of the public hearing, the Township Trustees shall:

- A) Vote, based upon the findings of fact, to: approve, approve with modifications, or deny the Final Development Plan, including any applicable Divergences and/or conditions.
- B) Be allowed to take more than twenty (20) days to render a decision with the applicant's consent.

Acknowledged.

2706.16 A Final Development Plan approved by the Township Trustees, being an administrative action not subject to referendum, shall become effective immediately.

Acknowledged.

2706.17 A Final Development Plan approved by resolution of the Township Trustees in accordance with the provisions herein shall be considered legally binding and enforceable. Violation of any designs, provisions, terms, conditions, restrictions, safeguards, or other similar type of controls or standards shall be deemed a violation of this Zoning Resolution and subject to the provisions of Section 116, as may be amended, unless otherwise approved accordance with this Resolution.

Acknowledged.

2706.18 In instances where the approved Final Development Plan is silent or unclear on a matter, the Zoning Resolution and/or any other existing and applicable Legal Approvals shall retain control.

Acknowledged.

2706.19 An approved Final Development Plan shall be valid for three (3) years from the date of approval by the Township Trustees. Should a Zoning Permit for the subject development not be issued, or at least applied for and actively pending decision, in accordance with Article 1, within the aforementioned three (3) year time period, the Final Development Plan approval shall be considered null and void. The Township Trustees shall retain the right to expressly extend the aforementioned deadline at their discretion and without a Divergence request. Such an extension shall be expressly stated and documented in their motion of adoption.

A) Should a Final Development Plan approval become null and void due to time expiration, a new Final Development Plan approval shall be applied for and obtained in accordance with the terms of this Zoning Resolution prior to the issuance of any Zoning Permits for the Planned Development.

Acknowledged.

Section 2707: Divergence Review and Conflicts with Other Sections

2707.01 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.

Acknowledged.

2707.02 Uses are not subject to Divergence requests. Relief to Use prohibitions may only be sought via the Variance process outlined in Article 3. Said Variance shall be obtained prior to applying for Planned Development approvals.

Acknowledged.

2707.03 The Genoa Township Zoning Commission and the Township Trustees may consider Divergences requested at the time of the filing of a Planned Development application of any type, which is determined to be in compliance with all other general development standards listed in the Zoning District where the proposed development will be occurring. If a request is made, the applicant shall provide written development text, citing such requests, in accordance with this Article.

Acknowledged.

2707.04 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.

Acknowledged.

2707.05 Divergence requests shall demonstrate how granting the request will advance public interests and the General Purposes of this Zoning Resolution, by promoting, or not having an adverse impact on, one or more of the following purposes:

- A) The conservation and protection of the natural resources, scenic areas, wildlife habitat and the historical and unique natural features of the land;
- B) The public health, safety, morals, and general welfare of the present and future inhabitants of Genoa Township;
- C) 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;
- D) The assurance of the compatibility of land uses which are either adjacent or in proximity to each other;
- E) The orderly development of all lands within the Township to its appropriate Use; and
- F) The most appropriate use of land to facilitate and provide adequate public and private improvements.
- G) Consistency with the recommendations of the official Genoa Township Comprehensive Plan currently in effect, subject to the provisions of Section 108 of this Resolution.

Acknowledged.

2707.06 Divergences shall be permanent once granted and in effect and cannot be repealed or rescinded. Divergences shall only be required to be re-requested and re-considered should a subsequent proposal be applied for which seeks to increase the degree of the granted Divergence, render the justification for a Divergence moot, and/or should said proposal directly and substantially impact and have a rational nexus to the: benefits of the development, improved arrangement or design of the development, advancement of public interest, and/or advancement of the General Purposes of the Zoning Resolution. Such request shall still be subject to provisions and review criteria within Section 2707. The denial of a request to increase the degree of a previously granted Divergence shall not nullify or void the Divergence as originally granted.

Acknowledged.

2707.07 Unless a deviation from development standards is specifically approved as a Divergence, the same shall be complied with.

Acknowledged.

Section 2713: Enforcement

2713.01 Two (2) final, clean paper copies of any approved plans, which address any and all outstanding comments, concerns, and/or conditions cited in the approval motion for said plan, shall be submitted to, and approved by, the Zoning Inspector or their designee, prior to issuance of any Zoning Permit for the Planned Development.

- A) A response to comments letter shall be provided with the submission to identify and explain all the revisions made to the submission, and to identify how any comments, concerns, and/or conditions have been addressed.
- B) One (1) optical disc, Universal Serial Bus (USB) flash drive, or other similar type of readable storage device, containing a complete copy of the submission in Portable Document Format (.PDF) and/or another similar type of widely-utilized, non-proprietary digital format approved by the Zoning Inspector or their designee shall also be provided.

Acknowledged.

2713.02 The Zoning Inspector shall ensure all Zoning Permits issued for the Planned Development are in accordance with the provisions of the approved Final Development Plan and any approved Final Development Plan Amendment(s).

Acknowledged.

2713.03 If the Zoning Inspector shall find that the provisions of the approved Final Development Plan, Final

Development Plan Amendment(s), or any related Zoning Permit, are not being adhered to, they shall follow the procedures of Section 116, and/or direct applicable parties to apply for a Final Development Plan Amendment pursuant to Sections 2710 - 2712, in order to remedy any violations.

Acknowledged.

2713.04 Administrative Appeals pertinent to a Planned Development shall be administered in accordance with Section 306.

Acknowledged.

LIST OF DIVERGENCES REQUESTS FOR THE OLIVE BRANCH

1. 703.03.A.4 A One hundred seventy (170) foot Common Open Space and/or Improved Common Open Space buffer shall be provided along any of the Tract's perimeter street Frontage, measured from the Right-of-Way line.

A divergence is requested for 703.03.A.4. We are proposing the Common Open Space along Big Walnut Road to be 1 foot and 34 feet along Old 3C Highway. The open space requirements are difficult, and likely impossible, to achieve due to the size, location, and geometry of the property, in addition to the constraints imposed by the existing septic system and right-of-way dedication as part of the roundabout improvements. Without a divergence to this section, there is not enough site area for the proposed improvements.

2. 703.03.B The perimeter of said area shall be planted as follows:
A mixture of erosion and pollution control plantings shall be planted at a rate of one (1) native deciduous or evergreen tree and three (3) native shrubs or tall grasses for every fifty (50) feet of site perimeter immediately adjacent to any Lot or Tract containing Hoover Reservoir and owned by the City of Columbus (or its successors).

- 1) Two (2) native evergreen trees and three (3) native deciduous trees for every fifty (50) feet of linear site perimeter not immediately adjacent to a Lot or Tract not otherwise regulated by Section 703.03.B.1.
- 2) Required plantings shall be planted in staggered rows or groupings to create a natural looking landscape buffer but shall still generally cover the entire linear perimeter of the Lot or Tract.
- 3) In sections where existing woody vegetation, which is proven to be healthy, mature, and abundant enough to serve as a visual screen, occurs along the perimeter of the Lot or Tract, said vegetation may be credited towards the above planting requirements. Such sections shall be clearly depicted, defined, and identified on a site or landscape plan drawing.
- 4) If a designated low-mow or no-mow zone is provided in Common Open Space sections abutting existing and designated Common Open Space areas on immediately adjacent properties, the linear footage shall not count towards the number of plantings required herein thereby resulting in a reduction in the number of required plantings.
 - a) A no-mow zone shall be considered to be any portion of land on which mowing is expressly prohibited to allow for natural biological progression and habitation.
 - b) A low-mow zone shall be considered to be any portion of land on which mowing is expressly restricted to no more than one (1) time every six (6) months.
 - c) To qualify for the reduction, an individual low-mow or no-mow zone shall be

at least fifty
(50) feet wide by one hundred (100) feet long.

- d) Such a zone(s) shall be clearly depicted, defined, and identified on a site or landscape plan drawing.
- 5) If a designated low-mow or no-mow zone is provided within the street Frontage buffer required by Section 703.03.A.4, the number of required plantings for said area shall be reduced by fifty percent (50%) subject to the provisions of Sections 703.03.B.4.a through 703.03.B.4.d. Should an odd number of plantings be initially required, the permitted reduction shall round down to the nearest whole number.
- 6) The targeted removal of dead, dying, noxious, and/or invasive vegetation of any type and which is determined to be posing an immediate threat to health, safety, or general welfare in such an area, shall be permitted subject to any established re-vegetation or replacement policies.

A divergence is requested for 703.03.B. The project is proposing landscaping per the provided landscaping plan, including the preservation of large, mature trees on the property, near the proposed parking area. We believe the proposed landscaping captures the intent of the code and will be an improvement to the existing condition.

3. 703.08.A Parking and Loading Areas.

- A) No parking lot shall be located closer than one hundred seventy (170) feet from the edge of the contiguous Street Right-of-Way.

A divergence is requested for 703.08.A We are proposing the Common Open Space along Big Walnut Road to be 1 foot and 108 feet along Old 3C Highway. The parking setback requirements are difficult, and likely impossible, to achieve due to the size, location, and geometry of the property, in addition to the constraints imposed by the existing septic system and right-of-way dedication as part of the roundabout improvements. Without a divergence to this section, there is not enough site area for the proposed improvements. Refer to Section 703.03 for open space and planting divergences in these areas.

4. 703.08.B Parking lots shall be landscaped and screened in accordance with Article 20. In addition, the following shall also be required:

- 1) One planting island shall be provided every fifteen (15) parking spaces and at the end of each parking row unless an end cap is required. No more than fifteen (15) parking spaces may be situated between planting islands.
- 2) An end cap planting island shall be provided at the end of each row of parking.
- 3) The pervious area of all required planting islands shall be at least twelve (12) feet wide and fifteen (15) feet long.

- 4) Every required parking island shall be planted with one (1) native deciduous tree with a clear trunk at least six (6) feet above finished grade to allow vehicular circulation and visibility beneath the canopy.

A divergence is requested for 703.08.B. The proposed open space buffer and parking setbacks, for which divergences are requested (Sections 703.03 and 703.08), does not allow for full compliance with Section 703.08.B. The project is proposing landscaping per the provided landscaping plan, including the preservation of large, mature trees on the property, near the proposed parking area. We believe the proposed landscaping captures the intent of the code and will be an improvement to the existing condition. Also, the proposed lot coverage (impervious surfaces) is 36.9%, which is below the 50% impervious surfaces requirement in 703.14 and the 75% lot coverage requirement per 1203.06.

5. 703.10 Sidewalks, Multi-Use Paths, and Trails. Sidewalks along Streets.

- 1) New Streets. Sidewalks and/or Multi-Use Paths shall be provided along both sides of any new public or private Street.
 - 2) Existing Streets. Sidewalks and/or Multi-Use Paths shall be provided along any existing public or private Street within or immediately abutting the Planned Development.
 - 3) Whether a sidewalk or Multi-Use Path is installed shall be determined upon the context of the surrounding area. Consistency in the type (sidewalk or Multi-Use Path) with neighboring properties and/or with a pedestrian network already established along the subject Street corridor shall be maintained and continued whenever possible, logical, and safe to do so.
 - 4) Pedestrian Easement Option. When location of sidewalks and/or Multi-Use Paths is not possible or is not logical due to the lack of connections at both ends of the required improvement, easements, where necessary, allowing for future construction by the Township, or its assignee, and public pedestrian access shall be provided in lieu of the above. Easements shall be recorded with the Delaware County Recorder prior to the issuance of a Zoning Permit for any Building within the Planned Development.
- B) A Multi-Use Path or Trail system shall be provided in any required Open Space buffer required by Section 703.04 herein in accordance with Sections 703.10.A.3 and 703.10.A.4 above.
- C) Sidewalks shall be at least four (4) feet wide and constructed of concrete or another similar type of surface.
- D) Multi-Use Paths shall be at least ten (10) feet wide and constructed of asphalt or another similar type of surface.
- E) Trails, where provided, shall be at least four (4) feet wide and may be paved or unpaved but must be visually delineated in some fashion.

A divergence is requested for section 703.10; however, the project's proposed internal sidewalks will be at least 4 feet wide and will be concrete. A multi-use path already exists along Old 3C Highway. The plans for the roundabout do not include any pedestrian walkways along the subject property's frontage. Additionally, we understand the Township is pursuing a trail in this area of Big Walnut Rd.

6. 1203.03.A Where the Lot Lines separate a Planned Commercial District from a Residential or Planned Residential District:

A) There shall be created, at a minimum, an undeveloped green strip of seventy-five (75) feet planted with grass and/or landscaped with the purpose of providing a year-round combination of shrubs and trees; and

A divergence is requested for section 1203.03.A. We request a divergence to 1203.03.A. We are proposing 5 feet from PID 317-240-03-018-007.

B) A visual and mechanical barrier, in accordance with Section 2003, shall be provided seventy-five (75) or more feet from said Lot Lines.

A divergence is requested for section 1203.03.B. We request a divergence to 1203.03.B. We are proposing 5 feet from PID 317-240-03-018-007.

7. 1203.09 Parking and Loading Areas

C) No parking lot shall be closer than twenty-five (25) feet from the edge of the Contiguous Street Right-of-Way in a Planned Commercial District, unless the parking lot is Contiguous to a Residential or Planned Residential District, in which case seventy-five (75) feet shall be the closest distance of the parking lot to the edge of the Contiguous Street Right-of-Way.

A divergence is requested for section 1203.09. We are proposing 1 foot.

8. 1208.01 Minimum Yard requirements: Front, Side, and Rear Yards shall be designed so that no Building is closer than fifty (50) feet to any other Building. No Buildings shall be located closer than one hundred (100) feet to any District boundary line or one hundred (100) feet from a street Right-of-Way.

We request a divergence to 1208.01. We are proposing that the building be 3 feet from Big Walnut Road and 35 feet from S. Old 3C Highway.

9. 1804.07 Setbacks. All Signs shall be set back a minimum of ten (10) feet from the Right-of-Way unless otherwise permitted by this Resolution.

We request a divergence to 1804.07. We are proposing two signs be located to be set back from the newly established property line by 2 feet. The sign oriented toward S Old 3C Hwy property line will be approximately 30 feet from the edge of

pavement with a 2 foot setback from the newly created property line, and the sign oriented toward Big Walnut Road will be approximately 40 feet from the edge of pavement.

NARRATIVE IN SUPPORT OF THE DIVERGENCE REQUESTS

Of note: this information is also included in the executive summary portion of the FDP submittal, but is also provided here for convenience.

The Final Development Plan is meant to comply with all applicable provisions of the zoning resolutions as well as incorporating feedback and resolving concerns expressed by the Zoning Commission and Trustees. The purpose of this Development Plan Text is to demonstrate how our proposed development, property use, building, and occupancy will support the Township's plan for the property as well as be a welcome improvement and addition to the area. This Final Development Plan is also meant to support the Township's further consideration of traffic, access, general compatibility and suitability.

The cycle of traffic for this use is complementary to other uses in the area, and will be limited during peak traffic hours in the morning and evening. Given the small amount of office space, the almost one-to-one nature of the planned occupant businesses to the clientele, if anything this business should decrease traffic flow from previous businesses who occupied this site at its peak. Also of note, rather than an open parking lot, the directed access proposed should also improve how traffic flows at the intersection as well as the property.

This text also discusses how the proposed development will enrich the social and community aspects of the immediate area and Genoa Township as a whole. As this property is directly diagonal to the Township offices, we hope to provide a welcome small commercial professional office space with very limited traffic that improves the overall appeal with a responsible, safe, and aesthetically-appealing building with character and congruence to the corner.

While there are a number of divergence requests for the property, many iterations of layout and much professional consideration has been given to present the final development plan layout to consider the many factors necessary to account for the many challenges and restrictions necessary to even build a feasible, viable, aesthetically-pleasing while adequately functioning site and structure. Many complex factors such as the existing septic, no new spots for a new septic, septic being an only option as no sanitary sewer available or likely anytime soon, setback requirements on

all sides and margins limiting buildable area to zero without divergences, the new right-of-way taking an additional 39% of the already small property, the PCD being usually a 20+ acre zoning being used for the this 0.7 acre property (post new -right-of-way), accounting for encroachment/screening into residential areas, and even, with Staff and Board Members also understanding and voicing but a difficult property this is to develop, and even more factors, all make it necessary to request divergences. While the number of divergence requests is larger than we would like, it is necessitated by numerous references to divergent zoning codes with related allusion as well as given the very small property under a generally larger property zoning zone designation, and the fact that without the divergences there would be no buildable or business-developable area. We have tried multiple approaches to minimize the number of divergence requests, and this is our absolute best effort to minimize it while still maintaining what we feel is a congruent, compatible, aesthetically-pleasing development for the site we all can be proud of.

We have also re-visited this after the Zoning Meeting, and still feel this to be our best effort, with some minor modifications and incorporation of the suggestions we could into this revised FDP submittal.



February 2, 2009

Eugene and Patricia Green
c/o Century 21 – Joe Walker & Associates
626 Hachberry Drive
Westerville, Ohio 43081

Attention: Mr. Brian Garee

Reference: Phase I Environmental Site Assessment (ESA)
Site Location: 5064 South Old 3C Highway; Westerville, Ohio 43082
CTL Engineering Project No. 09510004COL

Dear Mr. Garee:

In accordance with our contract, on behalf of **Eugene and Patricia Green c/o Century 21, Joe Walker & Associates** (Client), CTL Engineering, Inc. (CTL Engineering) performed a Phase I Environmental Site Assessment (ESA), in conformance with the scope and limitations of ASTM Standard E 1527-05, of the 1.09-acre property developed with a retail structure and two (2) barn structures located at 5064 South Old 3C Highway in Delaware County, Westerville, Ohio 43082.

If you should have any questions regarding the attached Phase I ESA report, or require any further information, please feel free to contact Mr. Oates at (614) 276-8123, ext. 259. Please refer to CTL Engineering Project No. 09510004COL in all future inquiries. It was a pleasure working with you on this project.

Respectfully submitted,

CTL ENGINEERING, INC.

