CITY OF DELAWARE
PLANNING COMMISSION
AGENDA

CITY COUNCIL CHAMBERS
1 S. SANDUSKY ST.
7:00 P.M.

REGULAR MEETING JANUARY 21, 2015

1. ROLL CALL

2. APPROVAL of the Motion Summary of the Planning Commission meeting held on December 3, 2014, as recorded and transcribed.

3. REGULAR BUSINESS
   A. 2014-2486: A request by the City of Delaware for approval of a Rezoning Amendment from R-4 (Medium Density Residential District) to B-1 (Neighborhood Business District) for Shear Style Barber Shop at 21 New Market Drive on approximately 0.59 acres.

   B. Union Electric
      (1) 2014-2505: A request by Union Electric for approval of a Rezoning Amendment to allow a Planned Mixed Use Overlay District (PMU) at 259 Vernon Avenue on approximately 1.63 acres on property zoned R-4 (Medium Density Residential District).
      (2) 2014-2506: A request by Union Electric for approval of a Conditional Use Permit allowing the placement of Planned Mixed Use Overlay District (PMU) at 259 Vernon Avenue on approximately 1.63 acres on property zoned R-4 (Medium Density Residential District).

   C. Delaware Place
      (1) 2015-0013: A request by MV Affordable Housing LLC for approval of a Rezoning Amendment for Delaware Place zoned R-7 & B-3 PMU (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District) at 351 South Sandusky Street on approximately 7.34 acres bounded by Sandusky Street, Weiser Avenue and Henry Street.
      (2) 2015-0014: A request by MV Affordable Housing LLC for approval of a Preliminary Development Plan for Delaware Place Phase 2 zoned R-7 & B-3 PMU (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District) at 351 South Sandusky Street on approximately 7.34 acres bounded by Sandusky Street, Weiser Avenue and Henry Street.

   D. 2014-2507: A request by Maronda Homes for approval of Final Subdivision Plat for Curtis Farms Phase 3 located at the terminus of Carolyn Lane and Delaware Drive which consists of 29 single family lots on 13.5 acres zoned R-4 (Medium Density Residential District).

4. PLANNING DIRECTOR'S REPORT

5. COMMISSION MEMBER COMMENTS AND DISCUSSION

6. NEXT REGULAR MEETING: February 4, 2015

7. ADJOURNMENT

PLANNING COMMISSION
December 3, 2014
MOTION SUMMARY

ITEM 1. Roll Call

Chairwoman Lisa Keller called the meeting to order at 7:01 p.m.

Members Present: George Mantzoros, Dean Prall, Jim Halter, Colleen Tucker-Buck, Adam Lemke, and Chairwoman Lisa Keller

Members Absent: Vice-Chairman Stacy Simpson

Staff Present: Dave Efland, Planning and Community Development Director and Matt Weber, City Engineer

Motion to Excuse: Mr. Halter moved to excuse Vice-Chairman Simpson, seconded by Mr. Prall. Motion approved by a 7-0 vote.

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on November 5, 2014, as recorded and transcribed.

Motion: Mr. Halter moved to approve the Motion Summary for the November 5, 2014 meeting, seconded by Mr. Prall. Motion passed by a 6-0 vote.

ITEM 3. REGULAR BUSINESS

A. 2014-2128: A request by the City of Delaware for approval of an expansion of the boundaries of the Downtown Historic District Overlay per Section 1190.12 of the City of Delaware Zoning Code, accordingly, to include, the properties at 20 West Central Avenue, 91 North Sandusky Street and 101 North Sandusky Street.

Mr. Efland reviewed the staff recommendations and the location of the three properties.

APPLICANT:
John Melvin, 101 North Sandusky Street, Delaware Ohio, Delaware County Manager Facilities

Mr. Melvin voiced a concern regarding the monument that is already in place and if it conforms to the Historic Districts zoning codes. Mr. Melvin also voiced a concern over restrictions for having signs to advertise community events.

Mr. Efland addressed Mr. Melvin's concerns, and explained that the current monument would not be affected by the expansion, but that a new monument would need approval. Mr. Efland also explained that all signs need to have a

permit applied for, regardless of location and indicated that Community Event signage would continue to be allowed.

