

Preliminary Development Plan  
Hyatts Plaza

Existing Zoning-FR-1  
Proposed Zoning- PCD

08-20-2018

**SECTION 17.06: DEVELOPMENT PLANS**

**A.) Preliminary Development Plan: With the filing of any application to rezone property to the PCD District, the owner(s) or lessees of the subject lots or land to be rezoned within the Township shall simultaneously submit a preliminary development plan. The preliminary development plan shall show the intended layout of the site.**

See Preliminary Development Plan, Tab 4

**Twenty (20) copies of the preliminary development plan and electronic media as specified by the Zoning Inspector shall be submitted to the Zoning Commission with the PCD application along with a list of addresses for notification as defined in Section 31.01 herein. The plan shall include in text and map form, the following:**

**The size and location of the proposed PCD district, at a scale of at least 1" = 200', showing topographic contours of at least 5' intervals, wooded areas, wetlands, adjacent (within 200') structures, 100 year floodplains.**

The site is approximately 3 acres combining a 2 acre property and a 1 acre property. The properties will be combined into 1 property and the Hyatts Road right of way will be vacated. The site is located at the northwest corner of the Hyatts Road and US 23 intersection. Refer to Tab 3 for existing conditions and location plan and Tab 4 for location of structures within 200'

**2.) Conceptual architectural elevations for all structures and signs.**

Refer to Tab 5 for conceptual architectural renderings and elevations. Refer to Tab 11 for conceptual signage. Signage for individual uses shall be submitted at the time of Final Development Plan Approval

**3.) The intended general provisions for water, fire hydrants, sanitary sewer, and adequate storm water drainage outlet. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented by the utility provider or a registered civil engineer.**

Refer to Tab 5 for preliminary engineering plan

**4.) The relationship of the proposed development to existing and probable uses of surrounding areas, including easements, rights of way, proposed drainage and public utilities.**

The proposed development is surrounded by the following zoning uses. PCD to the west, NCD to the east across US 23, PID to the north. The adjacent land to the south is in Orange Township and zoned PCD. Refer to Preliminary Development Plan, Tab 4

**5.) A design of the open space and proposed description of its use, ownership, and maintenance.**

The open space is dispersed through the property. A generous amount of the open Space is located to the east at Route 23 and to the south at Hyatts Road. The open space shall be owned and maintained by the Property Owner. See Preliminary Development Plan, Tab 4 and Open Space and Landscape Plan, Tab 6 for open space location and sizes

**6.) Specific statements of divergence, if any, from the development standards in this Article or the general standards of this resolution such as setbacks, parking, landscaping, lighting, signage, and so forth.**

1. A divergence from section 17.02.A) Use 722. 300' separation between Food and Drink service place from residential. Request to reduce this 250'.
2. A divergence is requested from Section 26.03, A, 1, a.6,) requiring a 6' high hedge, fence or mound. The request is to reduce this to 3'. This occurs on US Route 23 and the western edge of our property abutting Hyatts Road
3. A divergence is requested from Section 25.03,B,1) to allow the top of the wall signs to be at 17'4" in lieu of 15'-0" to allow signs to be placed in the center of the building cap fascia band.
4. A divergence is requested from Section 25.03, C) to allow a second monument sign at the complex entry of Hyatts Road.
5. A divergence is requested from 26.03,A,a.5) requiring 15' green space and 6' high hedge, fence or mound. The request is to reduce to 10' green space and 3' high hedge, fence or mound.

**7.) Proposed location of all structures and uses.**

Refer to Preliminary Development Plan, Tab 4 for proposed structures. The existing residential buildings on the site will be demolished. One new commercial single story structure is proposed for the site.

**8.) Preliminary Traffic Impact Analysis based upon new trip generation as estimated by the Delaware County Engineer's standards.**

Refer to Tab 10- Traffic Impact Analysis

**9.) All required design standards in Section 17.05.**

**SECTION 17.05: REQUIRED PCD DESIGN STANDARDS**

**A.) The development plan shall incorporate the following standards for all permitted uses:**

**1.) Access: Requires frontage on or direct access to one or more dedicated and improved public arterial roads as shown on the Delaware County Thoroughfare Plan, or to an access road that runs parallel to an arterial road. Provision for future connections to other public roads may be required by the Township, the County Engineer, and/or the Regional Planning Commission.**

The site has direct access to Hyatts road and is within 400' feet of US 23.