Ryan Oates, B.A.
Environmental Scientist

Mark Winterstein, M.S.
Project Manager
(Technical Review)

Phase I Environmental Site Assessment

Site Location:

5064 South Old 3C Highway
Delaware County; Westerville, Ohio

Prepared for:

Eugene and Patricia Green
c/o Century 21 – Joe Walker & Associates
626 Hachberry Drive
Westerville, Ohio 43081

CTL Engineering Project No. 09510004COL

Submitted by:

CTL Engineering, Inc.
2860 Fisher Road
Columbus, Ohio 43204

February 2, 2009



6.0 FINDINGS AND CONCLUSIONS

A. Recognized Environmental Conditions (RECs)

CTL Engineering has performed a Phase I ESA, in conformance with the scope and limitations of ASTM Standard E-1527-05, of the 1.09-acre property developed with a retail structure and two (2) barn structures located at 5064 South Old 3C Highway in Delaware County, Westerville, Ohio 43082. Any exceptions to, or deletions from, this practice are described in **Section 1.2** of this report.

Recognized environmental conditions are defined as the presence or likely presence of any *hazardous substances or petroleum products* on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances or petroleum products* into structures on the property or into the ground, groundwater, or surface water of the property.

This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property, except for the following:

- A1. A small drain pit is located approximately 5 feet to the west of the garage structure. The pit contains a small sump pump, one inlet clay tile, and two outlet plastic tiles. The clay tile extends towards the garage and appears to be utilized as a drain for a sink located within the garage structure. According to Mr. Green, the subject property owner, the plastic drain tile that extends to the south towards Big Walnut Road has been blocked off and is no longer in use. A second plastic drain tile is connected to a sump pump and extends to the west from the top of the drain pit onto the adjacent property to the west. The drain pit does not appear to be in use at this time; however, the sink does remain connected to the drain pit. No staining or odors were noted within the drain pit at the time of the site reconnaissance. However, given the historical use of the property as a bait and convenience store since 1900 and a lawnmower repair facility for the last 50 years, and that regulations governing the proper disposal of petroleum and other hazardous materials have only been in place for approximately 30 years, it is possible that hazardous and/or petroleum products may have been disposed of in the drain pit. Therefore, the drain pit is considered a recognized environmental condition.
- A2. The block and concrete pit located beneath the outhouse structure appears to be utilized as a storage area for sewage waste from the outhouse structure. No outlet was noted in the vicinity of the outhouse structure at the time of the site reconnaissance.

Given the historical use of the property and unknown disposal methods of hazardous and/or petroleum products, the block and concrete storage pit is also considered a recognized environmental condition.

- A3. The structures located on the subject property were noted to contain light ballasts. Light ballasts installed prior to 1981 likely contain PCBs.

B. Business Environmental Risk

ASTM Standard defines *business environmental risk* as a “risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice.” CTL Engineering interprets this risk as “the conditions that do not meet the definition of a ‘recognized environmental condition’, as defined in ASTM 1527-05 standard, but may constitute a business risk under various environmental rules and regulations”.

For example, wetlands and asbestos are not considered a REC under ASTM standard, but are regulated under various regulations promulgated by the Army Corps of Engineers, EPA, and OSHA. Solid wastes, such as trash, discarded equipment, tires, etc., are also not considered RECs under ASTM standard, but are regulated under various Federal, State, and/or Local regulations.

Since business environmental risks are typically considered non-scope issues under the ASTM practice, CTL Engineering did not conduct an exhaustive study; however, no business environmental risks were observed at the time of the site reconnaissance, except for the following:

- B1. An Asbestos Hazard Evaluation Survey is outside the scope of ASTM Standard E-1527-05 and, therefore, is not included in this report. However, given the age of the structures located on the subject property and that suspect asbestos-containing materials (ACMs), including floor tile, drywall and joint compound, were noted within the structures at the time of the site reconnaissance, an Asbestos Hazard Evaluation Survey should be conducted prior to any major renovations or demolition activities.
- B2. A Lead-Based Paint (LBP) Survey is outside the scope of ASTM Standard E-1527-05 and, therefore, is not included in this report. However, based on the age of the buildings, the structures located on the subject property are likely to contain LBP and, therefore, a LBP survey should be conducted to verify if the structures located on the subject property contain LBP.

C. Historic Environmental Condition

Historic recognized environmental condition is defined as a condition, which, in the past, would have been considered a recognized environmental condition, but which may or may not be considered a recognized environmental condition currently. For example, an underground storage tank that has been properly removed and, for which, the Bureau of Underground Storage Tank Regulations (BUSTR) has issued a 'No Further Action' letter.

This assessment has revealed no evidence of historic environmental conditions in connection with the subject property, except for the following:

- C1. Three (3) underground storage tanks (USTs) were removed from the subject property in April of 1994. BUSTR issued a 'No Further Action' (NFA) letter for the permanent removal of the USTs in June of 2000.

D. Opinions

Based on the findings of the document search and the site reconnaissance conducted by CTL Engineering, *no further assessment is warranted for the subject property, except for the following:*

- D1. It is CTL Engineering's technical opinion that a Limited Phase II Environmental Site Assessment be conducted to determine the absence or presence of petroleum/chemical contaminants in relation to the two (2) pits located on the subject property.

E. Certification Statement and Closure

The technical opinions included herein are based on our experience, the information obtained during the field study, and procedures described herein. This investigation evaluates the conditions that existed at the time of CTL Engineering's visit(s) at the subject site and does not warrant against future alterations of conditions at the subject site, or subsequent changes in the environmental regulations. If additional information becomes available, we request the opportunity to review the information, reassess the potential environmental concerns, and modify our conclusions and recommendations, if appropriate.

CTL Engineering certifies the accuracy and completeness of this report, in accordance with the limitations and exceptions included in **Section 1.2**. CTL Engineering warrants that the services, findings, and/or recommendations provided herein have been performed in accordance with procedures, practices, and standards generally accepted in the environmental consulting profession for use in similar assignments. No other warranty is expressed or implied.

Phase I ESA – Eugene and Patricia Green c/o Century 21, Joe Walker & Associates
Site Location: 5064 South Old 3C Highway, Westerville, Ohio 43082
CTL Engineering Project No. 09510004COL

We appreciate the opportunity to provide you with these professional services. If you should have any questions or require further information, please feel free to contact our office at (614) 276-8123. Please refer to CTL Engineering Project No. 09510004COL in all future inquiries.

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Sincerely,

CTL ENGINEERING, INC.



Bipender S. Jindal, P.E.
Director of Environmental Services



Map ID
Direction
Distance
Elevation

Site

Database(s)

EDR ID Number
EPA ID Number

WESTERVILLE LAWN & GARDEN (Continued)

S103703434

FR Status: NFA: No Further Action
Priority: 3
Review Date: 2000-06-20 00:00:00



- forms
- contacts
- press room
- search

Ohio Department of Commerce
 Division of State Fire Marshal
BUREAU OF UNDERGROUND STORAGE TANKS (BUSTR)

Kimberly A. Zurz
 Director of Commerce

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Facility Details

Facility ID 21002369
Facility Name WESTERVILLE LAWN & GARDEN
Address 5064 OLD 3C RD
City/State/Zip WESTERVILLE, OH 43081
Phone
County Delaware
24 HR Emergency Contact
24 HR Emergency Phone
Latitude 40.178577
Longitude -82.903682
PUSTRCB#

Current Owner Details

Owner Id W001626
Owner Name LONIE N. GAMBILL
Address 5064 OLD 3C RD
City/State/Zip WESTERVILLE, OH 43081
Phone (614) 891-4004

<u>Release #</u>	<u>Date Reported</u>	<u>Status</u>	<u>Old Incident #</u>
21002369- N00001		NFA: No Further Action	214053100.0

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Delaware General Health District

1 and 3 West Winter Street
P.O. Box 570 * Delaware, Ohio 43015 - 0570
(740)368-1700 Fax: (740)368-1736
www.delawarehealth.org

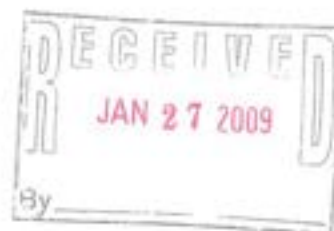
Dedicated to Your Health

Frances M. Veverka, MPH
Health Commissioner

January 26, 2009

CTL Engineering Inc.
2860 Fisher Road
P. O. Box 44548
Columbus, Ohio 43204-3538

Attn: Angela McConnell



Dear Angela McConnell:

This letter is in response to your request for a records review for the following locations:

5064 S Old 3C Highway, Delaware County, Genoa Twp., Westerville, Ohio 43082

Our department's records do not indicate any outstanding complaints, violations or health hazards, sewage disposal, water supply, indoor/outdoor air quality, or hazardous material storage and/or disposal. We also recommend that you contact BUSTR, and Delaware County EMA, to confirm any hazardous material(s) releases on the property.

Should you have any questions, please contact me at this office.

Sincerely,

Douglas B. Sams, R.S.
Program Manager
Solid Waste and Emergency Response
Environmental Health Division

CTL Project No.: 09510004COL

January 27, 2009

Client: Century 21 – Joe Walker and Associates
626 Hachberry Drive
Westerville, Ohio 43081 – Attn: Brian Garee

Sample Identification: 5064 S. Old 3C Highway, Westerville, Ohio
Sample Matrix: Soil
Date Sample Collected: 1/23/09
Date Sample Received: 1/23/09
Date Sample Analyzed: 1/26/09

TEST METHOD: Sonication Extraction, Method 3550, Non-halogenated Organics, Method 8015B (modified, #2 Diesel fuel as standard), from Test Methods for Evaluating Solid Waste, USEPA Document SW 846, revised December 1996.

TEST RESULTS:

Diesel Range Petroleum Hydrocarbon Results

Sample	Results		Detection Limit (mg/kg)
	<u>C₁₀-C₂₀ (mg/kg)</u>	<u>C₂₀-C₃₄ (mg/kg)</u>	
EB-1	< 10	< 10	10
EB-2	< 10	223	10

QUALITY CONTROL DATA:

<u>Sample ID</u>	<u>Parameter</u>	<u>Spike Recovery (%)</u>
EB-1	Diesel Fuel #2	109

Respectfully Submitted,



Johnny Tjioe, Chemist

JT/gm



CTL Project No.: 09510004COL

January 27, 2009

Client: Century 21 – Joe Walker and Associates
626 Hachberry Drive
Westerville, Ohio 43081 – Attn: Brian Garee

Site Address: 5064 S. Old 3C Highway, Westerville, Ohio

Sample Identification: Phase I ESA w/Ltd Phase II Sampling
Sample Matrix: **Soil**
Date Sample Collected: 1/23/09
Date Sample Received: 1/23/09
Date Sample Analyzed: 1/26/09

Gasoline Range Petroleum Hydrocarbon Results

<u>Sample</u>	<u>Results (mg/kg)</u>	<u>Detection Limit (mg/kg)</u>
EB-1	<0.25	0.25
EB-2	<0.25	0.25

QUALITY CONTROL DATA:

<u>Sample ID</u>	<u>Spike Recovery (%)</u>
EB-2	80

TEST METHODS: Purge and Trap Extraction, Method 5030, Nonhalogenated Organics Using GC/FID, Method 8015B (modified, gasoline as standard), from Test Methods for Evaluating Solid Waste, USEPA Document SW 846, revised December 1996.

Respectfully submitted,

Johnny Tjioe, Chemist

JT/gm

CTL Project No.: 09510004COL

January 27, 2009

Client: Century 21 – Joe Walker and Associates
626 Hachberry Drive
Westerville, Ohio 43081 – Attn: Brian Garee

Site Address: 5064 S. Old 3C Highway, Westerville, Ohio

Sample Identification: EB-2 (77.0% Solids)
Sample Matrix: **Soil**
Date Sample Collected: 1/23/09
Date Sample Received: 1/23/09
Date Sample Analyzed: 1/27/09

TEST RESULTS:

Polynuclear Aromatic Hydrocarbons

<u>Parameter</u>	<u>Results (mg/kg)</u>	<u>Detection Limit (mg/kg)</u>
Acenaphthene	< 0.15	0.15
Acenaphthylene	< 0.15	0.15
Anthracene	< 0.15	0.15
Benzo (a) anthracene	< 0.15	0.15
Benzo (a) pyrene	< 0.15	0.15
Benzo (b) fluoranthene	< 0.15	0.15
Benzo (ghi) perylene	< 0.15	0.15
Benzo (k) fluoranthene	< 0.15	0.15
Chrysene	< 0.15	0.15
Dibenzo (a,h) anthracene	< 0.15	0.15
Fluoranthene	< 0.15	0.15
Fluorene	< 0.15	0.15
Indeno (1,2,3-cd) pyrene	< 0.15	0.15
Naphthalene	< 0.15	0.15
Phenanthrene	< 0.15	0.15
Pyrene	< 0.15	0.15

Client: Century 21 – Joe Walker and Associates
CTL Project No. 09510004COL
January 27, 2009
Page Two

Sample ID: EB-2

QUALITY CONTROL DATA:

<u>Sample ID</u>	<u>Parameter</u>	<u>Recovery</u>
EB-2	2-Fluorobiphenyl (Surrogate)	86%
EB-1	Fluorene (matrix spike)	91%

TEST METHOD: Sonication Extraction, Method 3550 and Semivolatile Organic Compounds by Capillary GC/MS, Method 8270D; both from Test Methods for Evaluating Solid Waste, USEPA Document SW 846, revision 4, February 2007.

Respectfully submitted,

Johnny Tjioe

Johnny Tjioe, Chemist

JT/gm

Officers

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Chief Operating Officer



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DAVID A. BENDER

DOUGLAS D. DAWSON

TIMOTHY D. MCNAMARA

MICHAEL (NICK) D. SHEETS

April 9, 2024

Jake Krokey:

Via Email: jkrokey@structurepoint.com

Dear Mr. Krokey:

Please know that Del-Co Water can continue to provide water service to the site described below upon plan approval and payment of the required fees (if any):

Proposed Land Use: Commercial, Parcel 317-240-03-019-000
Location: 5064 Old 3C Hwy
Land Size: ±1.09 acres

This site can be served from an existing 12-inch water main on Big Walnut Rd.

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 blue ink, appearing to read "Darrell Miller".

Darrell S. Miller, P.E.
Capital Projects Manager



4/10/2024

Jake Krokey
American Structure Point Inc.
2550 Corporate Exchange Dr, Suite 300
Columbus, OH 43231
jkrokey@structurepoint.com
(440) 665-1610

RE: AEP Ohio Electric Service for Office building at 5064 S Old 3C Hwy

Dear Jake,

Thank you for your interest in utilizing AEP Ohio to serve the electrical needs for the proposed project located on the northwest corner of **S Old 3C Hwy and Big Walnut Rd in Galena, OH.**

Based on the information provided, we have reviewed our distribution system in the area and have determined the subject project or site is located within AEP Ohio service territory. The specific details of this service have not been developed and may include Contribution In Aid of Construction (CIAC) charges to the customer. Specific details and associated CIAC charges may include but are not limited to: customer and company responsibilities, service type & characteristics, cable/conductor routing, overall project timing, and labor & equipment costs.

A Letter of Agreement (LOA) will be required for distribution voltage retail loads greater than \$1,000,000 in total project costs and/or requesting over 10MW.

If you should have any questions regarding the electric service at this location, please feel free to contact me at (614) 883-7963 or eschaas@aep.com. To initiate the design, construction, and service process please call 888-710-4237.

Sincerely,

Erik Schaas

Erik M. Schaas
Customer Design Manager
AEP Ohio



T E C H N I C A L M E M O R A N D U M

DATE: April 10, 2024
TO: Chris Bauserman, PE, PS – Delaware County Engineer
FROM: Shane Morris, PE – American Structurepoint, Inc.
RE: 5064 Old 3C Highway – Delaware County, Ohio
CC: Ben Schilling, PE – American Structurepoint, Inc.

Introduction

A new office building is being proposed at 5064 Old 3C Highway in the northwest corner of the intersection of Big Walnut Road & Old 3C Highway in Delaware County, Ohio. Based on the latest site plans provided for this site, the office building will have a total of six (6) employees with fifteen (15) parking spaces.

Trip Generation

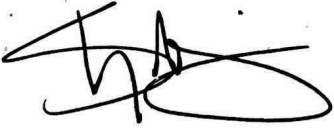
Trips for the proposed site were generated using Institute of Transportation Engineers (ITE) practices and *Trip Generation Manual* (11th Edition) data via the Online Traffic Impact Study Software (OTISS). Land Use Code (LUC) 712 – Small Office Building was used to generate the number of new trips entering and exiting the proposed site for the AM and PM peak hours. The trip generation volumes were calculated using the “fitted curve equations” for the AM Peak Hour of Generator and the PM Peak Hour of Generator as they produced the greater number of trips. The results of the trip generation can be found in **Table 1**. Any significant changes to the land use, sizes, or roadway connectivity to the proposed site may require further analysis.

Table 1 – Trip Generation

ITE <i>Trip Generation Manual</i> Land Use Code	Size	Base Vehicle Trips					
		AM Peak		Total AM Trips	PM Peak		Total PM Trips
		Enter	Exit		Enter	Exit	
712 – Small Office Building	6 Employees	6	3	9	5	6	11

If we can be of any further assistance on this matter, please do not hesitate to contact me at smorris@structurepoint.com or at (614) 901-2235.

Sincerely,



Shane Morris, PE
Project Manager – Traffic
American Structurepoint, Inc.



Land Use: 712

Small Office Building

Description

A small office building is the same as a general office building (Land Use 710) but with less than or equal to 10,000 square feet of gross floor area. The building typically houses a single tenant. It is a location where affairs of a business, commercial or industrial organization, or professional person or firm are conducted. General office building (Land Use 710) is a related use.

Additional Data

Attorney office, mortgage company, financial advisor, insurance agency, home health care provider, and real estate company are examples of tenants included in the small office building database. The diversity of employer types results in a wide range in employee density in the database. Densities range from a high of 1,300 to a low of 240 square feet per employee with an overall average of nearly 600 square feet per employee (a value much larger than the average observed in a general office building study sites).

