

## EXHIBIT A: DEVELOPMENT STANDARDS

### ZONING CASE #271-94

#### Vienna Center Planned Development

The following regulations shall govern the “PD-3” District established under Zoning Case #271-94. Where the following regulations are silent the provisions of Article 34 shall be met unless otherwise stated below or if modifications to those standards are approved by the Board of Trustees as part of an approved preliminary or final development plan. Such development standards being approved and/or modified by the Miami Township Board of Trustees on the following date(s):

March 22, 2016

September 20, 2016

**May 28, 2019**

#### A. Permitted Uses

1. Banks and financial institutions;
2. Medical and Dental Clinics;
3. Nursing homes, rest homes, and convalescent homes.
4. Office Buildings of any kind provided that no retail trade with the general public is carried on, and that no stock of goods is maintained for sale to customers;
5. Service Retail uses, limited to:
  - a) Dry cleaning pick-up and drop-off center;
  - b) Travel Agency;
  - c) Restaurant, standard sit down, dine in style, no drive through window.  
Outdoor patio is permitted, provided such use is appropriately screened from the residential areas to the east;
  - d) Pharmacy;
  - e) Health club / fitness center; and
  - f) Photographic Studios.
6. Institutional / Governmental Uses;
7. Automobile dealerships and rental (only on Lot #5 – due to special design considerations and location next to the existing automobile dealership, it being the intent that no similar use be extended beyond the boundaries of Lot #5)
8. Automobile service and repair shops (only on Lot #5 - due to special design considerations and location next to the existing automobile dealership, it being the intent that no similar use be extended beyond the boundaries of Lot #5)

#### B. Accessory Uses

Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted use.

C. Prohibited Uses

1. Fast Food Restaurants with drive thrus;
2. Automobile dealerships and rentals (except for Lot #5);
3. Automobile service and repair shops (except for Lot #5);
4. Pinball and video game arcades;
5. Skating rinks;
6. Pawn shops;
7. Adult Entertainment Facilities;
8. Establishments with more than 50% of sales from the sale or consumption of alcoholic beverages;
9. Outdoor Advertising;
10. Billboards;
11. Any use not listed as a permitted use;

D. Signage

Signage definitions and measurement interpretations shall follow the standards of Article 41 of the Miami Township Zoning Resolution, but shall otherwise comply with the following standards:

1. Ground Signage is permitted as follows:

- a) One monument sign is permitted at the entrance of the development on Lot #3A or Lot #1, which states the name of the development.
  - 1.) Twenty (20) square feet per face with a maximum of two faces back-to-back,
  - 2.) Setback fifteen (15) feet from the right-of-way;
  - 3.) Sign and base shall be constructed of brick or stone material, CMU or split CMU is not considered an acceptable stone material for the purposes of this standard;
  - 4.) Six (6) foot height maximum;
  - 5.) No Electronic Message Center is permitted;
- b) Each Lot is permitted one monument sign.
  - 1.) Fifty (50) square feet per face with a maximum of two faces back-to-back for retail uses, twenty (20) square feet per face with a maximum of two faces back-to-back for office uses,
  - 2.) Setback fifteen (15) feet from the right-of-way;
  - 3.) Sign and base shall be constructed of brick or stone material, CMU or split CMU is not considered an acceptable stone material for the purposes of this standard;
  - 4.) Six (6) foot height maximum;
  - 5.) No Electronic Message Center is permitted;

2. Wall Signage is permitted per Article 41, Section 4105 for office uses, and Article 41, Section 4106 for retail uses.
3. Temporary signage for the development that meets the following:
  - a) Thirty (32) square feet or less with a maximum of two (2) faces;
  - b) Setback fifteen (15) feet from the right-of-way;
  - c) Six (6) foot height maximum;
  - d) No illumination is permitted;
  - e) Permitted to have one (1) sign along primary roadway frontage.
  - f) Permitted for thirty (30) days at a time. Four (4) times per year.

#### E. Design Guidelines

The intention of the design standards below is to provide consistency with the building materials and designs within Vienna Park. The design of buildings should serve as a visual transition from State Route 741 into the residential neighborhood.