**2.) Minimum Tract Size: 10 acres or as approved on the final development plan.**

The development is 3 acres as shown on the development plan.

**3.) Maximum Commercial Ground Coverage by Buildings and Parking (All Impervious Surfaces): No more than 80% of the total tract acreage of a commercial development, exclusive of public street rights of way shall be covered by impervious surfaces, which includes all parking and commercial buildings (not multi-family dwellings). Land underneath overhead high voltage electric transmission lines may be used for open space, landscaping, parking, and roads with the permission of the electric utility company.**

The development shall comply with this requirement. 61% shall be impervious area. Refer to Open Area Plan, Tab 9

**4.) Minimum Required Open Space for Commercial Developments: Not less than 20% of the total tract acreage of a commercial development shall remain open space. Open spaces may be used for the retention, detention and disposal of storm water drainage. Features which are likely to cause erosion or flooding shall not be permitted. A 15-foot wide**

**“green belt” shall be provided between the edge of any parking area and the adjacent public street right of way and shall be landscaped in accordance with Article 26.**

The development shall comply with this requirement. A divergence has been requested for the 6. High mound.

**5.) Minimum Lot Width: At the building line shall be as approved per plan.**

The lot width is approximately 400' on the south and approximately 290' on the north

**6.) Minimum Side Yards: Shall equal one-third (1/3) the sum of the height and depth of the structure, but in no case shall be less than one hundred (100) feet from any Residential Zoning District or Planned Residential District, or as approved per plan.**

The plan shall comply with this requirement and be per the approved final development plan

**7.) Minimum Rear Yard: Shall equal one-third (1/3) the sum of the height and width of the structure, but in no case shall be less than one hundred (100) feet from any Residential Zoning District or Planned Residential District, or as approved per plan.**

The plan shall comply with this requirement and be per the approved final development plan.

**8.) Perimeter Area: No parking shall be constructed within 25 feet of the lot line of an existing or proposed single family home, or a residentially zoned district.**

The plan shall comply with this requirement

**9.) Water and Sewer: Centralized water and centralized sewer service shall be provided unless otherwise approved per development plan. The appropriate state and/or county agencies with jurisdiction shall indicate feasibility of water supply and wastewater disposal systems at the time of the preliminary development plan review.**

Refer to Tab 10 utility letters for serviceability of water and sewer to this site. Currently there is not sewer, but at the time of completion the sewer will be complete. Refer to Tab 5 Preliminary Utility Plan for locations.

**10.) Walkways and Street Trees: The Township may require walkways to connect parking areas with buildings. Where sidewalks or bike paths are required, they shall be separated from the paved street or parking lot surface by at least five feet (5') of landscaped area with trees placed behind the sidewalk.**

There are walkways that connect parking to buildings throughout the development.

**11.) Pavement Width Standards for Interior Development Streets, Drives and Parking Lots: All private streets, roads and driveways shall be constructed to a pavement width and cross section that meets the Average Daily Traffic and weights anticipated in the Delaware County Engineer's Location and Design Manual, or shall have a design life of 20 years. Parking lot pavement does not have to meet street cross section standards, but parking lot drive aisles that connect to the public streets shall be constructed to public street cross sectional and design life standards within 50 feet of the edge of the public paved road.**

The development shall comply with this requirement

**12.) Underground Utilities: All utility lines constructed to service the proposed commercial uses shall be located underground.**

The development shall comply with this requirement.

**13.) Environmentally Sensitive Areas: Jurisdictional wetlands, slopes greater than 20%, and 100year floodplains shall be preserved to the greatest extent possible. No commercial or office structures shall be constructed within the 100-year floodplain of any stream or river. To the maximum extent possible, all natural drainage courses, vegetation and contours in excess of 6% shall be maintained.**

No environmentally sensitive areas exist on site.

**14.) Building Design: The project architect shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site.**

The building blends in with the existing development and uses within the community. Refer to Tab 5 for architectural concepts.