In addition to the significant difference in employee density, small office buildings tend to be dominated by a single tenant (or very few) that are more service-oriented than a typical general office building. The result is more frequent and regular visitors and higher trip generation rates.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s and the 2010s in Alberta (CAN), California, Texas, and Wisconsin.

Source Numbers

418, 890, 891, 959, 976

Small Office Building (712)

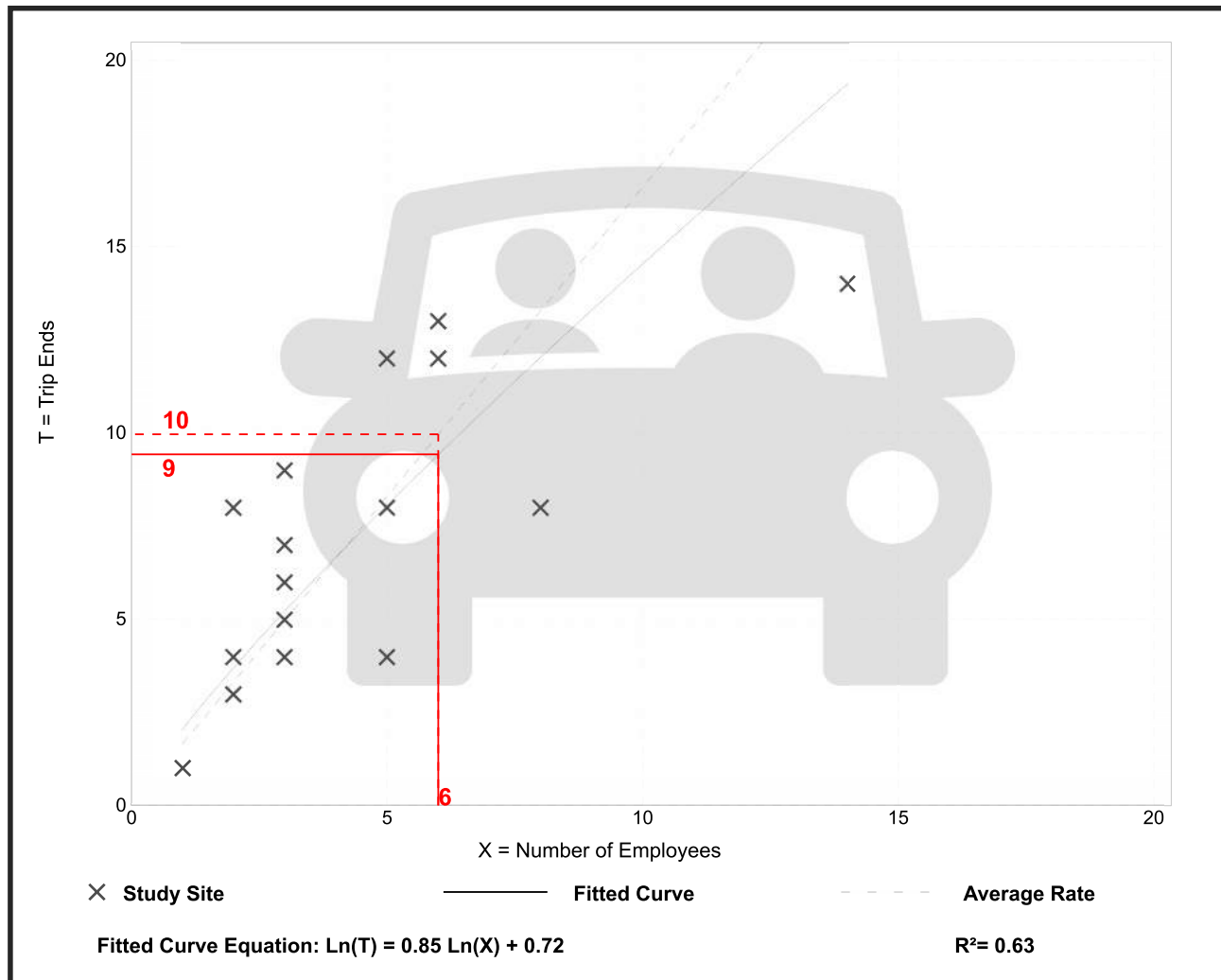
Vehicle Trip Ends vs: Employees
On a: Weekday,
AM Peak Hour of Generator

Setting/Location: General Urban/Suburban
 Number of Studies: 17
 Avg. Num. of Employees: 4
 Directional Distribution: 64% entering, 36% exiting

Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
1.66	0.80 - 4.00	0.74

Data Plot and Equation



Small Office Building (712)

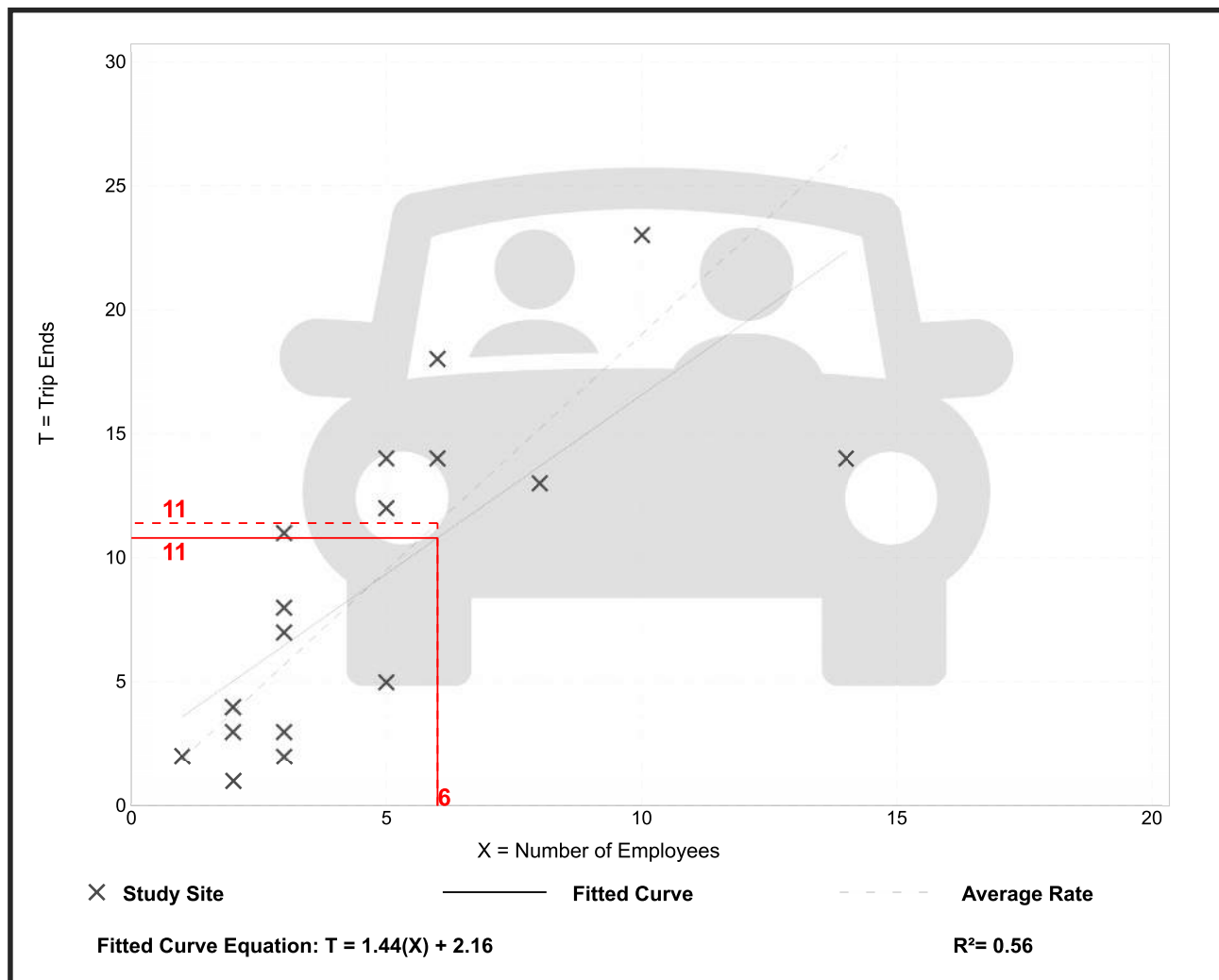
Vehicle Trip Ends vs: Employees
On a: Weekday,
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban
 Number of Studies: 18
 Avg. Num. of Employees: 5
 Directional Distribution: 49% entering, 51% exiting

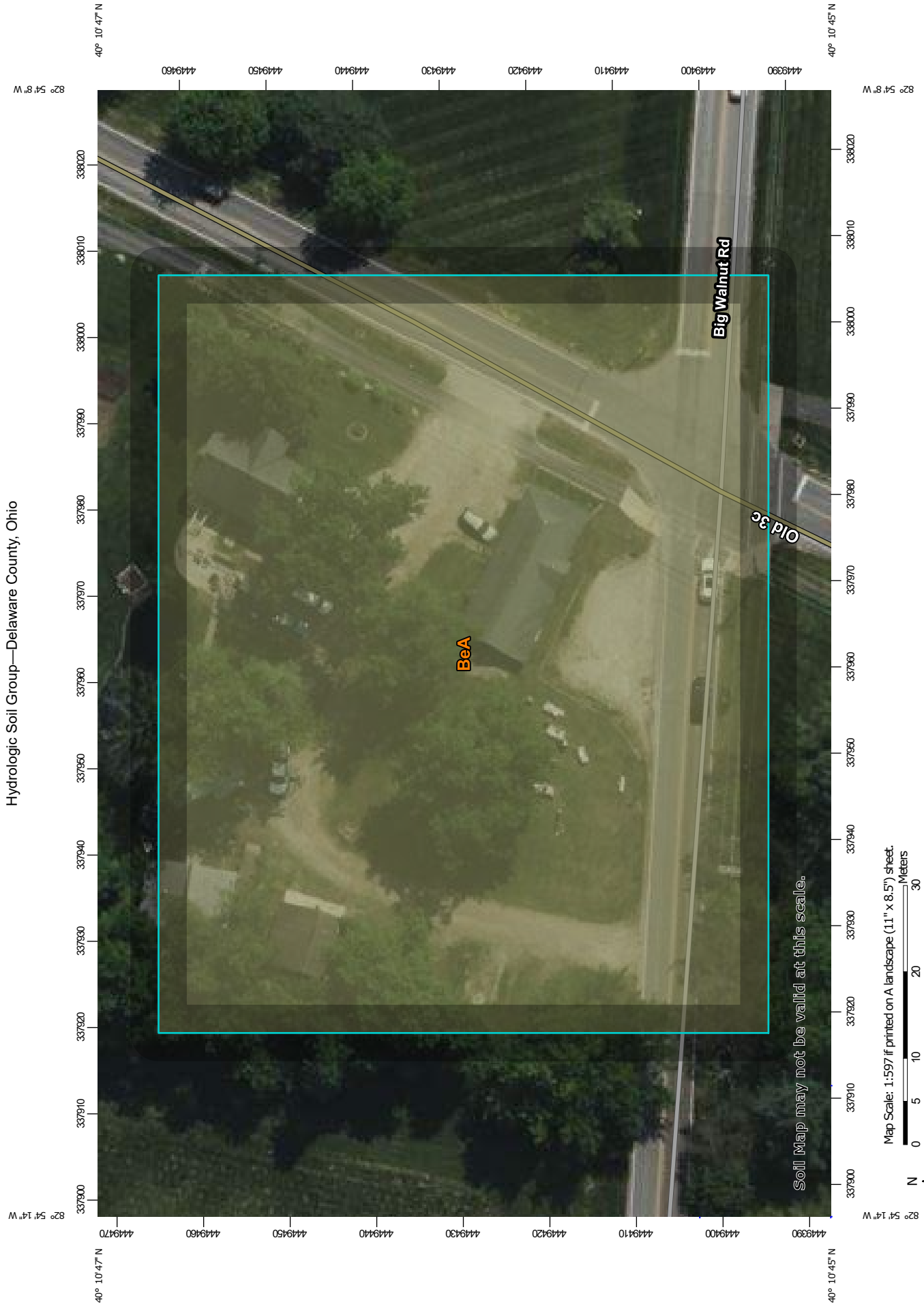
Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
1.90	0.50 - 3.67	0.83

Data Plot and Equation


































Hydrologic Soil Group—Delaware County, Ohio



Map Scale: 1:597 if printed on A landscape (11" x 8.5") sheet.



MAP LEGEND

Area of Interest (AOI)	 C
Soils	 C/D
Soil Rating Polygons	 D
Soil Rating Lines	 Not rated or not available
Water Features	 Streams and Canals
Transportation	 Rails
	 Interstate Highways
	 US Routes
	 Major Roads
	 Local Roads
Background	 Aerial Photography
Soil Rating Polygons	 A
	 A/D
	 B
	 B/D
	 C
	 C/D
	 D
	 Not rated or not available
Soil Rating Lines	 A
	 A/D
	 B
	 B/D
	 C
	 C/D
	 D
	 Not rated or not available
Soil Rating Points	 A
	 A/D
	 B
	 B/D

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Delaware County, Ohio
 Survey Area Data: Version 22, Sep 6, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 21, 2023—Aug 8, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
BeA	Bennington silt loam, 0 to 2 percent slopes	C/D	1.5	100.0%
Totals for Area of Interest			1.5	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

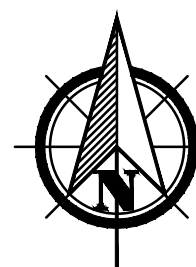
Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

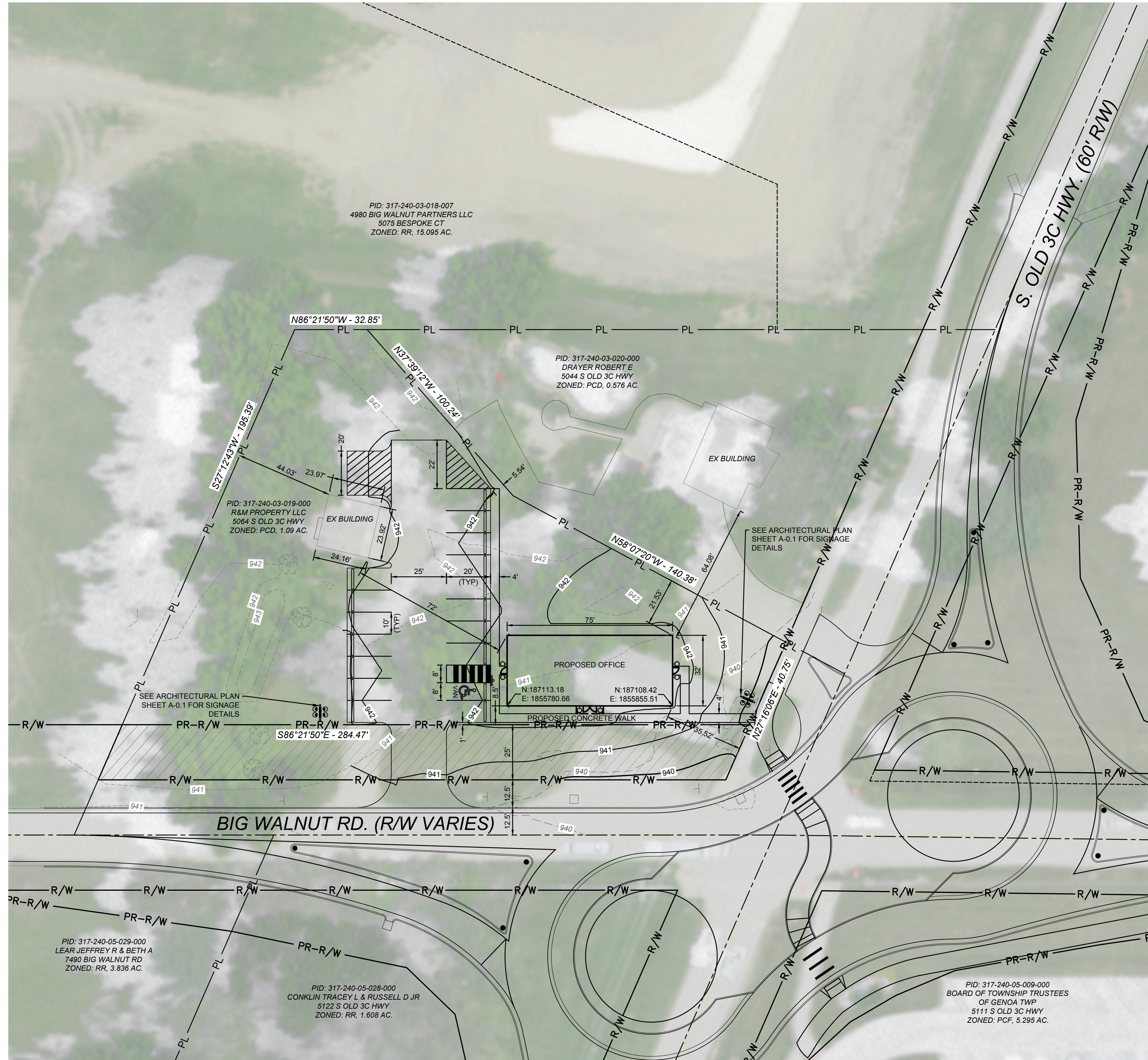
Tie-break Rule: Higher



OLIVE BRANCH OFFICES - VICINITY MAP
NOT TO SCALE



PLOT SCALE: 1:1 EDIT DATE: 5/20/24 - 10:46 AM EDITED BY: JKROKEY DRAWING FILE: D:\2024\05\05\5D.DRAWINGSCIVIL\CONSTRUCTION DOCUMENTS\FDP\2024-00366 TS.DWG

