<u>Subarea 5A: Retail Center Area (27.951 +/- acres)</u>

Permitted Uses:

Department stores
Meat and fish (sea food) markets
Grocery Stores
Large format retail
Candy, nut and confectionery stores
Men's and boy's clothing and furnishings stores
Women's accessory and specialty stores
Women's ready-to-wear stores
Family clothing stores
Children's and infant's wear stores
Shoe stores
Custom tailors
Miscellaneous apparel and accessory stores
Radio, television and music stores
Drug stores and proprietary stores
Eating and drinking places
Book and stationery stores
Sporting goods stores and bicycle shops
Jewelry stores
Florists
Cigar stores and stands
News dealers and news stands
Camera and photographic supply stores
Gift, novelty and souvenir shops
Optical goods stores
Miscellaneous retail stores not elsewhere classified
Commercial and stock savings banks
Mutual savings bank
Trust companies not engaged in deposit banking
Establishments performing functions closely related to banking
Savings and loan associations
Agricultural credit institutions
Personal credit institutions
Business credit institutions
Loan correspondents and brokers
Beauty shops
Barber shops

Conditional Uses:

The following uses shall be permitted in the retail center area, subject to approval in accordance with Dublin City Code Section 153.236.

Health and allied services including day spas and health clubs with a maximum class size of thirty-five (35)
Miscellaneous personal services
Auto-oriented commercial facilities
Outdoor service facilities

Additional Use Considerations:

1. Two (2) multi-tenant retail buildings with a combined square footage of 17,000 square feet shall be permitted along the Sawmill Road frontage per the submitted development plan. A drive-thru and/or drive-in shall be permitted on one (1) of the multi-tenant retail outbuildings subject to approval in accordance with Dublin City Code Section 153.236. Should these two multi-tenant retail outbuildings not immediately be developed, the sites shall be fine graded and seeded with grass as a holding measure until the lots are used.

2. Except for the grocery use and the two 18,000 square foot tenant spaces, no individual tenant space may exceed 10,000 square feet.

3. One (1) gasoline sales kiosk, with maximum square footage of 150 square feet shall be permitted along the Sawmill Road frontage per the submitted development plan.

4. The hours of operation shall be as follows:

    a. Grocery store: 24 hours a day

    b. Retail space: 6:00 a.m. to 12:00 a.m.

    c. Restaurants: 6:00 a.m. to 2:00 a.m.

Yard and Setback Requirements:

1. Along Sawmill Road, the pavement setback shall be 40’, and the building setback shall be 69’.

2. Along the Hard Road extension, the pavement setback shall be 50’ and the building setback shall be 60’.

3. Along the Emerald Parkway extension, the pavement setback shall be 40', and the building setback shall be 50'.

4. Along Summer Drive, the pavement setback shall be 35' and the building setback shall be 60', measured from the centerline of the road.

5. Along the 4.4 acre tree preservation zone, the pavement setback shall be zero, and the building setback shall be 75'.

6. Interior lot lines shall have a zero setback for parking and building.

7. Easements for any purpose along the east side of Emerald Parkway, shall have no effect on the setbacks detailed herein or depicted on the Preliminary Development Plan.

Density:

1. Total building square footage for the first phase shall be 173,976, (99,945 grocery and 74,031 retail), the maximum future square footage shall be 24,000. The square footage for the multi-tenant retail buildings and gasoline sales kiosk adjacent to Sawmill Road is 17,150, (17,000 restaurant/retail and 150 gasoline sales kiosk).

Height Requirements:

1. The maximum height for the main grocery building shall be 45' except architectural features such as parapets, appendices, hips, gables, spires, etc., which may extend up to 55'.

2. The maximum height of the retail/restaurant space attached to the main grocery building shall be 38", except architectural features such as parapets, appendices, hips, gables, spires, etc., which may extend up to 50'.

3. The maximum height of the multi-tenant retail buildings shall be 28', except architectural features such as parapets, appendices, hips, gables, spires, etc., which may extend up to 30'.