**15.) Building Height Limits: No building or structure in this district shall exceed thirty-five (35) feet in height measured from the front door threshold to the highest point on the roof. Chimneys, spires, domes, flag poles, and elevator shafts may be constructed to any safe height, but shall not exceed one-hundred (100) feet in height. No windmill, aerial, antenna, or tower shall be constructed to a height greater than the distance from the center of the base to the nearest property line of said tract and shall not exceed one-hundred (100) feet in height.**

Refer to architectural Tab 5 for building heights. The development shall comply with this regulation.

**16.) Landscaping: All yards, front, side and rear, shall be landscaped in accordance with Article 23. All open spaces or non-residential use areas shall be landscaped and shall meet the landscaping requirements of this resolution, unless a variation from these standards is**

**specifically approved as part of the final development plan. A landscape plan prepared by a licensed landscape architect showing the caliper, height, numbers, name and placement of all material, shall be submitted and is subject to approval as a part of the final development plan. Natural foliage shall be retained as buffers where practicable. The Township may require establishment of such tree cover and/or other foliage to buffer adjacent uses.**

Refer to Tab 6 for Preliminary Landscape concept. Final Landscape plans will be submitted at time of Final Development Plan approval. A divergence is requested from Section 26.03, A,1,a.6, requiring a 6' height hedge, fence of mound and 1 tree per 30' along the frontage and an arterial street.

**17.) Parking: Off-street parking shall be provided at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the final development plan. In preparing and approving the parking plan, the parking provisions of Article 24, Section 24.01 of this Resolution shall be incorporated, or a divergence requested.**

Off street Parking shall comply with this requirement

**18.) Signs: Signs shall conform to Article 25 of this resolution, or a divergence requested and approved as part of the final development plan.**

Overall Development identity signage shall conform with this requirement, refer to Tab 11. Individual wall signage for the individual uses shall be provided at time of final development plan approval and will meet requirements of Chapter 25. A divergence is being requested for wall sign height and a second monument sign.

**19.) Exterior Lighting: All exterior lighting shall be as specifically approved as part of the final development plan in accordance with Article 24, Section 24.13 of this resolution.**

Proposed light fixtures are located in Tab 11. Parking lights are down lights and meet code section 24. A final lighting plan will be submitted at time of Final Development Plan Approval.

**20.) Building Size Limits: Retail or office buildings, including but not limited to NAICS Codes 114, 311811, 442, 443, 444, 445, 446, 447, 448, 451, 452, 453, 51, 52, 5312, 5313, 53211, 5322, 53242, 54, 55, and 561 shall contain no more than 65,000 square feet under one roof for any individual use.**

The development shall comply with this regulation.

**21.) Exception to Retail and Office Building Size Limits: Retail and office uses permitted in Section 15.02, and NAICS code 441 (Motor Vehicle and Parts Dealers) with an individual commercial or office that exceeds 65,000 square feet under one roof for any individual use**

**may be approved at the discretion of the township provided they have direct access to or access to a commercial frontage road located parallel to and within 500 feet of U.S. 23 or U.S 36.**

These uses are not proposed for this development.

**22.) Supplemental Conditions and Safeguards: The Zoning Commission and/or Board of Trustees may require additional conditions be met with regard to the type and extent of the public improvements to be installed; landscaping; improvements and maintenance of open space areas; and other development characteristics.**

**10.) Fire-fighting plan: submission of a letter from Fire department regarding access and water needs for fire-fighting.**

Refer to letter from Fire Department, Tab 10

**11.) Phasing plans, if any.**

There is no phasing planned for the development

**12.) Calculations of net developable acreage and proposed lot coverage for commercial uses.**

The net developable is 3.0 acres. Proposed net lot coverage is 61%.

**13.) Proposed permitted and accessory uses listed numerically and selected from the NAICS list in Section 17.02.**

Refer to Tab 4, Proposed uses list

**B.) Preliminary Plan Approval Period: The approval of a preliminary development plan shall be effective for a period of one (1) year from the date 30 days after the zoning became final in order to allow for the preparation and submission of the final development plan. No zoning text amendment passed during this one (1) year period shall affect the terms under which approval of the preliminary development plan was granted. If the final development plan has not been filed within this one (1) year period, then the preliminary development plan approval shall expire unless the Trustees have approved an extension of this time limit. Absent such an extension, no use shall be established or changed and no building, structure, or improvement shall be constructed until a new preliminary and final development plan has been submitted for approval to and approved by the Township. Such applications for approval shall be subject to the same procedures, fees, and conditions as an original application. In the event the one (1) year timeline expires, any preliminary development plan**

thereafter filed shall comply with the terms of the Zoning Resolution then in effect at the time of filing, including, without limitation, any zoning amendments enacted from and after the date of the initial request to include the property within the PCD district.