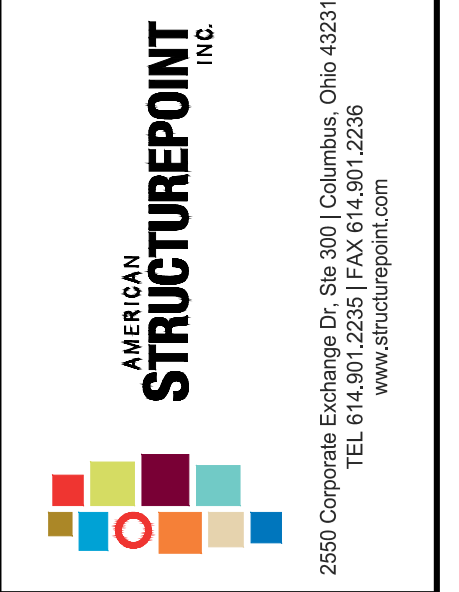
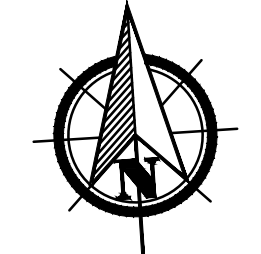


HATCH LEGEND:
 DEDICATED R/W AREA

SITE DATA	
ZONING:	
PROPERTY OWNER:	R&M PROPERTY LLC
PARCEL ID:	317-240-03-019-000
SITE ACREAGE (PRE R/W DEDICATION):	1.09 AC.
SITE ACREAGE (POST R/W DEDICATION):	0.70 AC.
R/W DEDICATED AREA:	0.16 AC. (NOTE: THIS IS EXCLUSIVE OF THE AREA BETWEEN THE EXISTING R/W LINES OF BIG WALNUT ROAD AND OLD 3C HIGHWAY AND THE RESPECTIVE R/W CENTERLINES. PER THE COUNTY AUDITOR, THE PROPERTY BOUNDARY CURRENTLY INCLUDES THE AREA BETWEEN EXISTING R/W AND R/W CENTERLINE (0.23 ACRES) WHICH ACCOUNTS FOR THE REMAINING AREA POST R/W DEDICATION.)
EXISTING ZONING:	PCD
OVERLAY DISTRICT:	HOOVER WATERSHED OVERLAY DISTRICT
FEMA FLOODPLAIN PANEL:	39041C0207K (EFF. 4/16/2009)
SITE LAYOUT DATA:	
MINIMUM DRIVE AISLE WIDTH:	22'
STANDARD PARKING STALL:	10'x20'
ADA PARKING STALL:	8'x20'
BUILDING DATA:	
PROPOSED BUILDING HEIGHT:	33'
PROPOSED BUILDING GROSS FLOOR AREA:	2,400 SQ. FT.
DENSITY:	8.57 OFFICES/ACRE
EXISTING BUILDING HEIGHT:	12'
EXISTING BUILDING GROSS FLOOR AREA:	576 SQ. FT.
EXISTING BUILDING USE:	STORAGE & MAINTENANCE
PARKING DATA:	
STANDARD SPACES PROVIDED:	16
ADA SPACES PROVIDED:	1
LANDSCAPE DATA:	
EXISTING IMPERVIOUS AREA:	0.222 AC.
PROPOSED IMPERVIOUS AREA:	0.268 AC.
GREENSPACE:	0.432 AC.
LOT COVERAGE:	7.84%

DEVELOPER
 R&M PROPERTY LLC
 5064 S. OLD 3D HWY.
 WESTERVILLE, OHIO 43082

ENGINEER
 AMERICAN STRUCTUREPOINT
 2550 CORPORATE EXCHANGE DRIVE, SUITE 300
 COLUMBUS, OHIO 43231
 CONTACT: GARRETT BAKER
 PHONE: 614-901-2235
 EMAIL: GBAKER@STRUCTUREPOINT.COM



FINAL DEVELOPMENT PLAN
 FOR
THE OLIVE BRANCH OFFICES
 WESTERVILLE, DELAWARE COUNTY, OHIO
SITE PLAN

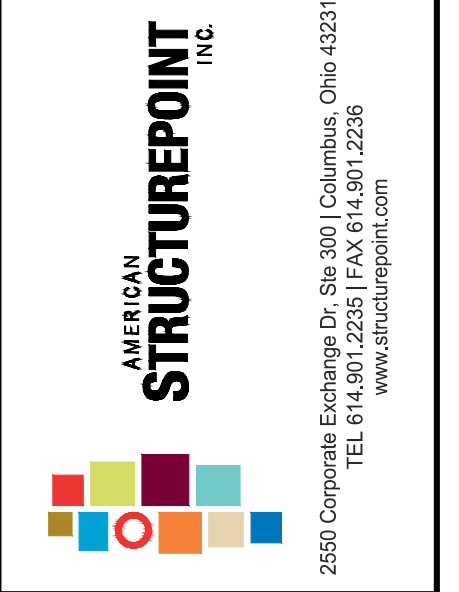
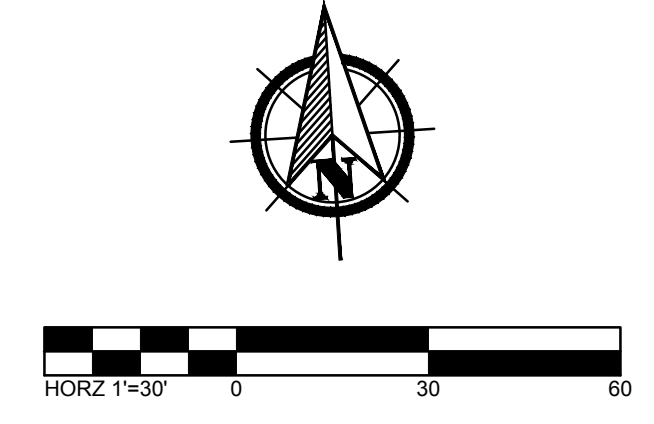
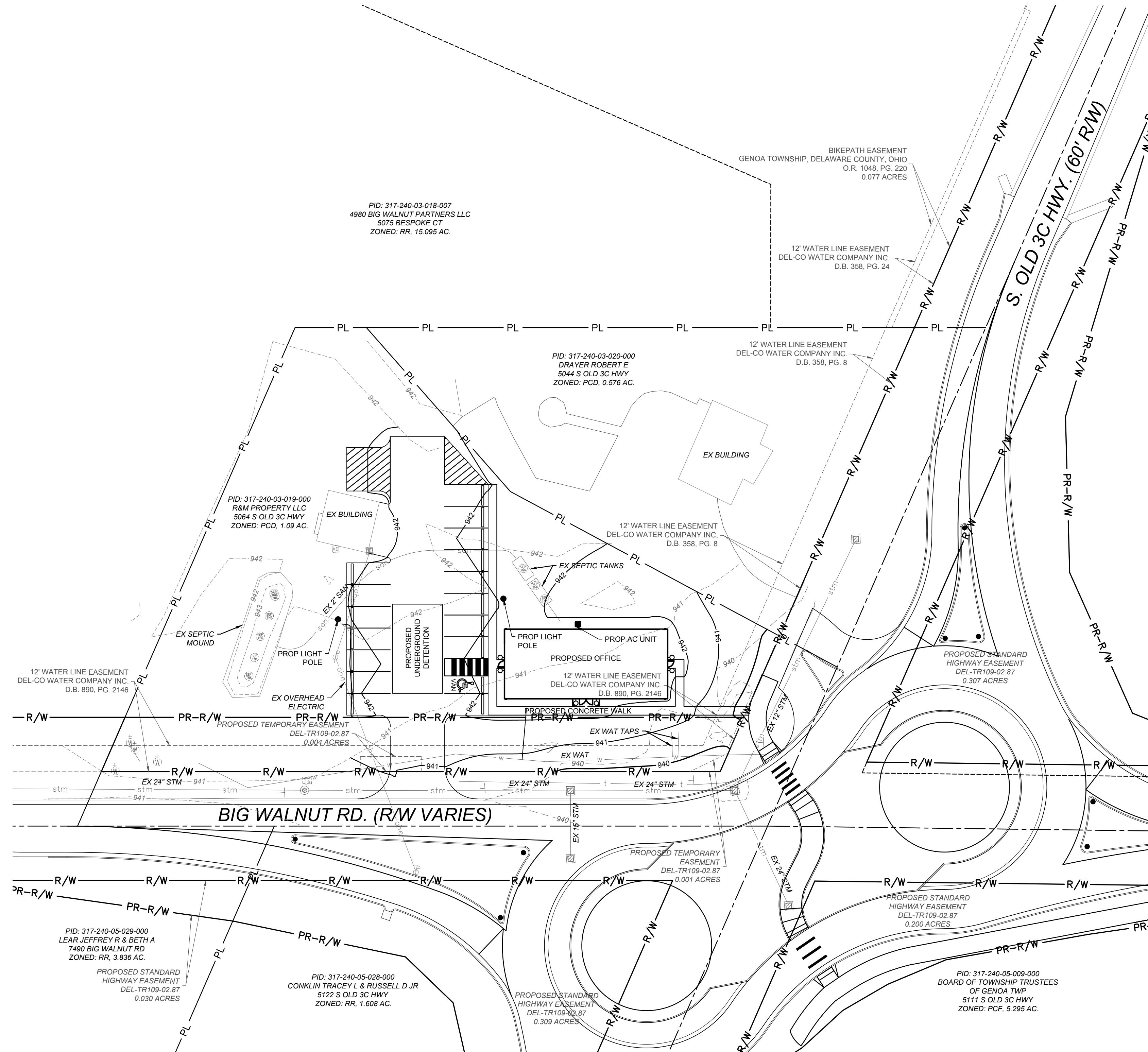
REVISIONS	DATE	SHEET NO.	DESCRIPTION

APPROVAL PENDING NOT FOR CONSTRUCTION
 IN SUBMITTING BIDS IN RELIANCE ON THESE PLANS THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS IN THE COURSE OF COMPLETING THE FINAL DESIGN.

DATE:	5/20/2024
DRAWN BY:	JJK
CHECKED BY:	GPB
JOB NUMBER:	2024.00366

C100

PLOT SCALE: 1:1 EDIT DATE: 5/20/24 - 10:46 AM EDITED BY: JKROKEY DRAWING FILE: O:\2024\00366.DRAWINGSCIVIL\CONSTRUCTION\DOCUMENTS\FDP\2024-00366.TS.DWG



FINAL DEVELOPMENT PLAN
 FOR
THE OLIVE BRANCH OFFICES
 WESTERVILLE, DELAWARE COUNTY, OHIO
 UTILITY PLAN

REVISIONS	DATE	SHEET NO.	DESCRIPTION

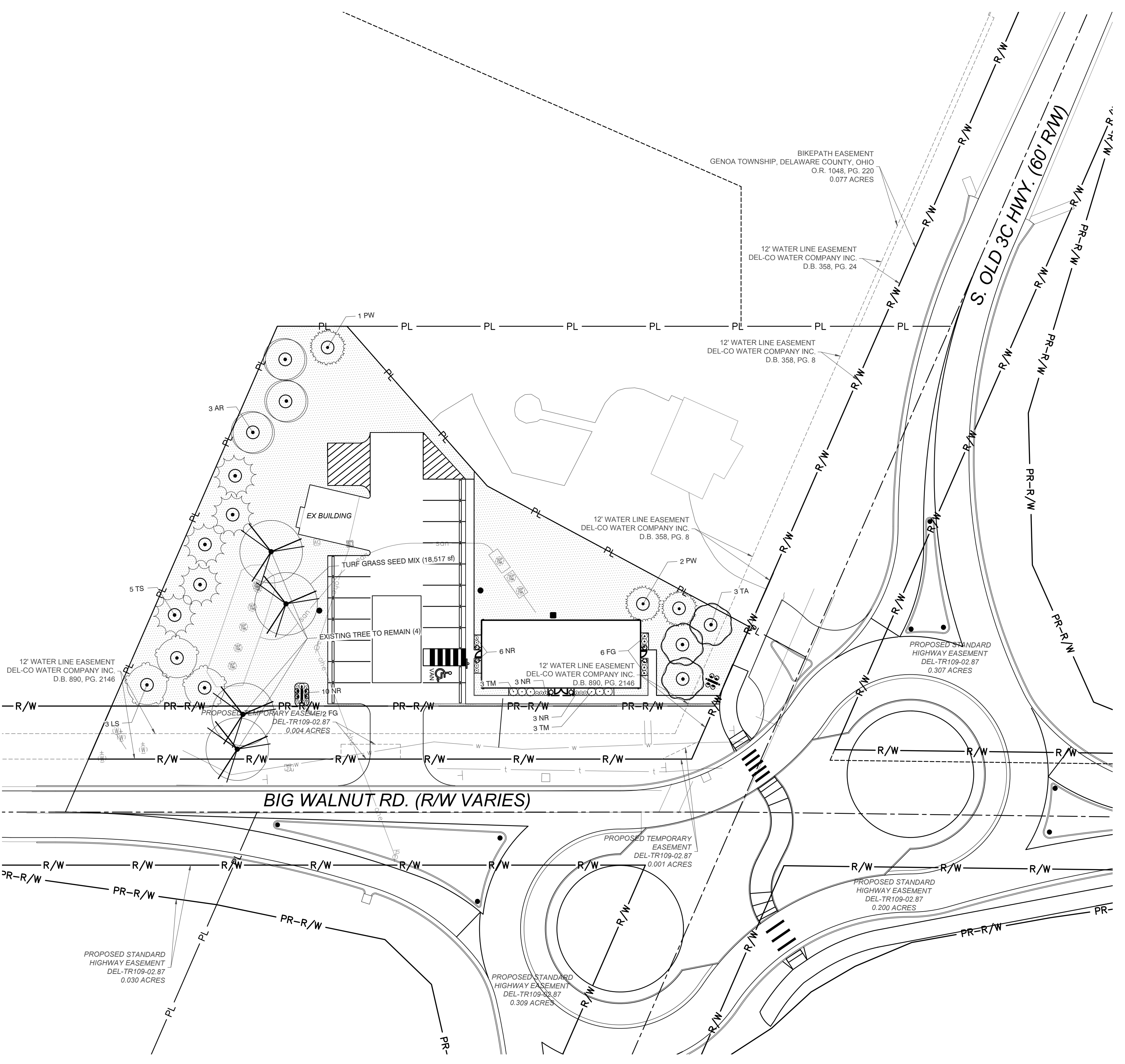
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DATE: 5/20/2024
 DRAWN BY: JJK
 CHECKED BY: GPB
 JOB NUMBER: 2024.00366

C101

PLANT SCHEDULE

CODE	QTY	BOTANICAL / COMMON NAME	COND.	SIZE	SPACING
TREES					
AR	3	Acer rubrum / Red Maple	B & B	2.5" cal. (min.)	As shown
LS	3	Liquidambar styraciflua / Sweet Gum	B & B	2.5" cal. (min.)	As shown
TA	3	Tilia americana / American Linden	B & B	2.5" cal. (min.)	As shown
	4	EXISTING TREE TO REMAIN			
EVERGREEN TREES					
PW	3	Pinus alba / White Pine	B & B	6" Ht (min)	As shown
TS	5	Tsuga canadensis / Eastern Hemlock	B & B	6" Ht (min)	As shown
DECIDUOUS SHRUBS					
FG	8	Fothergilla gardenii / Dwarf Fothergilla	cont.	3 GAL; MIN HT. 24"	3' O.C.
EVERGREEN SHRUBS					
TM	6	Taxus x media 'Densiformis' / Dense Yew	cont.	3 GAL; MIN HT. 24"	4' O.C.
PERENNIALS					
NR	22	Nepeta racemosa 'Walker's Low' / Walker's Low Catmint	cont.	1 GAL Min.	2' O.C.
GROUND COVERS					
	18,733 sf	TURF GRASS SEED MIX			



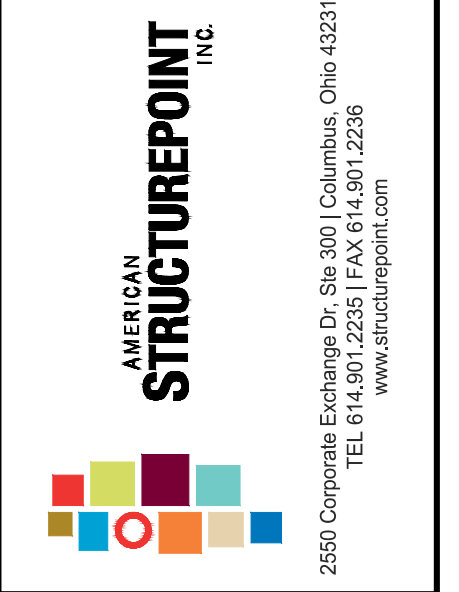
PLANTING ORDINANCE TABLE	
703.03 REQUIREMENTS	PERIMETER BUFFER
703.03 B) Two (2) native evergreen trees and three (3) native deciduous trees for every fifty (50) feet of linear site perimeter not immediately adjacent to a Lot or Tract not otherwise regulated by Section 703.03 B.1.	
Provided: 3 native deciduous canopy trees and 2 native evergreen trees.	
1203 REQUIREMENTS	GENERAL PLANNED COMMERCIAL DEVELOPMENT
1203.03 - Where the lot lines separate a planned commercial district from a planned residential district there shall be created, at a minimum, an undeveloped green strip of 75 feet planted with grass and/or landscaped with the purpose of providing a year-round combination of trees and shrubs.	1203.13 Landscaping - All areas shall be landscaped. The developer shall submit a conceptual landscaping plan to be reviewed as part of the development plan. Each Lot shall be seeded or sodded in accordance with the approved development plan before a Certificate of Zoning Compliance is issued.
2003 REQUIREMENTS	SCREENING
2003.03 - Visual screening accessory walls, fences, plantings, or mounds shall be a minimum of 5 1/2 feet high to accomplish the desired screening effects.	
Provided: 6 native deciduous canopy trees and 6 native evergreen trees.	
2006 REQUIREMENTS	PLANT SIZING
2006.02 - All deciduous trees shall be a minimum of 2 1/2 in. caliper in size when measured 6 inches above the ground.	
2006.03 - All evergreen trees shall be a minimum of 5 1/2 feet in height, measure above finished grade.	
2006.04 - All shrubs shall be a minimum of 24" in height at the time of planting.	