Parking and Loading:

1. Unless otherwise stated herein or otherwise depicted on the preliminary development plan, all parking and loading shall be regulated by Dublin Code, Section 153.200 et seq.

2. There shall be 1,058 parking spaces provided for Subarea 5A including the multi-tenant retail building and gasoline sales area, as indicated on the site plan. Eight

stacking spaces shall be provided for the pharmacy drive-thru as part of the grocery. The applicant has planned this development around the preservation of the 4.4 +/- acre tree preservation zone at the northwest corner of Hard and Sawmill Roads. Also, the City of Dublin realigned the Emerald Parkway extension easterly resulting in a net loss to this property of approximately two (2) acres. Due to the provision of the 4.4 +/- acre tree preservation area and the acreage loss due to the road realignment, this site does not meet the minimum parking requirement. In consideration of these factors, the minimum parking requirement shall not be strictly enforced.

3. Service courts and loading docks shall be screened from all sides by landscaping mounding or walls.

4. There shall be shared parking between the main grocery building, the restaurant retail attached thereto, the multi-tenant retail buildings, and the gasoline sales area.

5. Internal pedestrian walkways as shown on the site plan will provide the necessary access points from parking areas to the stores. Bicycle racks will be provided along the front of the stores.

6. Shopping cart corrals shall be located within the parking lots and constructed in an “H” design utilizing landscape materials which provide screening of the stored carts. No vertical, non-generic cart corral signage will be allowed at each site.

7. Employees will park within the site as determined by the employer.

8. A large portion of the site is served by an existing stormwater drainage system, the remainder of the site will comply with the existing stormwater regulation found in the Dublin zoning code as articulated in the MORPC 5 year storm release rates and further the current Dublin standards with regard to stormwater quality must be met.

9. Stacking requirements for the fuel station shall be in compliance with the requirements of the Dublin City Code.

Circulation:

1. Sawmill R.O.W. shall be 68’ from the centerline (to be resolved with City of Columbus).

2. Hard Road R.O.W. between Sawmill Road and Emerald Parkway shall be 135’.

3. Emerald Parkway shall have a 100' right-of-way and a pavement width consistent with prudent traffic engineering principles.

4. Summer Drive shall be private and maintained by the developer. Summer Drive shall be constructed by the developer to a specification approved by the City Engineer. All other publicly dedicated R.O.W. shall be 50'.

5. A bike path shall be developed along the Sawmill Road frontage and link with the existing pedestrian path along Hard Road.

6. Construction of Emerald Parkway from Sawmill to Hard Road shall occur before or simultaneously with the development of the retail center. In addition, at such time applicants shall dedicate the required right-of-way for the extension of Emerald Parkway to Bright Road. All curb cut locations and spacing shall be designed according to prudent traffic engineering principles.

7. The owner shall pay toward construction of Emerald Parkway north of Hard Road concurrent with development of the retail center, pursuant to a separate Infrastructure Agreement between the developer and the City.

8. The owner shall modify existing signals and pavement markings on Sawmill Road to the satisfaction of the cities of Columbus and Dublin; that curb cut location and function be as shown on the site plan and to the satisfaction of the City Engineer of the City of competent jurisdiction; that street lighting, curb and gutter, bike path and sidewalks be installed per City standards, to the satisfaction of the City Engineer; and easements for all utilities be recorded at a later date to the satisfaction fo the City Engineer.

Waste, Refuse, Outdoor Display Areas and/or other Environmental Commitments:

1. All waste and refuse shall be containerized. The multi-tenant buildings and gasoline sales area will also be required to have lids on their dumpsters to mitigate any odor or pest problems in the area.

2. Seasonal outdoor sales shall be permitted subject to issuance of a seasonal outdoor sales permits in compliance with the requirements of the Dublin City Code.

3. The outside display area around the gasoline sales kiosk shall be limited to the following:

    a. Ice and beverage vending machines so long as they do not face a public right-of-way and are not internally illuminated.

b. Limited automotive product display racks, not to exceed 36” in height adjacent to the sales kiosk.