**C.) Modifications of the Preliminary Development Plan:** In the event that an applicant or owner who has obtained approval of a Preliminary Development Plan wishes to change or modify said approved plan in any respect, he or she shall make a detailed written modification request, and file that request and fee with the Zoning Inspector. The application shall specifically detail the changes requested, and shall state the reasons for all changes requested.

Upon receipt of such an application, the Zoning Inspector shall refer the application to the Board of Trustees for a determination to be made at the sole discretion of the Trustees as to whether the Application shall be treated as a request for a minor modification.

If the Trustees determine by a unanimous vote that the application should be handled as a minor modification request, it shall set the matter at any public meeting before the Board of Trustees. The applicant shall have the right to amend his or her application at any time prior to the vote of the Board of Trustees.

If the application is not determined to be minor modification request, the Trustees shall forward the Application to the Township Zoning Commission and the Commission shall schedule and conduct a public meeting, and make a written recommendation for the approval, modification, or the denial of the application to the Board of Trustees following the same procedure outlined in ORC §519.12 for the amendment of a zoning resolution.

If an amendment is sought with respect to an application deemed major after a vote by the Trustees, the amended application will be returned to the Zoning Commission for additional review and recommendation.

Consideration of requests for modifications of an approved Preliminary Development Plan shall be considered in all respects to be a legislative process and approval or denial of any such request shall be considered and treated as a legislative act.



# PRELIMINARY DEVELOPMENT PLAN

**SITE DATA TABLE**  
 LOCATION: 5600 COLUMBUS PIKE  
 31 HYATTS ROAD  
 PARCEL No's.: 418-330-01-079-000  
 418-330-01-080-000  
 CURRENT ZONING: FARM RESIDENTIAL DISTRICT (FR-1)  
 PROPOSED ZONING: PLANNED COMMERCIAL & OFFICE DIST. (PCD)

TOTAL AREA: 3.25 Ac.  
 LOT COVERAGE: 1.96 Ac. (60.3%)  
 OPEN SPACE AREA: 1.29 Ac. (39.7%)  
 PRE-DEVELOPMENT IMPERVIOUS AREA: 0.85 Ac.  
 POST-DEVELOPMENT IMPERVIOUS AREA: 1.96 Ac.  
 TOTAL DISTURBED AREA: X.XX Ac.