- REFERENCE NOTES**
- Contractor to verify all utility locations in the field prior to beginning work and is responsible for any damage to utilities associated with work. Utilities shall be repaired to satisfaction of the utility owner and/or operating authority at no additional cost.
 - In case of discrepancies between the plan and the plant list, the plan shall dictate. Dimensioned details take precedence over scaled details. If in question, contact the landscape architect.
 - No substitutions of plant material will be allowed. If plants are shown to be unavailable, the contractor shall notify landscape architect prior to bid date in writing. All plants shall be inspected and tagged with project identification at nursery or contractor's operation prior to moving to job site. Plants may also be inspected and approved or rejected on the job site.
 - All disturbed lawn areas shall be seeded or sodded as shown on plans. Refer to erosion control plans for temporary seeding and areas not shown on landscape plans.

- GENERAL NOTES:**
- CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
 - CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.
 - SEE CIVIL SHEETS GENERAL NOTES FOR MORE INFORMATION.

!! CAUTION !!
 THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

CALL TOLL FREE
 811 OR 1-800-362-2764
 - OHIO811 -



FINAL DEVELOPMENT PLAN FOR THE OLIVE BRANCH OFFICES WESTERVILLE, DELAWARE COUNTY, OHIO LANDSCAPE PLAN

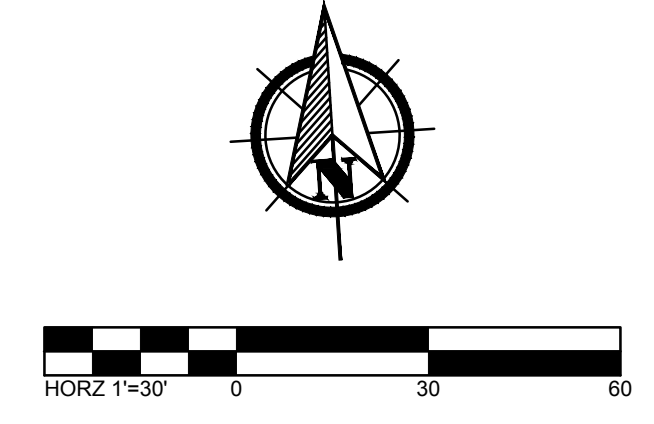
REVISIONS	DATE	SHEET NO.	DESCRIPTION

APPROVAL PENDING NOT FOR CONSTRUCTION
 IN SUBMITTING BIDS IN RELIANCE ON THESE PLANS THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS IN THE COURSE OF COMPLETING THE FINAL DESIGN.

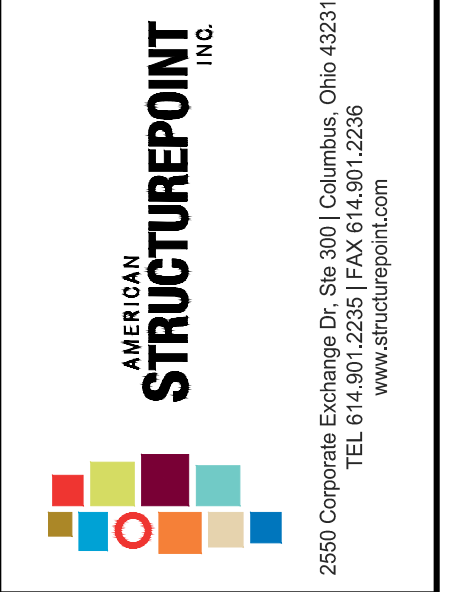
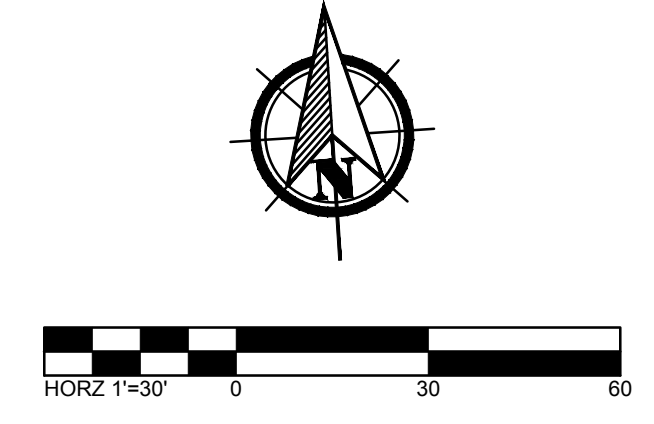
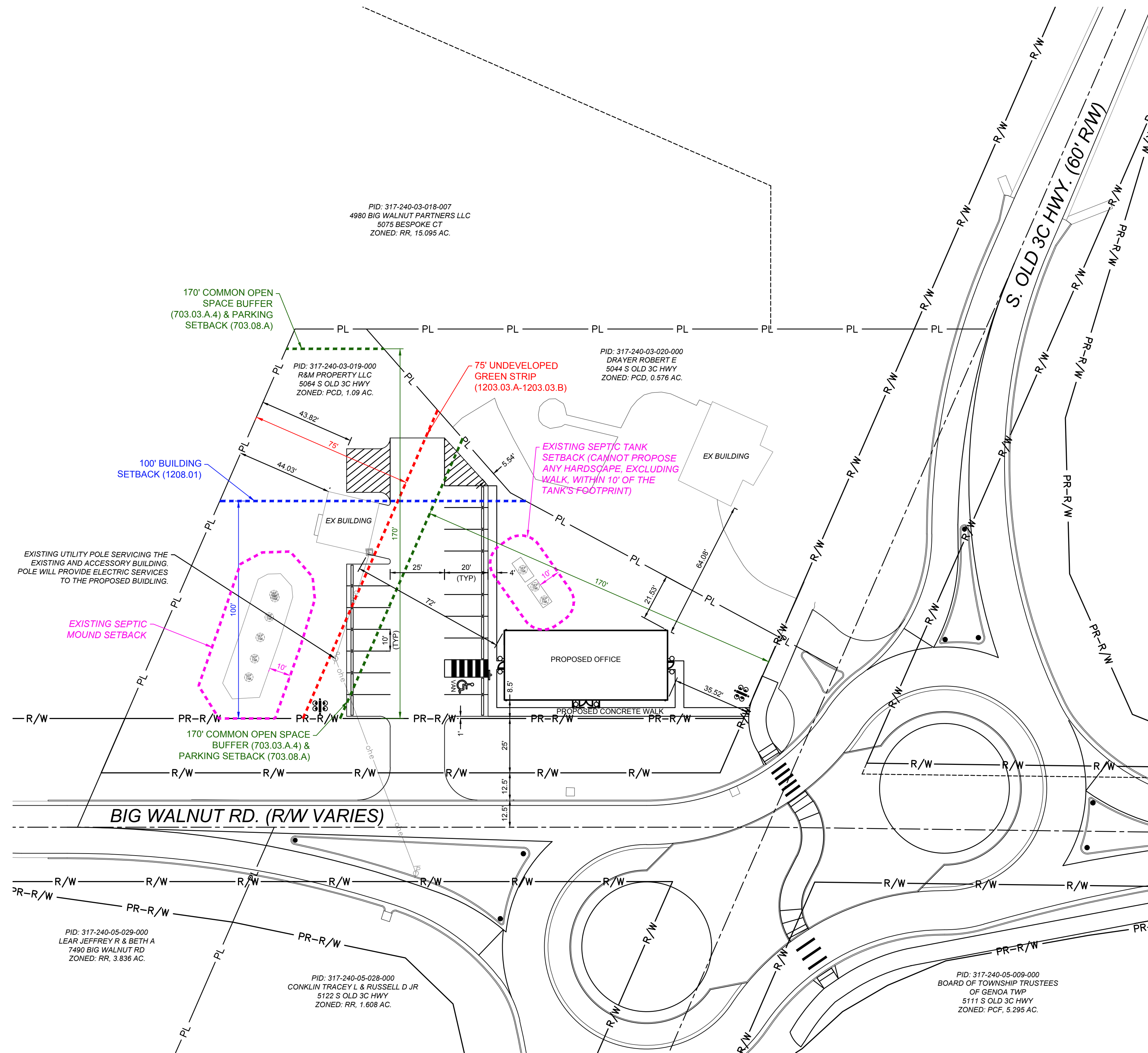
DATE:	5/17/2024
DRAWN BY:	KH
CHECKED BY:	LAK
JOB NUMBER:	2024.00366

C200

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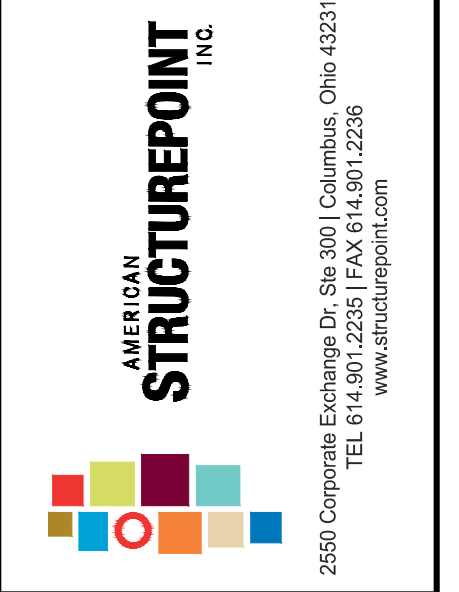
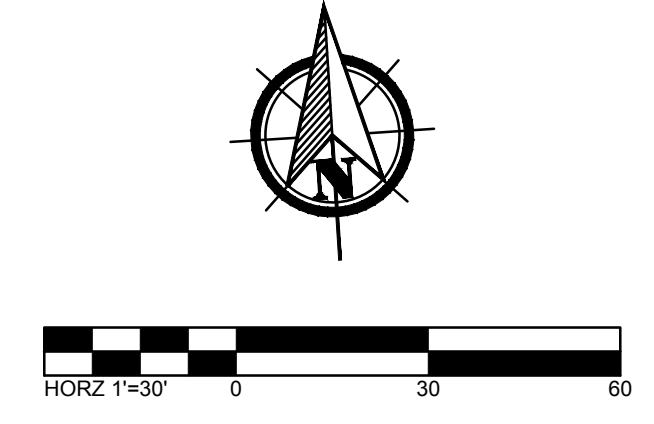
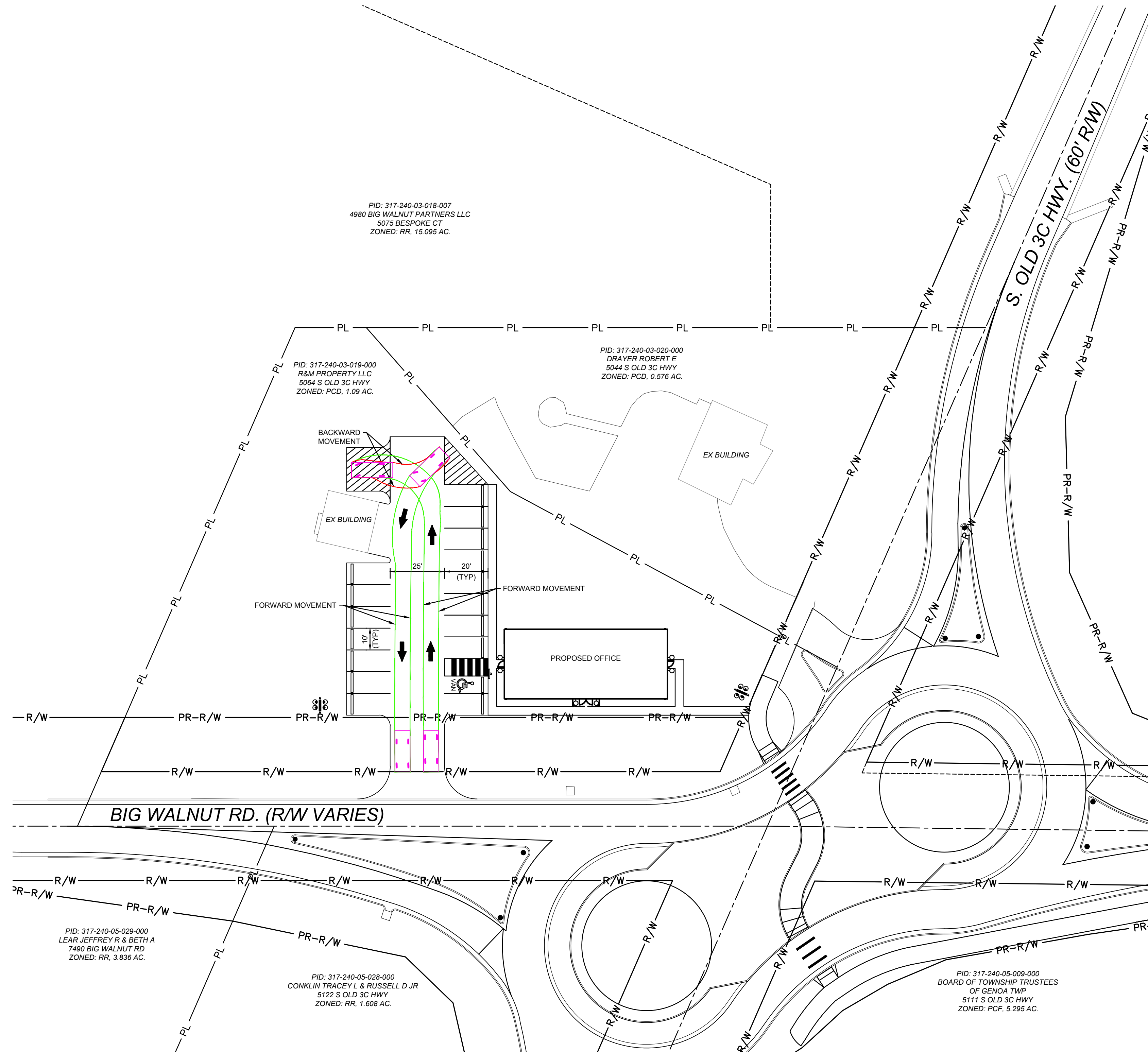
SETBACK EXHIBIT
FOR
THE OLIVE BRANCH OFFICES
WESTERVILLE, DELAWARE COUNTY, OHIO

REVISIONS	DATE	SHEET NO.	DESCRIPTION

APPROVAL PENDING NOT FOR CONSTRUCTION
IN SUBMITTING BIDS IN RELIANCE ON THESE PLANS THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS IN THE COURSE OF COMPLETING THE FINAL DESIGN.

DATE: 5/20/2024
DRAWN BY: JJK
CHECKED BY: GPB
JOB NUMBER: 2024.00366

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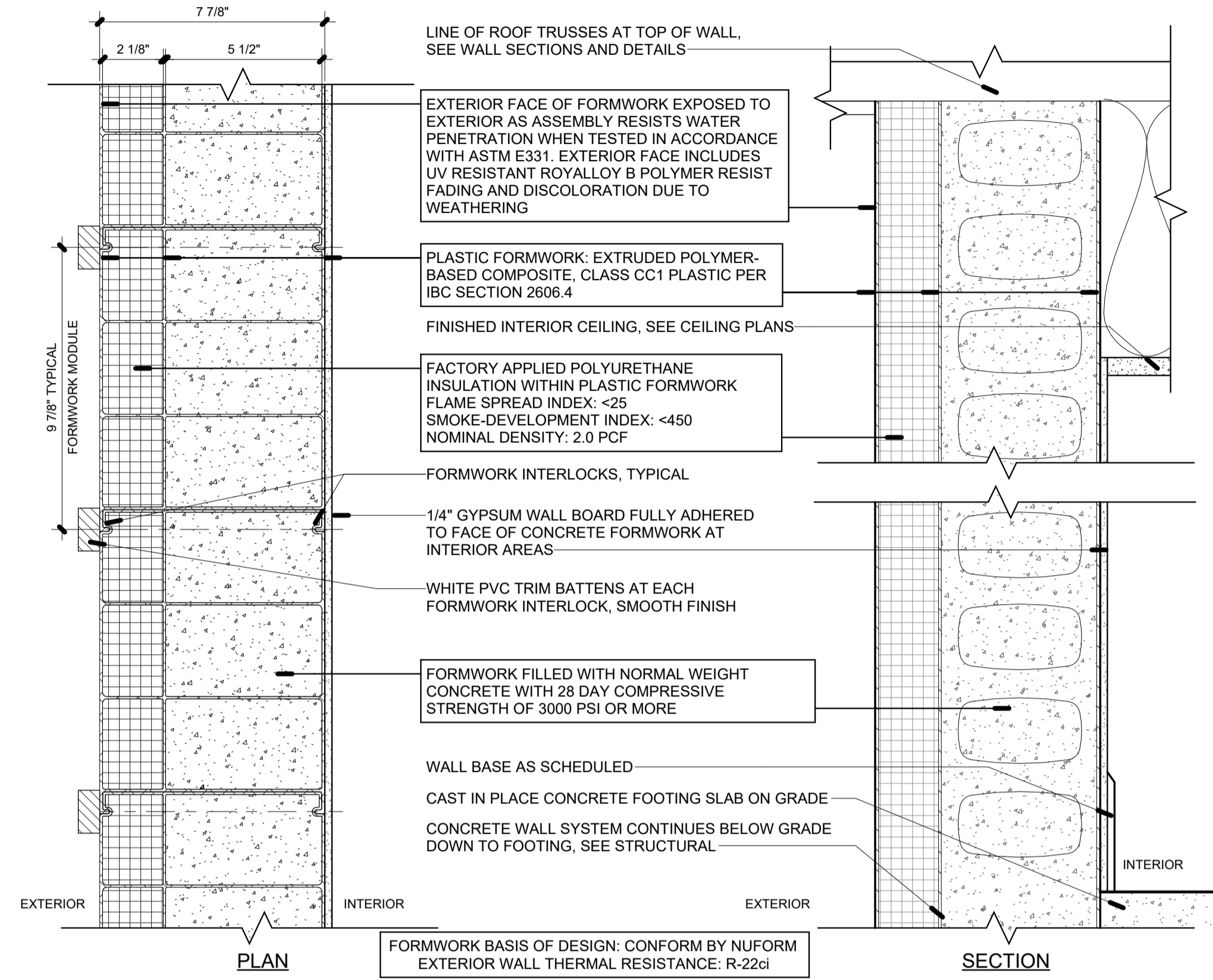