4. Outdoor display shall be prohibited for the two (2) multi-tenant retail buildings.

5. All waste and refuse containers and areas must be screened on three sides by a solid fence, wall, or building with a matching solid wood or metal gate to a minimum height of six (6) feet, unless otherwise in compliance with the Dublin City Code. The enclosure material is to match that of the predominate material of all buildings unless otherwise approved by the Planning and Zoning Commission.

Storage, Equipment and Screening:

1. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside of permanent structure. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building.

2. All commercial vehicles associated with businesses operating within the center must be parked within a fully screened loading zone.

Landscaping:

1. Except as otherwise stated herein landscaping shall conform to the Dublin Landscape Code, Section 153.130 et seq.

2. Landscaping within the Sawmill Road setback shall be comprised of a combination of evergreen and deciduous shrubs, flowering and deciduous trees to a height of 3.5’.

3. A 4’ to 6’ mound landscaped with a mixture of evergreen and deciduous plantings will be located along the Emerald Parkway frontage to the west of the Kroger building to provide a buffer from Emerald Parkway.

4. Street trees shall be planted along Sawmill Road, Hard Road and Emerald Parkway per City of Dublin Standards.

5. The applicant shall meet the City of Dublin Tree Preservation Ordinance unless a Tree Preservation Waiver is granted by the Dublin City Council.

6. The locations of planned signage and entry walls are indicated on the attached site plan.

7. A 4.4 +/- acre tract of land located at the northwest corner of Sawmill and Hard Roads shall be privately owned and maintained and will be designated open space. A no disturb zone/tree preservation zone will be privately maintained with the only intrusions being the Hard Road access which connects to the shopping center and any necessary utilities to serve the site. No clearing or thinning of trees shall be permitted in that area except for customary practices to improve the aesthetic of the area. Existing trees within this area shall be counted toward the minimum landscape requirement of Dublin City Code Section 153.133(B)(3)(a). The area shall be maintained in compliance with the requirements of the Dublin City Code.

Lighting:

1. External light fixtures may be pole or wall mounted, dark in color and of similar type and style.

2. All parking lot lighting shall be limited to 28' in height.

3. Lighting program shall be designed to minimize glare and light trespass onto adjacent properties.

4. All lighting fixtures shall be cut-off fixtures to prevent spillage of light onto adjacent properties, and shall conform to City of Dublin Lighting Guidelines.

5. The above lighting restrictions are applicable to all of Subarea 5A.

Architecture:

1. All building materials shall be earthtone in color.

2. The basic building materials shall be brick, stone and EIFS.

3. Roof lines, facades, rear and side building elevations shall be varied to provide relief in the building facades and alternate building massing.

4. Building materials shall be consistent on all visible sides of the buildings.

5. Where hipped or gabled roofs are provided, dimensional asphalt shingles will be the predominate roof material.

6. Main retail building tenants may have a variety of storefront conditions that include a covered colonnade or building mounted fabric awnings. Combinations of hipped, gabled, and detailed horizontal parapets shall be encouraged to breakup the over roof line.

7. Building materials consisting of brick, stone, and EIFS, shall be used for the larger anchor store, minor anchor store(s) (if provided), smaller retail shop buildings and the multi-tenant retail buildings. Non-visible (service court) masonry walls shall be painted concrete block in a color harmonious with the brick used throughout the center.

8. Other anchors and smaller shops may have colonnaded fronts, per the attached elevations, using a design similar and harmonious with those pilasters provided for the larger stores. Parapets projected above the columns will be articulated at larger tenant entrances. These parapets will be either rectilinear or gable in shape per the illustrations accompanying this text. Other materials will be the same as those provided for the major anchors with non-visible rear walls being concrete block painted to be harmonious with the brick used throughout the center.

9. Roof mounted equipment shall be screened with hipped or gabled roofs as well as detailed horizontal parapets. Rear and side building parapets on the anchor store shall be horizontal in nature, but shall be varied in height.