**SETBACKS:**  
 SIDE YARD 28.67'  
 (1/3) x HEIGHT + DEPTH OF BUILDING

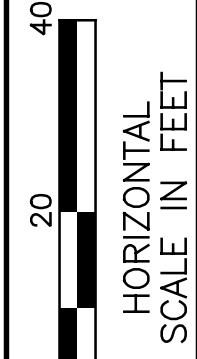
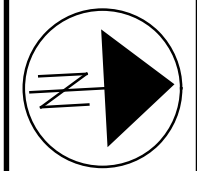
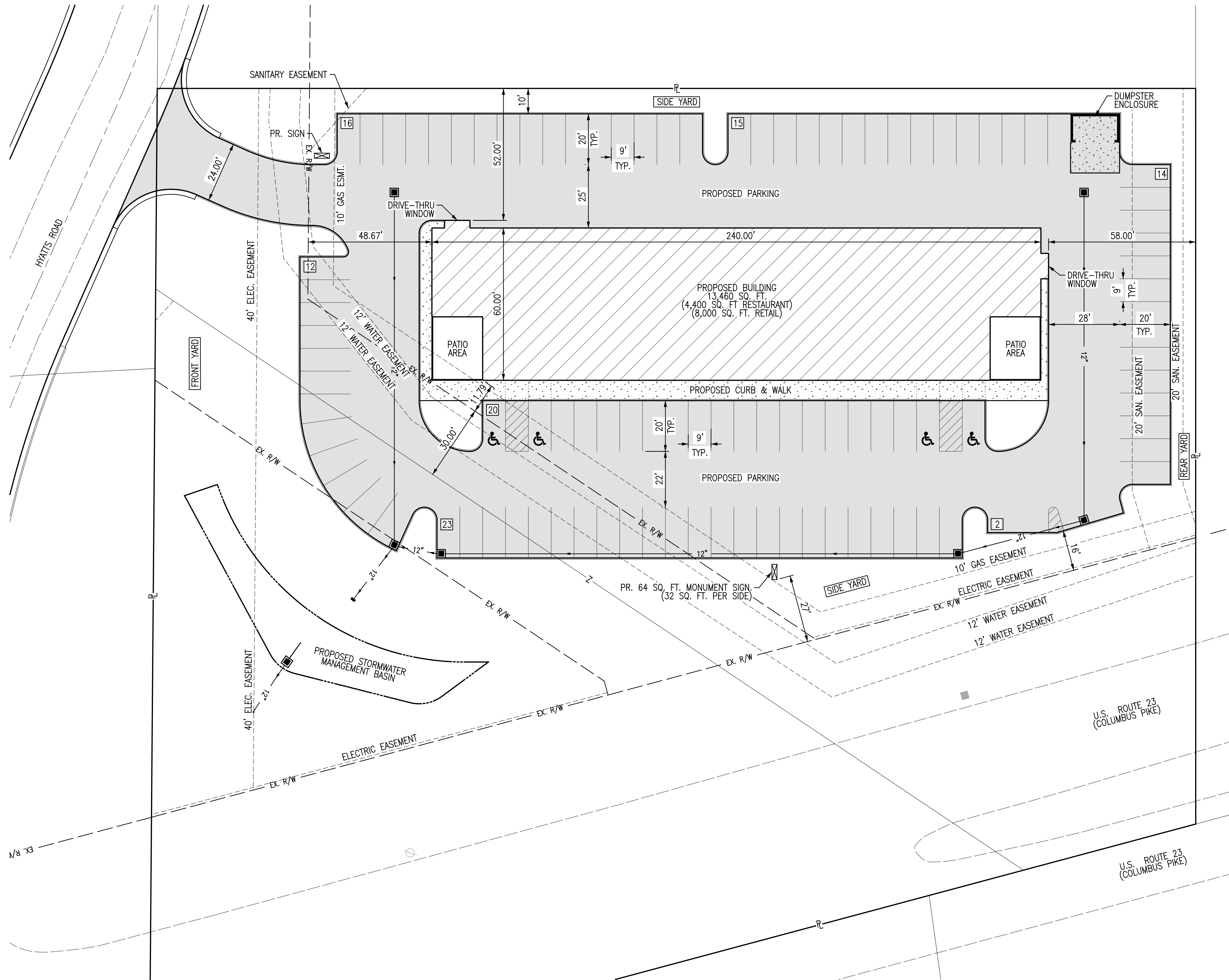
REAR YARD 87.67'  
 (1/3) x HEIGHT + WIDTH OF BUILDING

PARKING 15' TO RIGHT-OF-WAY  
 25' TO RESIDENTIAL LOT LINE

**PARKING:**  
 SPACES REQUIRED 102 SPACES  
 (18 RETAIL)  
 (84 RESTAURANT)  
 SPACES PROVIDED 102 SPACES

**DIVERGENCES:**

1. A DIVERGENCE FROM SECTION 17.02.A; USE 72; 300' OF SEPARATION BETWEEN FOOD AND DRINK SERVICE PLACES FROM RESIDENTIAL. REQUEST TO REDUCE THIS TO 250'.
2. A DIVERGENCE IS REQUESTED FROM SECTION 26.03.A.1.a.6; REQUIRING A 6' HIGH HEDGE, FENCE OR MOUND. THE REQUEST IS TO REDUCE THIS TO 3'. THIS OCCURS ON US ROUTE 23 AND THE WESTERN EDGE OF OUR PROPERTY ABUTTING HYATTS ROAD.
3. A DIVERGENCE IS REQUESTED FROM SECTION 25.03.B.1; TO ALLOW THE TOP OF THE WALL SIGNS TO BE 17'-4" IN LIEU OF 15'-0" TO ALLOW SIGNS TO BE PLACED IN THE CENTER OF THE BUILDING CAP FASCIA BAND.
4. A DIVERGENCE IS REQUESTED FROM SECTION 25.03.C; TO ALLOW A SECOND MONUMENT SIGN AT THE COMPLEX ENTRY OFF HYATTS ROAD.
5. A DIVERGENCE IS REQUESTED FROM 26.03.A.a.5; REQUIRING 15' GREEN SPACE AND 6' HIGH HEDGE, FENCE OR MOUND. THE REQUEST IS TO REDUCE TO 10' GREEN SPACE AND 3' HIGH HEDGE, FENCE OR MOUND.