MANUEVERABILITY EXHIBIT
FOR
THE OLIVE BRANCH OFFICES
WESTERVILLE, DELAWARE COUNTY, OHIO

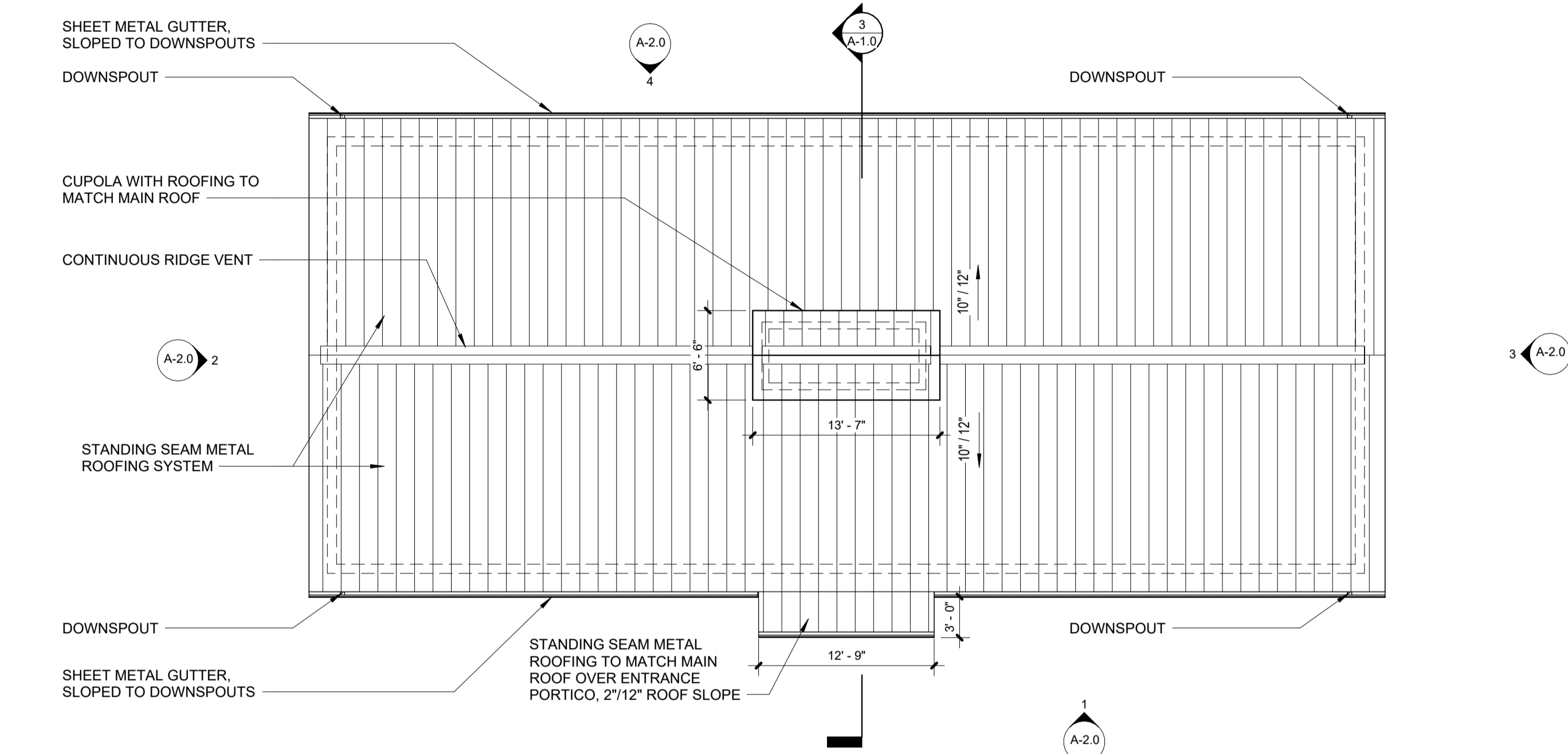
REVISIONS	DATE	SHEET NO.	DESCRIPTION

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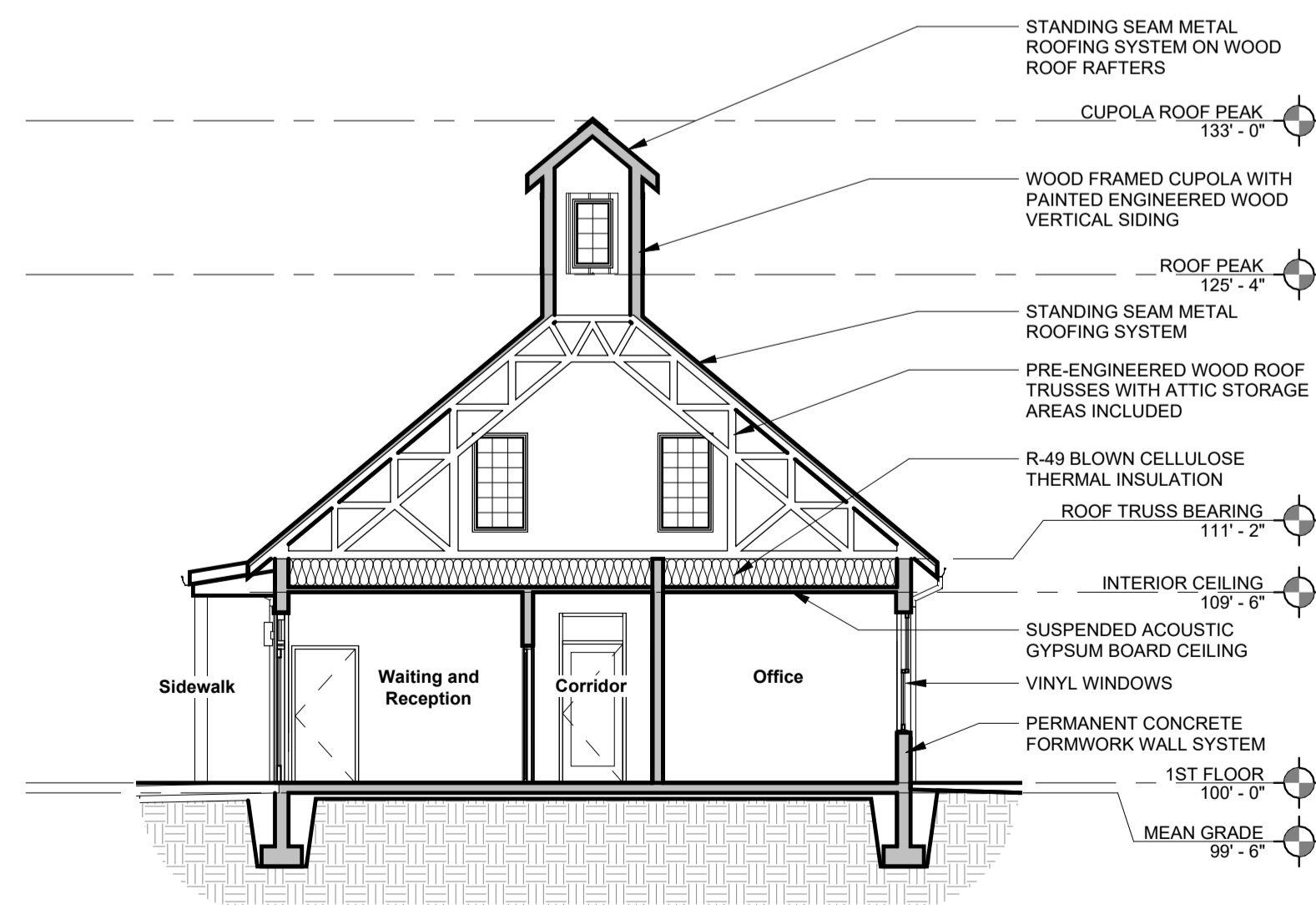
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DRAWN BY: JJK
CHECKED BY: GPB
JOB NUMBER: 2024.00366



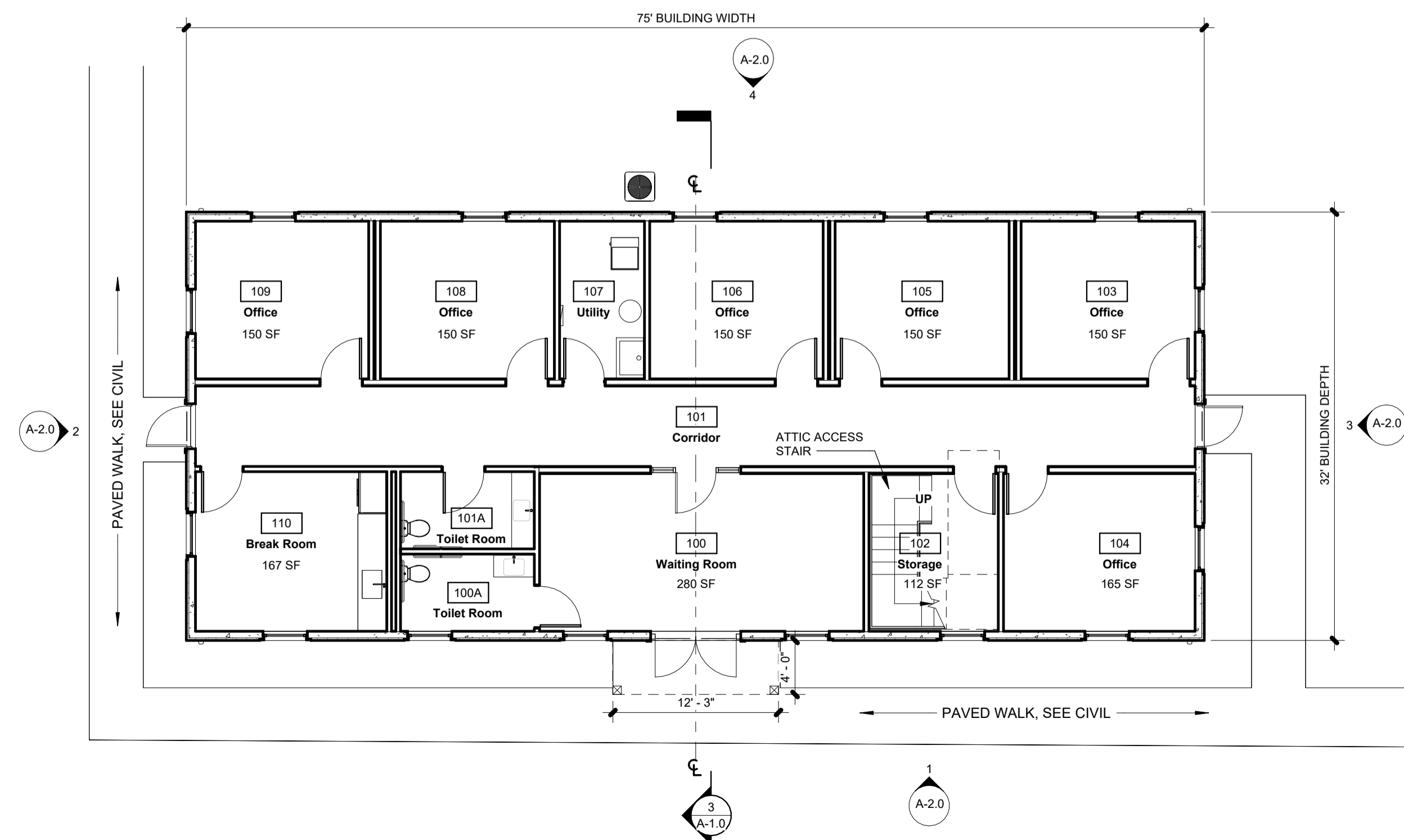
EXTERIOR WALL ASSEMBLY DETAIL
SCALE: 3" = 1'-0"



ROOF PLAN
SCALE: 1/8" = 1'-0"



BUILDING CROSS SECTION
SCALE: 1/8" = 1'-0"



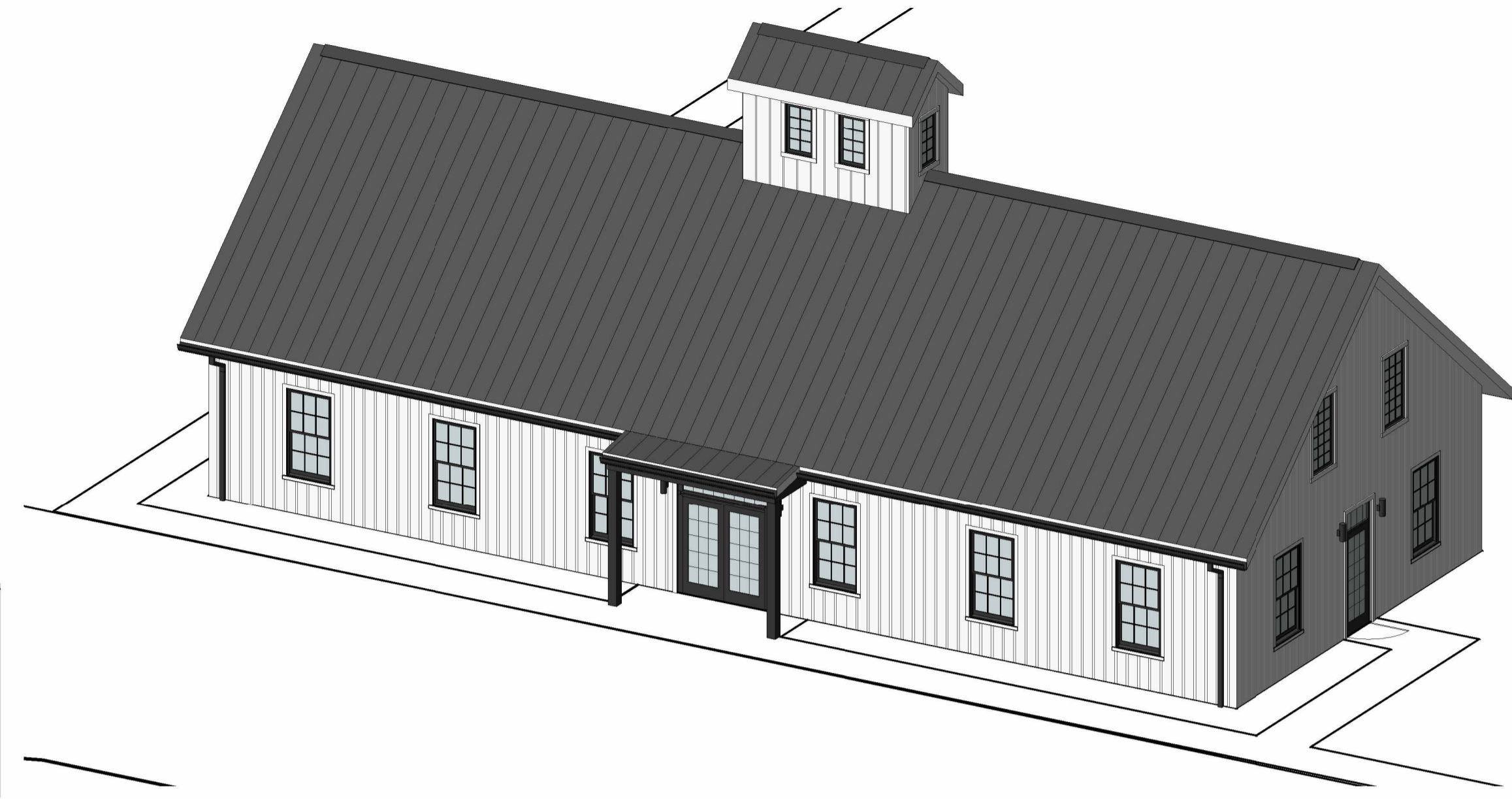
FLOOR PLAN
SCALE: 1/8" = 1'-0"



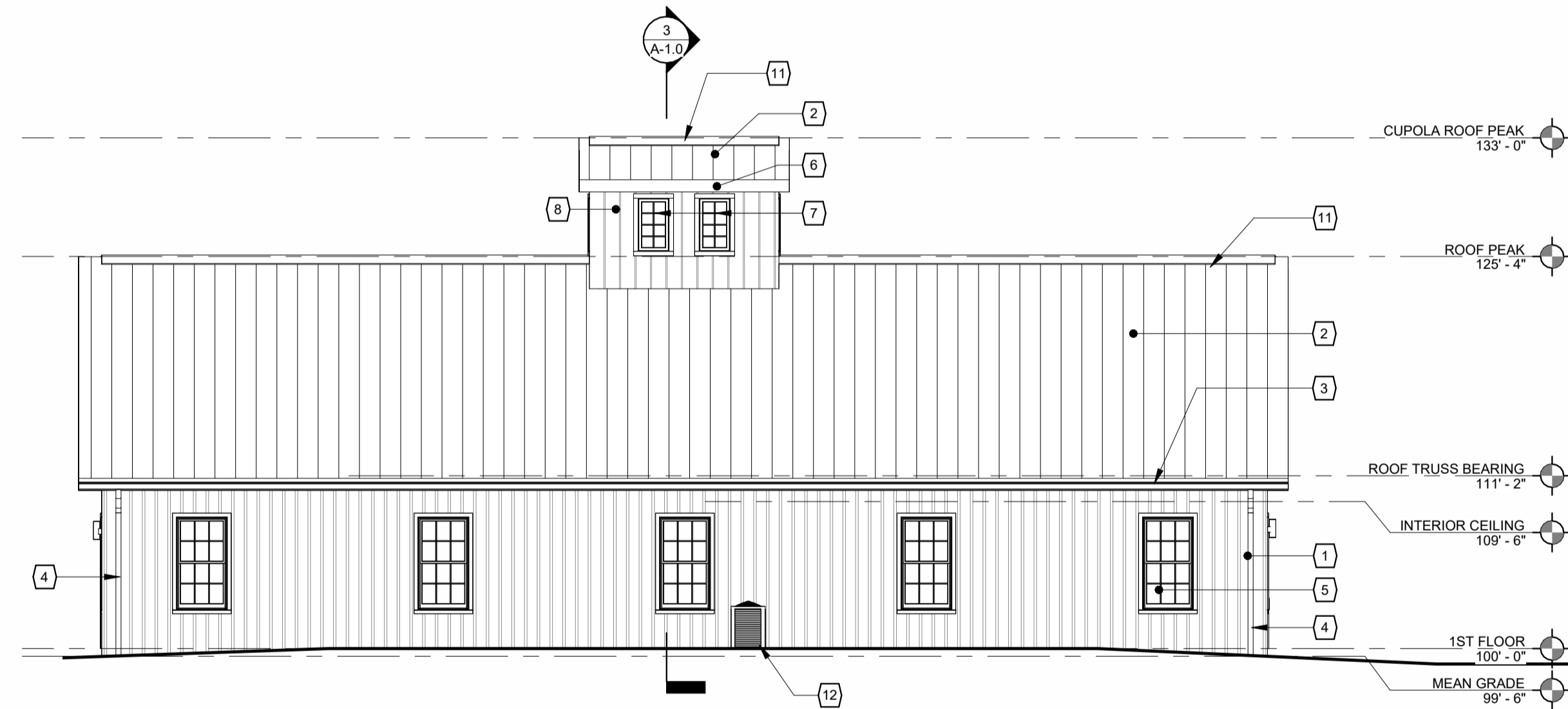
7 PERSPECTIVE VIEW - REAR AND SIDE FACADE
SCALE:



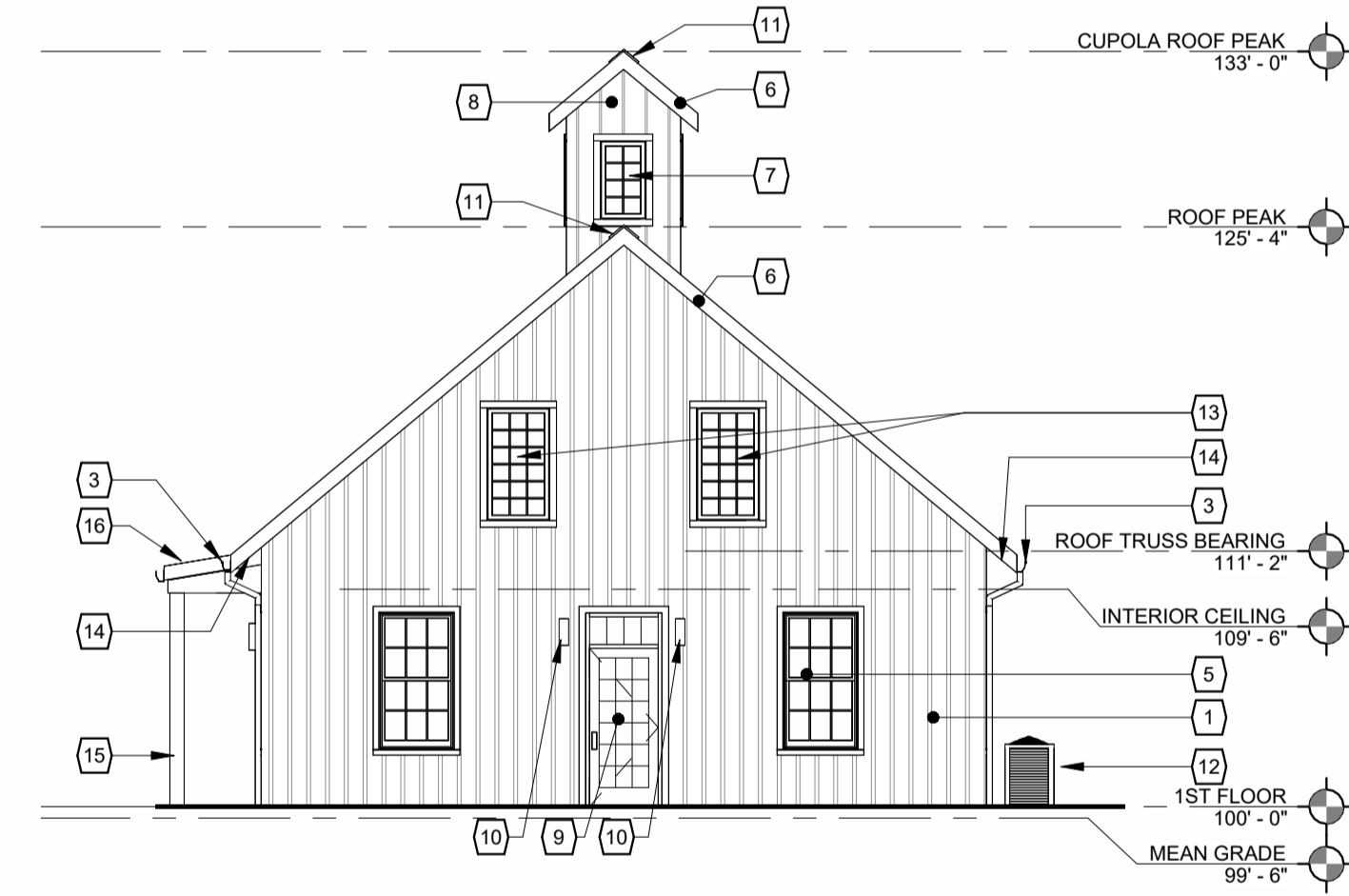
6 PERSPECTIVE VIEW - FRONT AND SIDE FACADE
SCALE:



5 BUILDING AXONOMETRIC VIEW
SCALE:

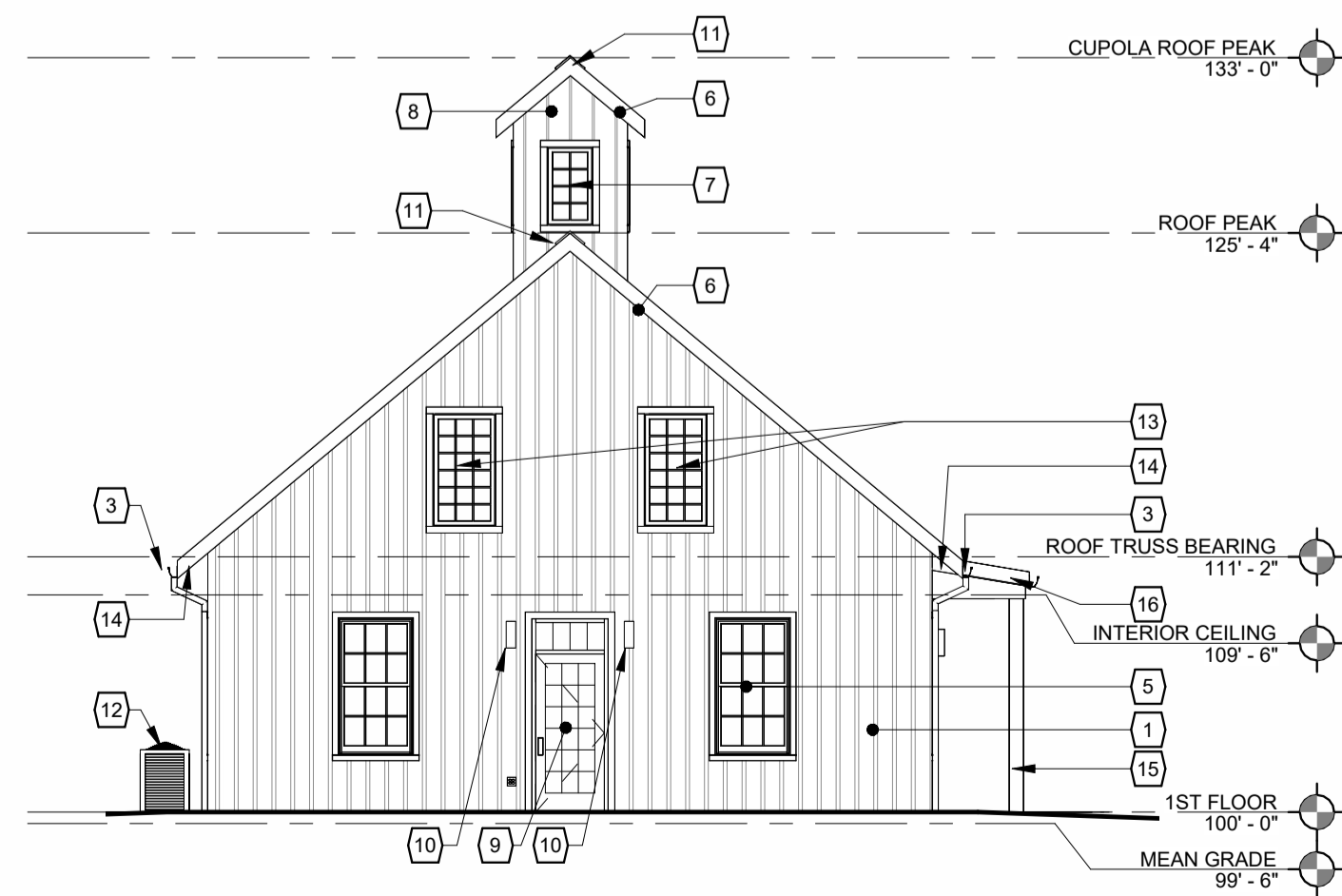


4 NORTH (REAR) BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

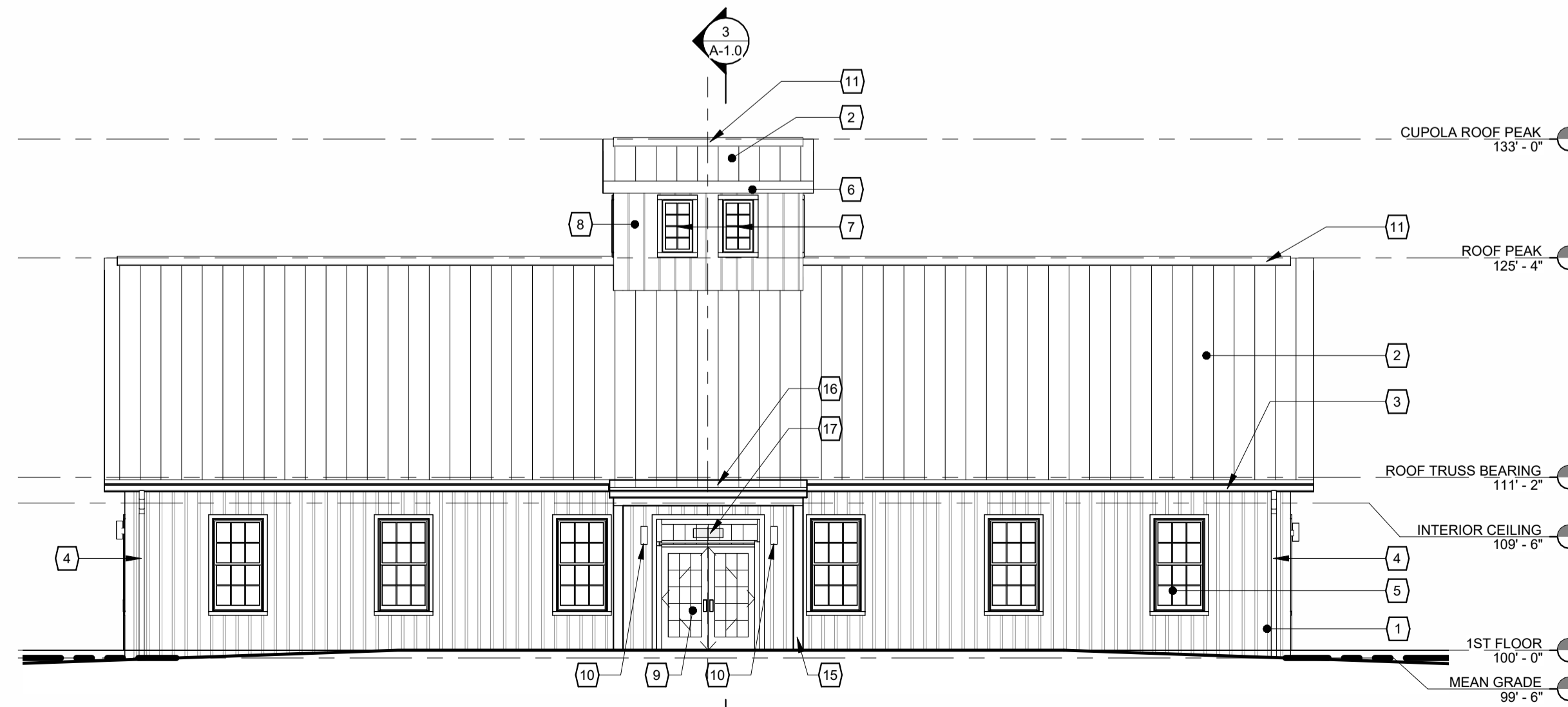


3 EAST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR ELEVATION KEYED NOTES	
NO.	NOTE
1	PERMANENT CONCRETE FORMWORK WALL SYSTEM WITH FACTORY FINISHED COLOR, WHITE
2	STANDING SEAM METAL ROOFING SYSTEM, MANUFACTURER'S STANDARD BLACK PAINTED FINISH
3	METAL GUTTER, SHOP-PAINTED FINISH, BLACK
4	METAL DOWNSPOUT, BLACK FINISH; CONNECT TO NEW BELOW GRADE DRAINAGE SYSTEM OR DAYLIGHT AWAY FROM BUILDING
5	VINYL SINGLE-HUNG WINDOWS WITH BLACK FRAMES AND WHITE PVC TRIM, TYPICAL. GLAZING TO INCLUDE LOW E COATING
6	PVC FASCIA TRIM BOARD, COLOR TO MATCH EXTERIOR WALL
7	FIXED VINYL WINDOW WITH BLACK FRAMES AND WHITE PVC TRIM
8	PREFABRICATED WOOD FRAMED CUPOLA WITH VERTICAL ENGINEERED WOOD SIDING, FIELD PAINTED TO MATCH MAIN BUILDING FACADE
9	GLAZED ALUMINUM STOREFRONT SYSTEM WITH FULL LITE ENTRANCE DOOR, BLACK FRAME FINISH WITH WHITE PVC TRIM AROUND WALL OPENING
10	WALL MOUNTED DOWN LIGHT CYLINDRICAL WALL SCONCE FIXTURE, BLACK FINISH
11	ROOFING MANUFACTURER'S SHEET METAL RIDGE VENT, COLOR TO MATCH ROOFING PANELS
12	CONDENSING UNIT WITH PAD FOR FREESTANDING INSTALLATION AT GRADE
13	FIXED VINYL WINDOW WITH BLACK FRAMES AND WHITE PVC TRIM; GLAZING PANELS TO BE FULLY OPAQUE WITH APPLIED SPANDREL FILM
14	VENTILATED EAVE WITH VINYL SOFFIT PANEL
15	PORTICO PORCH POST CLAD IN PVC TRIM, FIELD PAINTED BLACK TO MATCH WINDOW AND DOOR FRAMES
16	STANDING SEAM METAL ROOF MATCHING MAIN BUILDING AT PORTICO STRUCTURE
17	STREET NUMBER IDENTIFICATION WITH NUMBERS 6 INCHES OR MORE IN HEIGHT



2 WEST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

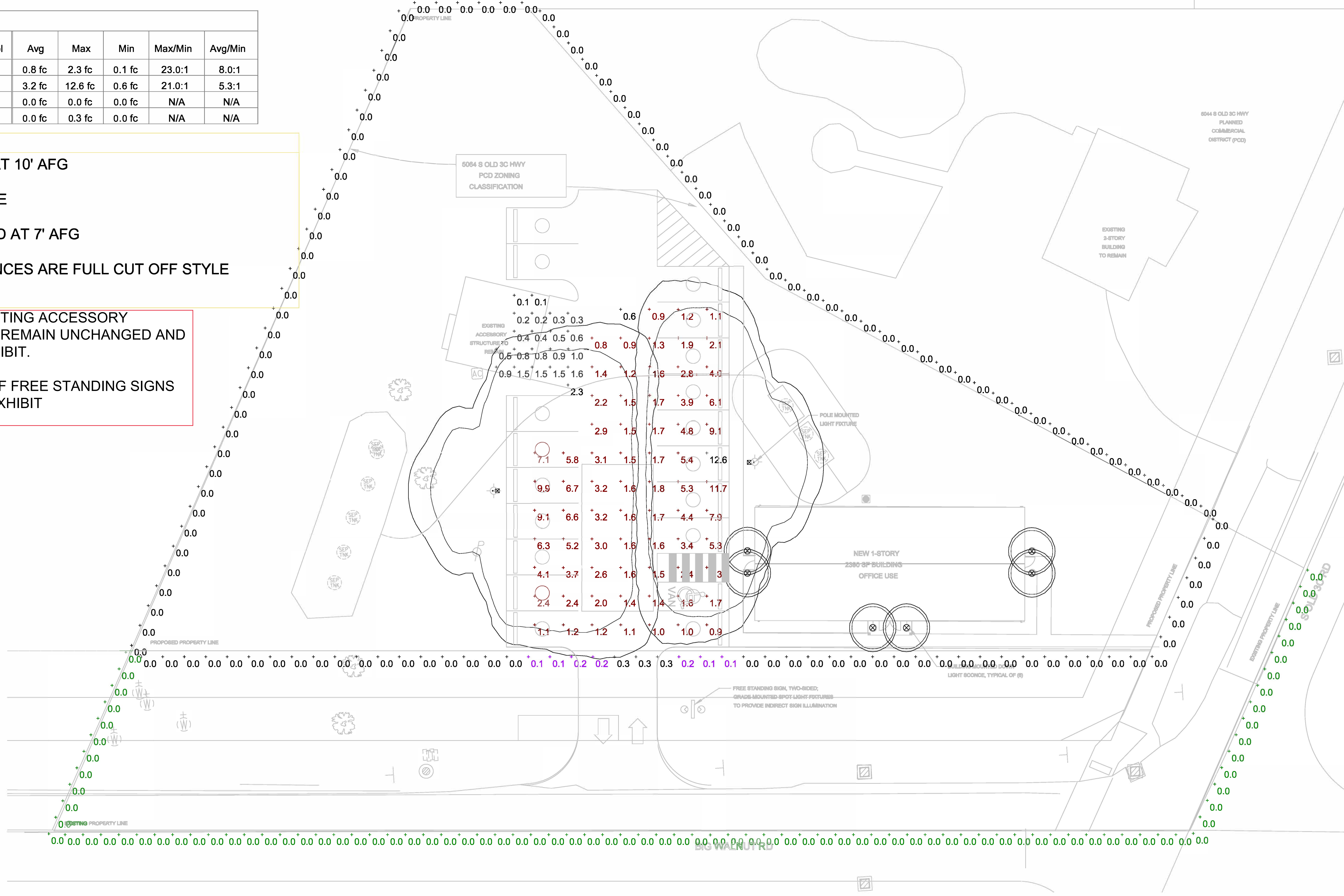


1 SOUTH (FRONT) BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

Symbol	Label	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power
☒	PL3	1	Lithonia Lighting	DSX1 LED P4 40K 70CRI T3M	D-Series Size 1 Area Luminaire P4 Performance Package 4000K CCT 70 CRI Type 3 Medium	1	18032	0.93	123.94
☒	PL4	1	Lithonia Lighting	DSX1 LED P4 40K 70CRI T4M	D-Series Size 1 Area Luminaire P4 Performance Package 4000K CCT 70 CRI Type 4 Medium	1	18272	0.93	123.94
⊗	W1	6	AFX Lighting	BVYW0406LAJUD	LED Wall Cylinder Sconce	1	651	0.94	9.87