1. As part of the final development plan approvals the applicant must provide the following plans:
  - a) Elevations showing materials and percentages;
  - b) Sight line drawings showing the rooftop mechanicals. Rooftop mechanicals must be completely screened from view from internal roadways, including the future Vienna Parkway extension and State Route 741.
  - c) Material samples. This includes all proposed materials on the building, site, and signage base material.
2. For Final Development Plans, the following standards shall apply as a baseline for design. The Commission may adjust the design standards to accommodate individual building designs based upon staff recommendations and information supplied by the applicant warranting such a design modification and provided the intent of the design standards is determined by the Commission to be upheld:
  - a) **Building Design.**
    - 1.) **Facades.** The external portion of a building or structure as viewed from a specific vantage point. This includes the entire portion of building from ground level to the top of the visible building but does not include the roof. Such vantage point shall be consistent for each building. Examples of specific vantage points include, but are not limited to, north, south, east, west, or front, side, or rear.

Facades shall, include a repeating pattern with an expression of architectural or structural bays through changes in plane greater than or equal to one foot(>=1') wide, such as offsets, reveals, pilasters, projecting ribs, fenestration patterns, or piers. Facades shall generally be composed of quality building materials like brick, stone, and other materials that support overall intent of the plan. Materials such as pre-cast stone products, metal panels, wood, adorned / painted concrete, EIFS as a secondary material (less than 25%), and other such similar materials shall only be permitted upon review and a recommendation of approval by the Zoning Commission. Any such materials shall only be approved, utilized, and installed if they meet the overall intent to provide high quality architectural textures that comply with the approved overall design and theme of the site.

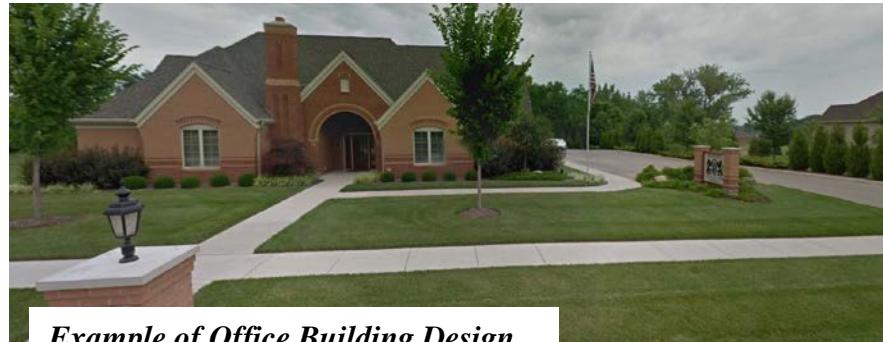
Office facade walls of an uninterrupted length greater than forty feet (>40'), shall demonstrate a change in plane such as: changes in texture or pattern, or other equivalent elements that subdivide the wall into human scale proportions. These elements should repeat at intervals of less than or equal to forty-feet (<=40').

- 2.) **Facade Base Treatment.** Facades of buildings will have a recognizable base. The base will include one or more of the following:
  - i. Thicker walls, ledges or sills;
  - ii. Integrally textured elements such as stone or other masonry;
  - iii. Integrally colored and patterned elements such as smooth-finished stone;
  - iv. Lighter or darker colored elements, mullions or panels; or
  - v. Planters.
- 3.) **Long Walls.** Long Walls, exceeding 120 feet in length, should include at least one change in wall plane, such as projections or recesses, having a depth of least 3% of the entire length of the façade extending at least 20% of the entire length of the façade.
- 4.) **False Windows.** Side or rear walls facing walkways or visible from a public street right-of-way may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations.
- 5.) **Glass.** Glass will be used as an architectural and design element where possible. The first floor front facade of buildings should incorporate glass to provide variety, interest, and openness. Glass with a reflection greater than thirty percent (30%) is prohibited.