DRAWN	CHKD	REB	REV	JTH



REVISIONS			
1			
2			
3			

PRELIMINARY DEVELOPMENT PLAN

HYATTS PLAZA  
 BERLIN TWP., DELAWARE CO.

MAY 17, 2018  
 JOB #305501

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PROPOSED USES FROM NAICS

Planned Commercial and Office District (PCD)

Source: 2002 U.S. NAICS Code

1114	Greenhouse, Nursery, Floriculture Production
311811	Retail Bakeries
441210	Recreational Vehicle Dealers
441221	Motorcycle Dealers
441222	Boat Dealers
441229	All other Motor Vehicle Dealers
4413	Automotive Parts, Accessories, and Tire Stores except 441310 Auto Used Parts Stores
442	Furniture and Home Furnishings Stores
443	Electronics and Appliance Stores
444	Building Material and Garden Centers
445	Food and Beverage Stores
446	Health and Personal Care Stores
447	Gasoline Stations (except 447109 Truck Stops)
448	Clothing and Clothing Accessories Stores
451	Sporting Goods, Hobby, Book (except Adult-Related Entertainment) and Music Stores
452	General Merchandise Stores
453	Miscellaneous Store Retailers (except Adult-Related Entertainment establishments and 45393 Manufactured Home Dealers)
491	Postal Service
511	Publishers
5133	Telecommunications
514	Information and Data Processing Services
516110	Internet Publishing
517110	Wired Telecommunications Carriers
517212	Cellular and other Wireless Telecommunications

518111	Internet Service Providers
52	Finance and Insurance
531130	Lessors of Mini-Warehouses and Self-Storage Units
531210	Offices of Real Estate Agents and Brokers
531390	Other activities related to Real Estate
53211	Passenger Car Rental and Leasing
532120	Truck and Utility Trailer Rental and Leasing
5322	Consumer Goods Rental
54	Professional, Scientific and Technical Services (Includes Medical, Veterinarians, Computer and Related Hardware and Research and Development etc.)
55	Management of Companies and Enterprises
561110	Office Administrative Support Services
561431	Private Mail Services
561439	Other Business Service Centers (including copy shops)
561510	Travel Agencies
61	Educational Services
621111	Offices of Physicians
621112	Offices of Mental Health Specialists
621210	Offices of Dentists
621310	Office of Chiropractor
621320	Offices of Optometrists
621330	Mental Health Practitioners
621340	Physical, Occupational, and Speech Therapists and Audiologists
621391	Podiatrists
621399	Miscellaneous Health Care Practitioners
621491	HMO Medical Centers
621492	Kidney Dialysis Centers
621493	Ambulatory Surgical and Emergency Centers
621511	Medical Laboratories

621512	Diagnostic Imaging Centers
621610	Home Health Care Services
621910	Ambulance Services
624410	Child Day Care Services
711110	Theater Companies and Dinner Theaters
711120	Dance Companies
711190	Other Performing Arts Companies (except Adult-Related Entertainment)
712110	Museums
713940	Fitness and Recreational Centers
722	Food Services and Drinking Places (except those establishment offering or featuring entertainment including totally nude, topless, bottomless, strippers, male or female impersonators, or similar adult entertainment or services), provided that there shall be a minimum of 300 feet of setback from the property line of any Food and Drink service place and the nearest residential property line or residential zoning district.
812	Personal and Laundry Services (except Adult-Related Entertainment)
813	Religious, Grant making, Civil, Professional and Similar Organizations
92	Public Administration (except 922150 Parole and Probation Offices)
	All other uses permitted in the PCD district under the Berlin Township Zoning Resolution currently and as revised hereafter.