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
BARN AREA	+	0.8 fc	2.3 fc	0.1 fc	23.0:1	8.0:1
PARKING SPACES	+	3.2 fc	12.6 fc	0.6 fc	21.0:1	5.3:1
PROPERTY LINE - EXISTING	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A
PROPERTY LINE - PROPOSED	+	0.0 fc	0.3 fc	0.0 fc	N/A	N/A

- Note**
1. AREA LIGHTS MOUNTED AT 10' AFG
 2. 8' POLE ON A 2' POLE BASE
 3. WALL SCONCES MOUNTED AT 7' AFG
 4. AREA LIGHT & WALL SCONCES ARE FULL CUT OFF STYLE
 5. EXISTING LIGHTING AT EXISTING ACCESSORY STRUCTURE TO REMAIN WILL REMAIN UNCHANGED AND IS NOT INCLUDED IN THIS EXHIBIT.
 6. EXTERNAL ILLUMINATION OF FREE STANDING SIGNS ARE NOT INCLUDED IN THIS EXHIBIT



**THE OLIVE BRANCH OFFICES
SITE LIGHTING LAYOUT**

DISCLAIMER
LIGHTING SYSTEMS OF COLUMBUS SHALL NOT BE HELD RESPONSIBLE FOR ANY ISSUES THAT MAY ARISE DURING THE INSTALLATION PROCESS DUE TO SPECIFIC FIELD COMPLICATIONS OR APPLICATIONS. OUR CALCULATIONS ARE PROVIDED AS A PROFESSIONAL COURTESY AND ARE BASED ON THE ILLUMINATING ENGINEERING SOCIETY RECOMMENDED PRACTICES AND ARE NOT NECESSARILY FULLY VETTED FOR CODE COMPLIANCE. IT IS THE RESPONSIBILITY OF THE ASSIGNED ENGINEER OF RECORD TO REVIEW AND APPROVE THE DRAWINGS, PRODUCTS AND INSTALLATION METHODS INCLUDING CONTROLS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE ENGINEER IS ULTIMATELY RESPONSIBLE FOR THE CODE COMPLIANT DESIGN THAT GETS BUILT, AND LIGHTING SYSTEMS OF COLUMBUS SHALL NOT BE HELD LIABLE FOR ANY ISSUES THAT MAY OCCUR DURING OR AFTER THE INSTALLATION.

Plan View
Scale - 1" = 13ft



PROPOSED WALL SCONCE FIXTURE

Beverly LED Outdoor Sconce
BVYW Series

Features
This outdoor LED light is ideal for security and general lighting. Available in 1-light and 2-light. Provides lighting in residential, commercial, and hospitality applications. Fixture mounts to standard junction box (not included).

Construction
Die-cast aluminum construction. Standard mounting holes and hardware are included. Power supply connections must be made inside a junction box (not included).

Finish
Black powder coated or Satin Nickel finish.

Diffuser
Clear glass diffuser(s).

Electrical
Input 120-277 VAC 60 HZ.
0-10V dimming (120-277V), TRIAC (120V).
Minimum starting temp -4° F / -20° C

LED
Fixture includes a LED modules capable of producing:
10W = 600 delivered lumens
20W = 1200 delivered lumens
Selectable 3000K, 3500K, 4000K (CCT).
Rated for 50,000 Hrs., 90 CRI.

Certification
All fixtures are cETLus listed for wet locations.
Title 24/JAB Compliant

Warranty
Limited warranty. This fixture is free from defects in materials and workmanship for a period of 5 years from date of purchase.

Specifications and dimensions subject to change without notice.

Ordering Information:

Black	Satin Nickel	LED	Delivered Lumens	Adjustable CCT	H	W	D
BVYW406LAJUD8X (1-Light)	BVYW406LAJUD8N (1-Light)	10W	600	3000K/3500K/4000K	6 1/4"	4 1/8"	3 1/2"
BVYW406LAJUD8K (2-Light)	BVYW406LAJUD8R (2-Light)	20W	1200	3000K/3500K/4000K	10"	4 1/8"	3 1/2"

2345 N. Ernie Krueger Circle • Waukegan, IL 60087 • P: 847.249.5970 • F: 847.249.2618 • AFEXinc.com

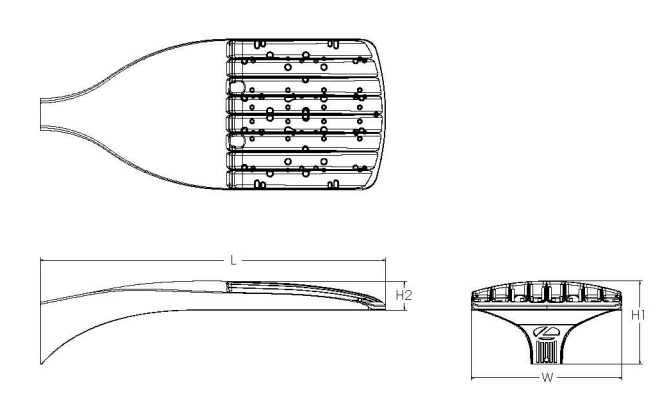
PROPOSED POLE MOUNTED FIXTURE

D-Series Size 1
LED Area Luminaire



Specifications

EPA: 0.69 ft² (0.06 m²)
Length: 22.71" (0.57 m)
Width: 14.26" (0.36 m)
Height H1: 7.88" (0.20 m)
Height H2: 2.73" (0.07 m)
Weight: 24 lbs (10.9 kg)



Introduction
The modern styling of the D-Series features a highly refined aesthetic that blends seamlessly with its environment. The D-Series offers the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. D-Series outstanding photometry aids in reducing the number of poles required in area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

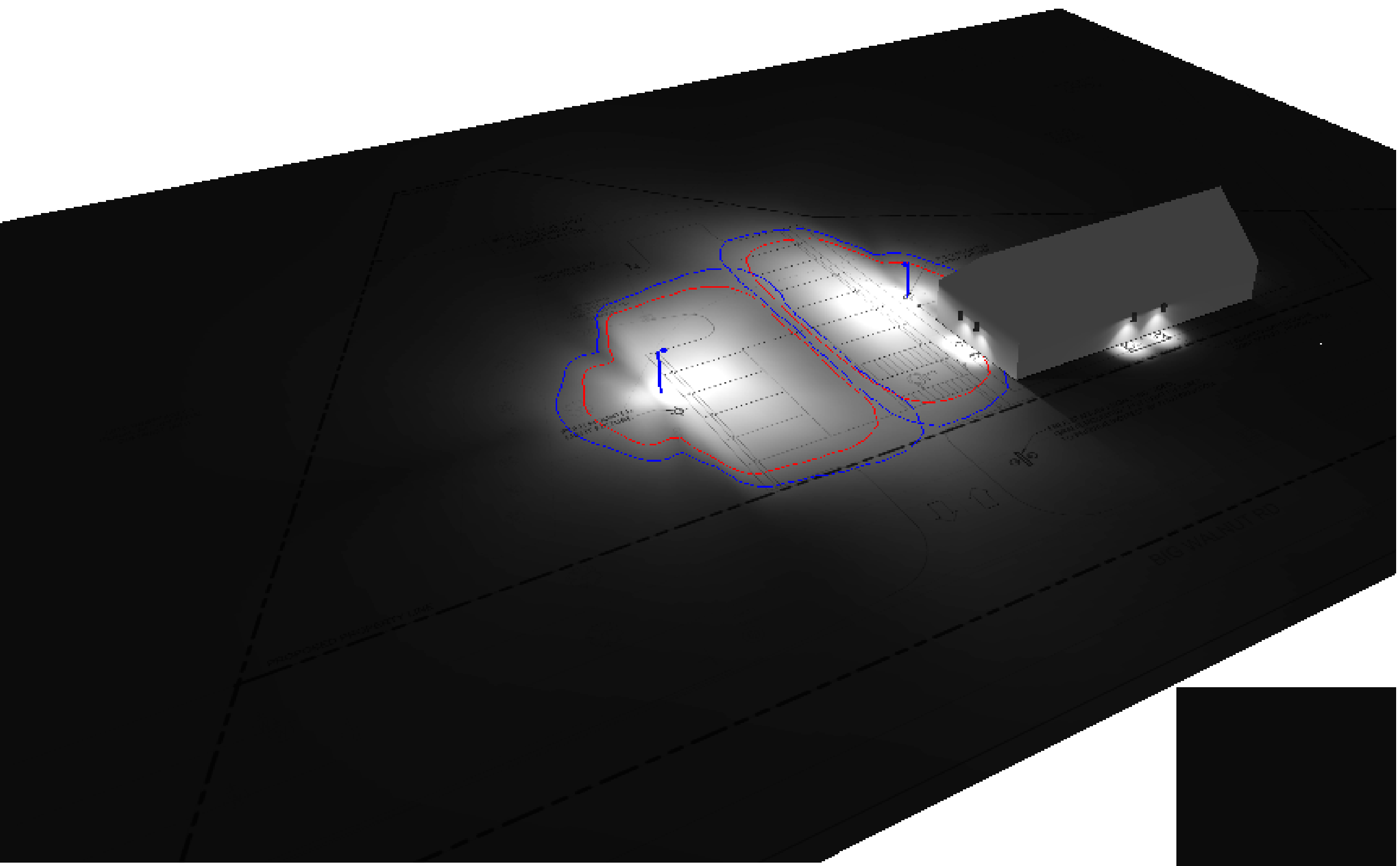
Ordering Information

EXAMPLE: DSX1 LED P7 40K 70CRI T3M MVOLT SPA NLTAR2 PIRHN DDBXD

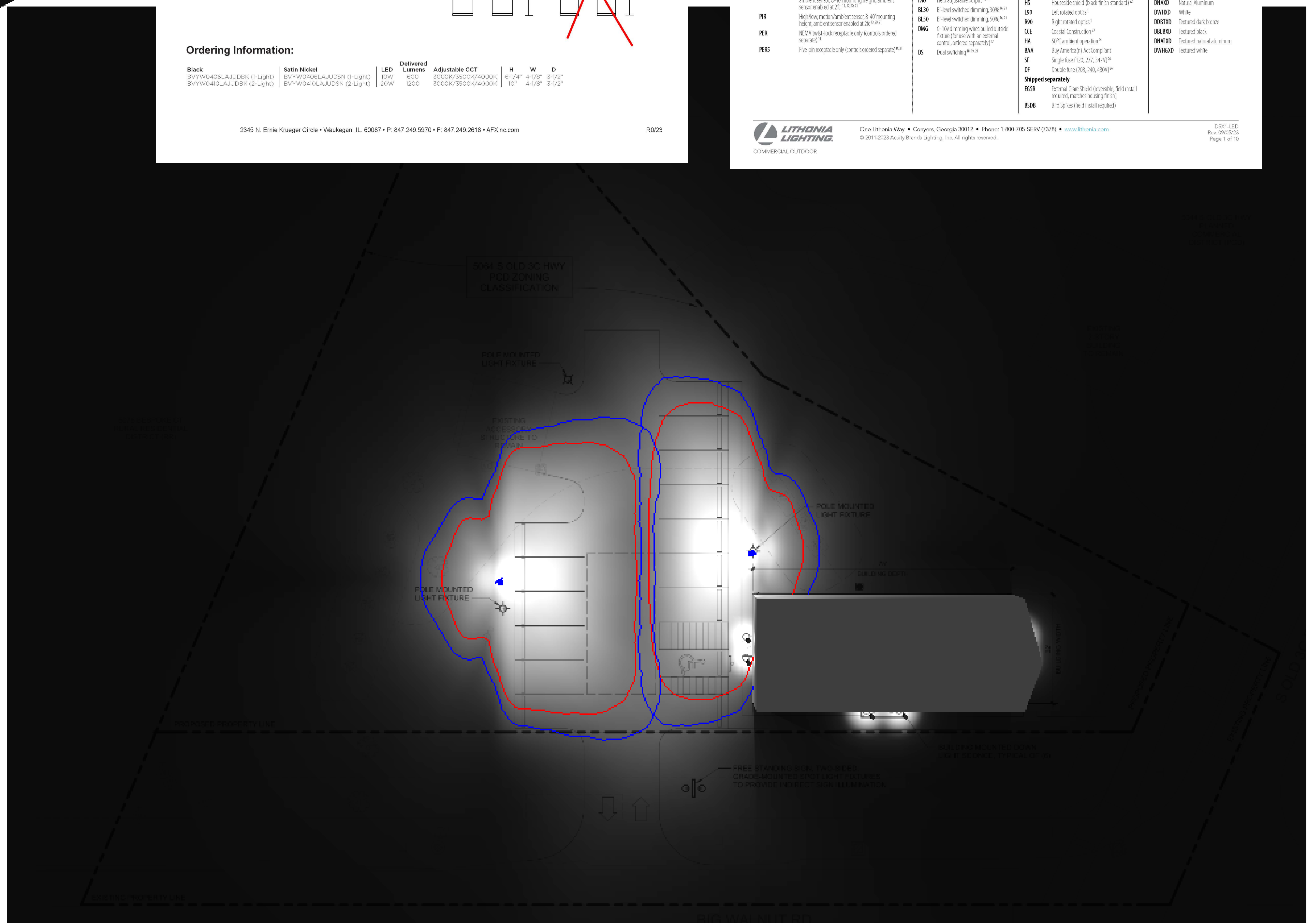
Series	LEDs	Color temperature ¹	Color Rendering Index	Distribution	Voltage	Mounting
DSX1 LED	Forward optics	(This section 70CRI only)	70CRI	AJR Automotive front row	TSM Type V medium	MVOLT (120V-277V) ²
P1	P6	30K 3000K	70CRI	T1S Type I short	15G6 Type V low/glow	SPA Square pole mounting (#8 drilling)
P2	P7	40K 4000K	70CRI	T2M Type II medium	15W6 Type V wide	SPB Round pole mounting (#8 drilling)
P3	P8	50K 5000K	70CRI	T3M Type III medium	BLC3 Type V backlight control ³	SPS Square pole mounting (#5 drilling)
P6	P9	(This section 80CRI only, extended lead times apply)	80CRI	T3G Type III low/glow ³	BLC4 Type V backlight control ³	SPS Square pole mounting (#5 drilling)
P5			80CRI	T4M Type IV medium	RCO2 Right corner cutoff ⁴	SPSN Square narrow pole mounting (#8 drilling)
PI0 ¹	PI2 ¹	27K 2700K	80CRI	T4G Type IV low/glow ³	LECO Left corner cutoff ⁴	SPSN Square narrow pole mounting (#8 drilling)
PI1 ¹	PI3 ¹	3K 3000K	80CRI	T4G Type IV low/glow ³	RCO3 Right corner cutoff ⁴	SPSN Square narrow pole mounting (#8 drilling)
		40K 4000K	80CRI	T4M Forward throw medium		WBA Wall bracket ⁵
		50K 5000K	80CRI			MA Mast arm adapter (mounts on 2 1/2" OD horizontal beam)

Control options	Other options	Finish options	
Shipped installed NLTAR2 PIRHN Night All-glass, 2 mounted with hi-level motion / ambient sensor, 8-40 mounting height, ambient sensor enabled at 2% ⁶ N/A ⁶	PERP Seven-pin receptacle only (controls ordered separately) ^{6,7} FAO Field adjustable output ^{8,9} BL30 Bi-level switch/dimming, 50% ^{10,11} BL50 Bi-level switch/dimming, 50% ^{10,11} DMG 0-10V dimming wires pulled outside fixture (to use with an external control), ordered separately ⁷ DS Dual switching ^{12,13}	SPDENV 20K surge protection HS House-side shield black finish standard ¹⁴ L90 Left rotated optics ¹ R90 Right rotated optics ¹ OCE Coastal Construction ¹⁵ HA 50°C ambient operation ¹⁶ BAA Bay Area Municipal Code compliant SE Single size (130, 277, 347V) ¹⁷ DF Double size (208, 240, 480V) ¹⁸ EGR External Glass Shield (reversible, field install required, matches housing finish) BS08 End Spikes (field install required)	COBID Dark Bronze ELBID Black ENALD Natural Aluminum DWVID White COBTD Textured dark bronze ELBTD Textured black ENALTD Textured natural aluminum COBWD Textured white

LITHONIA LIGHTING
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View #2



View #3

NOTES:
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