Signage:

1. Proposed signage shall be as approved with the Final Development Plan.

2. Unless otherwise indicated in this text, or any attachment hereto, all signage shall be in conformance with the pertinent provision of the Dublin Sign Code.

3. The wall sign for the major tenant shall be a maximum 110 square feet for the grocery façade facing Sawmill Road as shown on the submitted plans which is comparable with the wall signage previously approved for grocery store locations within Dublin. A maximum 50 square foot wall sign identifying the grocery store

shall be permitted on the west side of the building along the Emerald Parkway frontage. The two (2) monument center identification signs identifying the grocery store shall be permitted on the west side of the building along the Emerald Parkway frontage. The two (2) monument center identification signs identifying the major tenant shall be a maximum of 8 feet in height and shall be 66 square feet for the Sawmill Road location and 66 square feet in size for the Hard Road location.

4. The signage for the other tenants shall be described as follows:

    a. The maximum height for the individual letters will be 30", except for ascenders and descenders.

    b. The maximum graphic span on the front façade for each tenant shall be 80% of the sign fascial length and the wall sign shall be located over the entrance to the tenant space.

    c. The signage will consist of individual channel letter boxes affixed to the façade. The letter faces will be made on acrylic plastic which will be illuminated internally by neon tubing. The return sides of all letters shall be dark bronze throughout the entire center. No exposed raceways shall be permitted. Letter boxes will be mounted flush with the wall.

    d. No individual sign shall exceed three (3) colors.

    e. All sign finishes shall be matte finish.

5. All signage shall be comprised of the color palette approved as a part of the Final Development Plan.

6. Signage shall be permitted for the pharmacy at the northern edge of the grocery use. Said signage to include canopy and post, shall be directional in nature indicating pharmacy drive thru location and "do not enter" signs per Dublin Signage Code.

7. Gas station signage shall be as approved with the Final Development plan. No signage shall be permitted on the building, pumps, or canopy, except as required by the law.

8. The site shall have a series of uniform egress and/or directional signs to aid traffic flow throughout the site, said signage shall comply with the pertinent provisions of the Dublin Zoning Code.

9. Blade signs shall be permitted to enable walking traffic to identify all tenants.

10. All other signage not identified shall comply with Section 153.150 et seq., of the Dublin zoning code.

11. No exposed neon, soda machines, banners, ATMs, etc., shall be permitted outside the buildings, except for the gasoline station outlet where ice and beverage machines are permitted.

Maintenance:

All buildings, structures, fences, paved areas, landscaped areas and other improvements shall at all times be kept in good condition and repair and with a clean and slightly appearance. Landscape areas shall be maintained with materials specified in the Plan and in a healthy living state, mowed, pruned, watered and otherwise maintained as appropriate. There shall be provided and kept in good working order, trash compactors and/or depositories at approved locations which shall be emptied prior to becoming full and a pest and rodent control program shall be provided if necessary. Tenants will be required to deposit trash only in said compactors or depositories and said properties shall be kept free of litter under all reasonable conditions and parking and paved areas shall be power swept where necessary. All signage shall be kept in good repair. Lighting, painting and associated materials on signage shall be kept in a continuously upgraded condition. When, and if, vacancies shall occur, said spaces shall be decoratively maintained free of litter, dirt and left over and/or deteriorated signage so as to appear ready for re-rental and re-occupancy provided that nothing herein shall be construed as interfering with the right to make reasonable repairs or alterations to said premises.

Subarea 5B Office (10.87 + / - acres):

Permitted Uses:

The following uses shall be permitted within Subarea 5B:

1. Uses as outlined in Section 153.026 (Suburban Office & Institutional District) of the Dublin Zoning Code.

2. Two outparcels shall be permitted in Subarea 5B. Both outparcels are permitted for retail or restaurant uses.

3. A restaurant outparcel shall be permitted. The restaurant shall be full line with no drive in facility or pick up window.