Motion: Mr. Halter moved to approve 2014-2128, along with all staff recommendations, seconded by Ms. Tucker-Buck. Motion approved by a 6-0 vote.

B. 2014-2431: A request by the City of Delaware for approval of a Development Plan Exemption to Construct New Amenities to Veterans Park on 28.31 acres zoned R-3 PMU (Single-Family Residential District with a Planned Mixed Use Overlay District) located just north and east of the YMCA at 1121 South Houk Road.

Mr. Efland reviewed the Veteran's Park Improvements. Included in his presentation were the location map, the zoning map, aerial photos, the Veterans Park Concept Plan, and the construction budget. Mr. Efland also reviewed the difference of a Development Plan approval compared to a Development Plan Exemption.

Chairwoman Keller explained that OHM Designers is in the design phase of the park, which will be an all inclusive playground. A discussion was held which included the layout, amenities, cost, and whether to use recycled water or not.

Motion: Mr. Halter moved to approve 2014-2431, along with all staff recommendations, seconded by Mr. Prall. Motion approved by a 6-0 vote.

C. 2014-2379: A request by Liberty Casting for approval of a Development Plan Exemption allowing for a 6,000 square foot expansion to the existing main building on 17.32 acres on property zoned M-2 (General Manufacturing) located at 620 Liberty Road.

Mr. Efland reviewed the location map, aerial photos and the Liberty Casting site map.

APPLICANT:
Tom James, 129 Halstead Court, Delaware Ohio

Mrs. Tucker-Buck requested if the demolished location will be open space. Mr. James informed the Commission that open space was the plan.

PUBLIC COMMENT:
Ruth Cruikshank, 341 Stonhope Drive, Delaware Ohio

Ms. Cruikshank asked why demolish a 12,000 sq. ft. building and rebuild only 6,000 sq. ft. Mr. Efland explained that the plan was to only use 6,000 sq. ft. in the building that will be demolished.

Motion: Mr. Halter moved to approve 2014-2379, along with all staff recommendations, seconded by Mr. Lemke. Motion approved by a 6-0 vote.

D. 2014-2332: A request by MI Homes for approval of an Amended Preliminary Subdivision Plat for Lantern Chase Phase 2, Section 6 located just north of Silversmith Lane which consists of 127 single family lots at 50.4 acres zoned R-3 (One Family Residential District).

Mr. Efland reviewed with the Commission the location map, the zoning map, aerial photos, and previous preliminary subdivision plans that were approved. Mr. Efland explained that the tree line was originally to have a road through it, however due to gravity sewer provision issues, the tree area and wetlands will remain undeveloped and the unit count will decrease. Mr. Efland reviewed the conditions for recommendation.

Mrs. Tucker-Buck discussed what barriers were required for the properties that are against Millers Gardens. Mr. Efland explained that this property is not in City limits, and that there is an existing tree line in place.

Mrs. Tucker-Buck voiced concern over the placement of a tot lot play ground, as there is one in the development already that is often used by the older age children. Mr. Efland explained that the plans do include a basketball court for recreational use.

APPLICANT:
Jeff Strung, 550 New Albany Road, Columbus Ohio. EMH&T representative

Mr. Strung reviewed the new preliminary plat, which reduces 29 lots from the previous plan. EMH&T feel that the tree preservation will benefit the community. Mr. Strung indicated that the "tot lot" play equipment is designed for children from tots up to early teens.

PUBLIC COMMENT:
Ruth Cruikshank, 341 Stonhope Drive, Delaware Ohio

Ms. Cruikshank requested information regarding the extension of Stonhope Drive.

Mr. Efland explained that the new plans will not have an extension, but that long-range plans include the connection of Troy Road to Merrick Blvd.

Motion: Mr. Mantzoros moved to approve 2014-2332, along with all staff recommendations, seconded by Ms. Tucker-Buck. Motion approved by a 6-0 vote.

E. Carlisle Elementary School

(1) 2014-2333: A request by Delaware City Schools for approval of a Conditional Use Permit for Carlisle Elementary School on approximately 10.73 acres zoned R-3 (One –Family Residential District) and located at 746 West Central Avenue.

(2) 2014-2334: A request by Delaware City Schools for approval of a Combined Preliminary and Final Development Plan for Building Expansion and Site Improvements for Carlisle Elementary School on approximately 10.73 acres zoned R-3 (One Family Residential District) and located at 746 West Central Avenue.