- 6.) **Main Building Entrances.** Building frontage will incorporate at least one main entrance door. The main public entrance door will be inviting and pronounced with lighting; high quality building materials; and architectural elements that draw the eye to the opening such as decorative canopies, transoms, columns, recesses, or protrusions.
- 7.) **Architectural Details.** Details like recesses, off-sets, arches, colonnades, columns, pilasters, detailed trim, brick bands, and contrasting courses of materials, cornices, or porches should be used to vary building facades.
- 8.) **Accents.** Accents like canopies, overhangs, raised parapets over the door; archways, awnings, larger openings and display windows, accent colors, and details such as tile work, moldings and pedestrian-scale lighting should be used to add detail and additional interest to building designs.
- 9.) **Building Colors.** Base building colors should be low-reflecting, muted, neutral or earth-toned. Visible Roof colors should be compatible with the dominant building color. High-intensity colors, bright primary colors, metallic colors, or fluorescent colors are discouraged unless they serve an energy efficiency use or are complimentary/representative to the use for which they are proposed. Shiny, glossy or reflective materials, or brighter colors may be used on building trim and accents. Neon lighting or similar effect as a permanent architectural trim is prohibited. It is understood that energy efficient design is desired and certain colors outside these parameters may need to be used to achieve that goal.
- 10.) **Building Materials.** Only high quality, professionally installed and detailed materials may be used in the construction of office facades and storefronts at Vienna Centre. Each building shall meet an overall building materials requirement of 70% brick or stone.
  - i. The building materials requirement shall be based on each façade of the building excluding windows and doors.
  - ii. The building materials requirement on a façade may be lower than 70% brick or stone provided the combined facades meet the overall building materials requirement.
  - iii. CMU is not considered brick or stone for this requirement.
  - iv. Lot #5, due to its location along State Route 741 is permitted to have 50% brick or stone.
- 11.) **Base Building Colors.** Base building color changes should occur only at a change of plane or reveal line.

12.) **Building Roofs.** Rooflines will be varied with cantilevers, gables, parapets, and/or cornice lines. The continuous plane of a roofline will be less than or equal to 150 feet (<=150').

- i. No flat roofs will be permitted. All roofs within these areas must be pitched and attempt to match the residential design of the area with shingles. A portion of a roof may be flat if the view from the roadway is of a pitched roof.
- ii. No metal roofs are permitted.
- iii. The exception will be for Lot #5, which due to its location near State Route 741 is specifically permitted to be exempt. Rooftop mechanicals will still be required to be fully shielded from view.



13.) **Four sided architecture is required.** All elevations should incorporate the same building materials, design, and overall quality.

**b) Utilities.**

All new utilities will be located below ground to minimize disruptions in utility service, reduce weather related losses, and to enhance the visual appearance of the Vienna Centre area. The Development will meet all appropriate storm water, sanitary and utility requirements.

c) **Fences.**

- 1.) All fences used for screening or decorative purposes will be composed of finished wood, wood composite, brick, stone, or metal designed to have a decorative and finished appearance. It being the intent not to have bare aluminum or iron fencing, metal fencing shall generally be painted black to prevent rusting and/or provide a uniform decorative appearance.
- 2.) Chain link or similar fencing is prohibited except as specifically permitted by the Zoning Commission for security and public safety purposes.
- 3.) No fencing will be electrified or constructed of barbed wire or razor wire.
- 4.) Only ornamental fencing will be located in the front of a building.
- 5.) Fencing should generally not exceed six (6) feet in height unless specifically noted in the Final Development Plans.
- 6.) Tenant Fencing. Fencing shall be approved through the final development process for each individual tenant. If flexibility is required for individual tenants than such flexibility shall be provided for in the final development process.

d) **Lighting.**

For the purpose of providing consistent site lighting that does not produce glare and reduces the illumination of the night sky, the following lighting standards will be followed:

- 1.) All non-decorative lighting will be fully shielded lights that do not emit light rays at angles above the horizontal plane as certified by a photometric test report. No direct light source shall be visible at the property line (adjacent to residential) at ground level, additional house side shielding may be required where light sources are visible.
- 2.) Decorative, pedestrian scale lights are encouraged in areas of pedestrian activity. All decorative lights over ten (10) feet in height will be fully shielded to avoid light spillage on property outside the Development.