Yard and Setback Requirements:

1. Along Sawmill Road, building and pavement setback shall be 50'.

2. Along Emerald Parkway, pavement setback shall be 40', building setback shall be 50'.

3. Along Summer Drive, building setbacks shall be 60' and pavement setbacks shall be 35', as measured from the centerline.

Density:

1. Total building square feet permitted per acre shall not exceed 10,000 square feet including the outparcels.

Height Requirements:

1. Maximum height for buildings in Subarea 5B shall be 60'.

Parking and Loading:

1. All parking and loading shall be regulated by Dublin Code, Section 153.200 et seq.

2. Bank drive-thru stacking requirements shall be as per Dublin Zoning Code requirements.

Circulation:

1. Emerald Parkway shall have a 100' right-of-way and a pavement width consistent with prudent traffic engineering principles. Applicants obligation shall be to construct or pay for a maximum of 40' of pavement from back of curb to back of curb.

2. All curb cuts shall be approved by the City traffic engineer.

3. Sawmill Road R.O.W. shall be 68' from centerline.

4. A bike path shall be developed along Sawmill Road as a pedestrian link between Summer Drive and Emerald Parkway. It shall be built according to Dublin Standards

4. The owner shall modify existing signals and pavement markings on Sawmill Road to the satisfaction of the cities of Columbus and Dublin; that curb cuts location and function be as shown on the site plan and to the satisfaction of the City Engineer of the City of competent jurisdiction; that street lighting, curb and gutter, bike path and sidewalks be installed per City standards, to the satisfaction of the City Engineer; and easements for all utilities to be recorded at a later date to the satisfaction of the City Engineer.

Waste and Refuse:

1. All waste and refuse shall be containerized and fully screened from view by a solid wall or fence with building materials compatible with the surrounding architecture.

Storage and Equipment:

1. No materials, supplies, equipment or products shall be stored or permitted to remain upon any portion of the parcel outside a permitted structure. Mechanical equipment and other utility hardware on roof, ground or building shall be screened from public view with materials harmonious with the building.

Landscaping:

1. Landscaping shall be according to Dublin Code, Section 153.130 et seq.

2. All signage and entry features will have consistent character and meet Dublin Sign Code.

Lighting:

1. External light fixtures may be pole or wall mounted, dark in color and of similar type and style.

2. All parking lot lighting shall be limited to 28' in height.

3. Lighting program shall be designed to minimize glare and light trespass onto adjacent properties.

4. All light fixtures within 150' of adjacent roadways shall be cut-off fixtures to prevent spillage of light onto adjacent properties.

Architecture:

1. With the exception of enclosed service corridors, the buildings shall have the same degree of exterior finish on all sides.

2. Flat roofs will be sloped and residential in character to conceal rooftop equipment.

3. The buildings should reflect a suburban office or residential character.

4. The architecture style, materials and colors shall be consistent with that indicated in Subarea 5A and coordinated with surrounding architecture.

Signage:

1. Signage shall be in accordance with the signage section for Subarea 5A, otherwise all signage shall comply with Section 153.150 et seq. of the Dublin Zoning Code.

Maintenance:

All buildings, structures, fences, paved areas, landscaped areas and other improvements shall at all times be kept in good condition and repair and with a clean and slightly appearance. Landscape areas shall be maintained with materials specified in the Plan and in a healthy living state, mowed, pruned, watered and otherwise maintained as appropriate. There shall be provided and kept in good working order,

trash compactors and/or depositories at approved locations which shall be emptied prior to becoming full and a pest and rodent control program shall be provided if necessary. Tenants will be required to deposit trash only in said compactors or depositories and said properties shall be kept free of litter under all reasonable conditions and parking and paved areas shall be power swept where necessary. All signage shall be kept in good repair. Lighting, painting and associated materials on signage shall be kept in a continuously upgraded condition. When, and if, vacancies shall occur, said spaces shall be decoratively maintained free of litter, dirt and left over and/or deteriorated signage so as to appear ready for re-rental and re-occupancy provided that nothing herein shall be construed as interfering with the right to make reasonable repairs or alterations to said premises.