Mr. Efland reviewed the zoning map, aerial photographs, and the proposed site plan. Mr. Efland also reviewed tree replacement and the recommended conditions for approval.

APPLICANT:
Larry Davis, 248 North Washington, Delaware Ohio, Representative for Delaware City Schools

Mr. Lemke requested information on the landscaping to buffer the appearance of the parking lot that faces Central Ave. Mr. Davis reviewed the plans, along with the placement of the parking lot to be lowered to assist with drainage. Mr. Davis stated that construction is planned to start June 1, 2015.

Motion: Mr. Lemke moved to approve 2014-2333, along with all staff recommendations, seconded by Mrs. Tucker-Buck. Motion approved by a 6-0 vote.

Motion: Mr. Lemke moved to approve 2014-2334, along with all staff recommendations, seconded by Mrs. Tucker-Buck. Motion approved by a 6-0 vote.

F. Conger Elementary School

(1) 2014-2335: A request by Delaware City School for approval of a Conditional Use Permit for Conger Elementary School on approximately 3.97 acres zoned R-4 (Medium Density Residential District) and located at 10 Channing Street.

(2) 2014-2336: A request by Delaware City Schools for approval of a Combined Preliminary and Final Development Plan for Building Expansion and Site Improvements for Conger Elementary School on approximately 3.97 acres zoned $-4 (Medium Density Residential District) and located at 10 Channing Street.

Mr. Efland reviewed the location map, aerial photographs, and the proposed site plan. Mr. Efland made the Commission aware the residents on Channing Street have been notified of changes to parking on the street.

Mr. Weber reviewed the proposal of no parking to alleviate the congestion on Channing Street during school hours, and has requested input from the residents that will be affected.

Mrs. Tucker-Buck voiced concern over the designated pick up spot for children for the aftercare program and requested the school to better coordinate that with those that run the program.

APPLICANT:
Larry Davis, 248 North Washington, Delaware Ohio, Representative for Delaware City Schools

Mr. Davis addressed the concerns for drop off and pick up locations, and that this location will move to Winter Street. Mr. Davis discussed the timeline for completion. Mr. Davis explained to the Commission that a letter has been sent out requesting a neighborhood meeting to be scheduled at the beginning of 2015.

Motion: Mr. Halter moved to approve 2014-2335, along with all staff recommendations, seconded by Mr. Lemke. Motion approved by a 6-0 vote.

Motion: Mr. Halter moved to approve 2014-2336, along with all staff recommendations, seconded by Mr. Lemke. Motion approved by a 6-0 vote.

G. 2014-2423: A request by EMH&T for review of a Concept Plan for the Glenross North Subdivision consisting of 198 single family lots on approximately 100 acres zoned located just east of Glenn Parkway and north of The Glenross Golf Club.

Mr. Efland reviewed the location map, the zoning map, the aerial photographs, and proposed site plan. Mr. Efland reviewed the designated green space and active park space.

APPLICANT:
Jeff Strung, 550 New Albany Road, Columbus Ohio. EMH&T representative

David Fisher, 207 North Fourth Street, Columbus, Ohio

Mr. Prall discussed with the applicants the desire to have consistency throughout the various entrances. Mr. Efland did explain that this has not been discussed, but that they are different subdivisions that may have a difference in the entrance.

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland requested an informal discussion of the Delaware Place II and III Development. Mr. Efland reviewed the site plan, with the possibility of phase III consisting of commercial development. Mr. Efland reviewed with the Commission the different versions.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

ITEM 6. NEXT REGULAR MEETING: January 21, 2015

ITEM 7. ADJOURNMENT:

Motion: Chairman Keller moved for the December 3, 2014 Planning Commission meeting to adjourn. The meeting adjourned at 9:27 p.m.

_____

Chairman Lisa Keller

_____

Elaine McCloskey, Clerk

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2014-2486
REQUEST: Rezoning Amendment
PROJECT: Shear Style Barber Shop
MEETING DATE: January 21, 2015

APPLICANT/OWNER

City of Delaware
1 South Sandusky Street
Delaware, Ohio 43015

Wayne Nolting
21 New Market Drive
Delaware, Ohio 43015

REQUEST

2014-2486: A request by the City of Delaware for approval of a Rezoning Amendment from R-4 (Medium Density Residential District) to B-1(Neighborhood Business District) for Shear Style Barber Shop at 21 New Market Drive on approximately 0.59 acres.