- 3.) Where lighting abuts a residentially used property outside the Development, the maximum illumination at the property line will not exceed 0.5-foot candles. Where lighting abuts a non-residentially used property outside the development, the maximum illumination at the property line will not exceed one (1) foot candle.
- 4.) Wall packs will be fully shielded to direct the light downward. They will not be used to draw attention to the building unless they are decorative but will not be used to provide general building or site lighting.
- 5.) Bare metal light poles and elevated “sonotube” type concrete bases will not be used.
- 6.) Light poles will be consistent with the overall architectural theme of the site.
- 7.) Permanent Neon or similar effect accent lighting will not be used on buildings.
- 8.) Streetlights within designated public and private streets shall not exceed thirty (30) feet in height, all other light poles, including, but not limited to parking lot lights, will not exceed twenty five (25) feet in height.
- 9.) All building sites shall utilize LED lighting within the private parking lots and building fixtures, unless a specific modification is approved by the Zoning Commission as part of a final development plan. A more residential style of lighting along the residential boundaries shall be provided.
- 10.) The color temperature of the parking lot lighting shall not exceed 4000 kelvin and future final development plans may require additional installations to not exceed a maximum of 3000 kelvin based upon research indications as to the appropriate levels to maintain public health.
- 11.) Lighting shall not exceed six (6) foot candles as measured at ground level. Lighting that is concentrated for safety and security purposes and not allowed across an entire site or to spill onto adjacent areas may be up to ten (10) foot candles as specifically approved as part of a final development plan.
  - i. Lot #5 shall be permitted to have a maximum of fifteen (15) foot candles along the SR 741 frontage between the front automotive display area and a line running parallel with the front of the building

between the hours of 6AM and 10PM. Lights must be dimmed or turned off to return to a six (6) foot candle maximum between the hours of 10 PM and 6 AM. This allowance does not negate the requirement that this portion of the site meet the one (1) foot candle maximum at the property line.

e) **Landscaping**.

Any Final Development Plan will include a landscaping plan for approval by the Zoning Commission. The developer's landscaping plan will follow the general landscaping standards and overall intent of Article 45-A but may be modified by the Zoning Commission to accommodate specific uses.

The Zoning Commission shall be able to modify standards pertaining to buffer requirements and overall tree counts when dealing with evergreen trees and screening as long as the intent of the overall tree number is met.

The development should incorporate innovative storm water designs, such as pervious pavement, vegetated swales, rain gardens, sediment and pollutant filtration devices, etc.

- 1.) **General Requirements.** As a general guideline, a consistent greenspace program is required throughout the Development including a mix of evergreen trees, canopy trees, ornamental trees, shrubs, and flowering ground cover to provide an inviting environment.
- 2.) **Landscaping Adjacent to Rights-of-Way.** Landscape buffers will be provided adjacent to, or in, the Springboro Pike (SR 741) and Vienna Parkway rights-of-way. Buffers will be planted with a mixture of shade trees, ornamental trees, bushes and ground cover per the frontage tree requirements of Article 45-A. Additional shrubs shall be planted between the right-of-way and parking spaces, parking lots, and drive aisles that have a minimum screen height of 36 inches. Earth mounds, decorative masonry walls, and dense vegetation can be used in any combination to provide the required screening.
  - i. Lot #5 shall be permitted to have a minimum screen height of 18 inches between the property and State Route 741 due to the specific use of the property. The total number of shrubs, bushes, and trees shall be met.
- 3.) **East Buffer Area.** The existing tree buffer along the east property line should be maintained. This may include increasing the buffer zone beyond twenty (20) feet to allow for mature trees to be saved in specific locations. Additional evergreens should be shown as part of a final

development plan for Lots 3A, 3B, and 4 along this boundary line to have screening throughout the year. A combination of mounding, fencing, and landscaping should be used to protect the residential properties to the east.