PROPERTY LOCATION & DESCRIPTION

The subject parcel is at 21 New Market Drive which is located south of West Williams Street and east of New Market Drive. The subject parcel is zoned R-4 (Medium Density Residential District) as are the properties to the south. The property to the north is zoned R-1 (One Family Residential District), the properties to the east are zoned B-1 (Neighborhood Business District) and R-4 with a PUD (Planned Unit Development Overlay District) and the properties to the west are zoned R-6 (Multi-Family Residential District).

BACKGROUND/PROPOSAL

The owner purchased the subject property in 2001 and has utilized the building as a barber shop since. In May of 2003 the Planning Commission approved an administrative approval for a parking lot on the subject site and was obviously interpreted by staff and the Planning Commission as a an office/commercial zoning district (B-1) per the zoning map at that meeting on May 28, 2003. However after extensive research, staff could not locate any City Ordinance that rezoned the subject property from R-4 as indicated on the official City Zoning Maps in 1968, 1991, 1997 and 2014. Therefore, staff is requesting and would support a City sponsored rezoning of the subject parcel from R-4 to B-1 because the site has been utilized as barber shop since November 2001 without any documented complaints from the adjacent neighbors and because of the administrative approval actions taken by the Planning Commission on May 28, 2003.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The Comprehensive Plan recommends a future land use of Medium Density Single Family for the subject property. The existing barber shop is very similar to doctor/medical offices as a destination point and likely produces less traffic than the credit union to the east (office land use designation) and the nursing home to the west (medium density multi-family designation). As noted above, the barber shop has been at this location for almost 13 years and has become an accepted and compatible use in the area. Because the barber shop fronts New Market Drive unlike any other single family houses in this area, it would not likely be a desirable location for a residence anymore.
- **ZONING:** As previously mentioned, the subject property is zoned R-4 based on research and findings of staff which would technically prohibit a barber shop use. A rezoning amendment to B-1 would allow the existing use and would need to be approved by the Planning Commission and City Council. Currently the barber shop would be considered a legal non-conforming use per the City Zoning Code Section 1151.02 & 03 which would permit the existing barber shop use unless it has been discontinued or abandoned for a one year period (see attached). Until the rezoning case is decided, staff would allow the reconstruction of the building as it exists today and if the building is destroyed by any means or razed to the extent of more than 50% of the fair replacement cost of the structure. Since there is discrepancy in the record with regard to the zoning on this site and the fact that the City at a point passed legislation including acknowledging this as a B-1 zoned site, it would be difficult to justify not approving this request. Not approving this request could expose the City to unnecessary litigation in this case which would be difficult to defend in staffs opinion.
- **SITE CONFIGURATION:** The building is located on the southern portion of the site with a six car parking lot with a curb cut to New Market Drive located just north of the building. In addition, a curb cut and access drive is located along the northern portion of the site that provides access to the credit union located just northwest of the site along West William Street.

- **BUILDING DESIGN:** The single story frame building was constructed in 1978 as a two family dwelling unit per the Delaware County Auditor. The owner is not proposing any revisions to the current building.
- **SIGNAGE:** The property currently has a ground sign along West Williams Street and a banner sign on the building along with a few window signs.
- **LIGHTING**: There is one light pole located in the parking lot while no additional light poles or building lights are proposed.
- **LANDSCAPING & SCREENING:** There is minimal landscaping on the subject property except for evergreen trees that buffer the parking lot from the adjacent residents and shrubs that buffer it from New Market Drive.
- **CONCLUSION:** Staff believes based upon interviews with staff and others present at the time this salon was developed that this is simply an error on the zoning map which really needs to be corrected to account for this property being in a B-1 district as are the properties to the east of the site.

STAFF RECOMMENDATION (2014-2486 – REZONING)

Staff recommends approval of a request by the City of Delaware for approval of a Rezoning Amendment from R-4 (Medium Density Residential District) to B-1(Neighborhood Business District) for Shear Style Barber Shop at 21 New Market Drive on approximately 0.59 acres, with the following conditions that:

1. The existing banner sign shall be removed.
2. Any new signage (permanent or temporary) shall achieve compliance with the zoning code.