4.) **Buffer between uses.** The buffer requirements between interior lots within the development (e.g. Lot #1 to Lot #4, Lot #3A to Lot #5, Lot #3B to Lot #5) shall be as follows:

- i. A row of large deciduous trees each 2.5 inches or more in caliper spaced at a rate of one tree per 35 lineal feet. May replace up to 40% of required screening trees with evergreens. Any trees used for this requirement shall count towards the impervious and building coverage tree requirement.
- ii. No buffer is required between Lot #3A and Lot #3B.

5.) **Surface Parking Lot Interior.** A continuous landscape island shall be provided between every other double row of parking or, alternatively, at the ends of each parking aisle and between every tenth (10) parking space. Trees will be planted at locations protected from vehicular encroachment. Landscape islands will be designed to separate parking aisles, direct traffic, and break large expanses of asphalt. The width and area of each landscape island will be sufficient to protect trees from vehicular encroachment. Each island will contain shrubs, ground cover and/or mulch. River rock is permitted as long as it is associated with shrubs or ground cover in each island. At least one deciduous tree will be provided for every 500 square feet of landscaped island.

f) **Planting Standards.**

The following guidelines will be followed:

- 1.) The plant palette should emphasize trees, shrubs, and ground cover that are hardy to this region.
- 2.) Trees located internal to the site will have a DBH (diameter at breast height) of at least 2.5 inches; Frontage trees will have a DBH of at least 3 inches and evergreen trees will be at least six feet high at the time of planting. Deciduous and evergreen shrubs will be a minimum of 24 inches high at the time of planting. A minimum of 50% of the deciduous trees utilized on site shall be native trees.
- 3.) Trees of a more substantial size, caliper, and foliage should be considered for the central buffer areas and along the east and north property lines to provide a more established feel for the site.
- 4.) Landscape design will strive to be creative. The planting design will use

massing or groupings of materials to create a stronger visual impact for high speed areas, create dense screening in certain areas, break up the large parking areas, use plant diversity for long term health of the plants, use repetition for continuity, and create visual interest by incorporating spring and summer flowers and fall color.

- 5.) New landscaping should blend with existing vegetation and topography. When used as part of landscaping, earth mounds should undulate horizontally and vertically to remove monotony from the landscape and to look as naturalistic as possible.
- 6.) Plants will not be located where they might interfere with overhead utilities or interfere with the safety of pedestrians and motorists.

g) **Screening Standards**. Proper placement of utilitarian features enhances the effectiveness of screening. Ground and roof mounted mechanical equipment, trash receptacles, and loading areas will be screened from view through the use of evergreen plantings or enclosures of roof form. Additional landscaping or screening walls shall be provided where grade creates a view of rooftop mechanicals, trash receptacles, or loading areas.

h) **Trash Receptacles**. When external to a building, trash receptacles will be screened on three (3) sides with durable building materials consistent with the colors and materials used on the facade of the principal building. CMU is not permitted. The fourth side will be screened with a decorative opaque gate with a lockable latch assembly. Bollards will be provided to protect adjacent vehicles from gate over-swing.

## **F. General Development Standards**

1. Vienna Parkway may require modification to the width in certain areas to slow traffic. During the Final Development Process of the Vienna Parkway approval, design considerations will need to be given to creative traffic calming measures;
2. The findings from an ODOT approved Traffic Impact Study (TIS) will be utilized to determine the appropriate access points along Springboro Pike. Priority shall be given to Vienna Parkway and its design.
3. Minimum five foot sidewalks must be constructed in the following locations:
  - a. On both sides of Vienna Parkway from the existing sidewalk network to State Route 741;
  - b. Along the State Route 741 frontage;

4. A maintenance agreement must be in place for all sidewalks and landscaping along Springboro Pike and Vienna Parkway and any other future public roadways. This agreement must be in place prior to the issuance of a zoning certificate.
5. A roadway may be required to extend and connect to the land south of Vienna Center in the City of Miamisburg in the future. This need will be evaluated at the time a final development plan is submitted for Lot 3B to determine if access can be accommodated.
6. No parking of any vehicles may occur on grass or other unfinished surfaces.
7. Trash shall be collected from businesses between the hours of 6AM and 6PM.