COMMISSION NOTES:

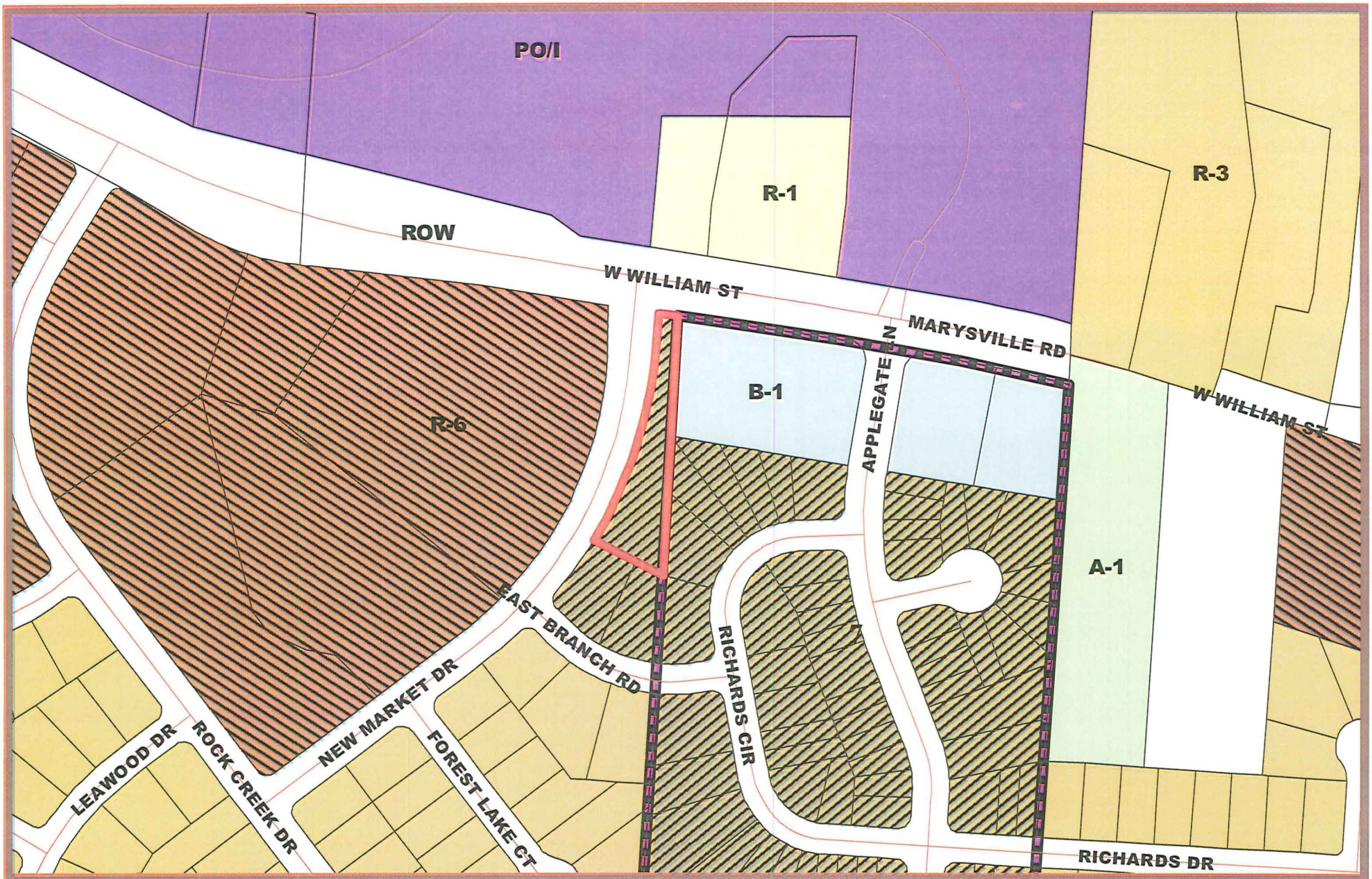
MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 6/20/14

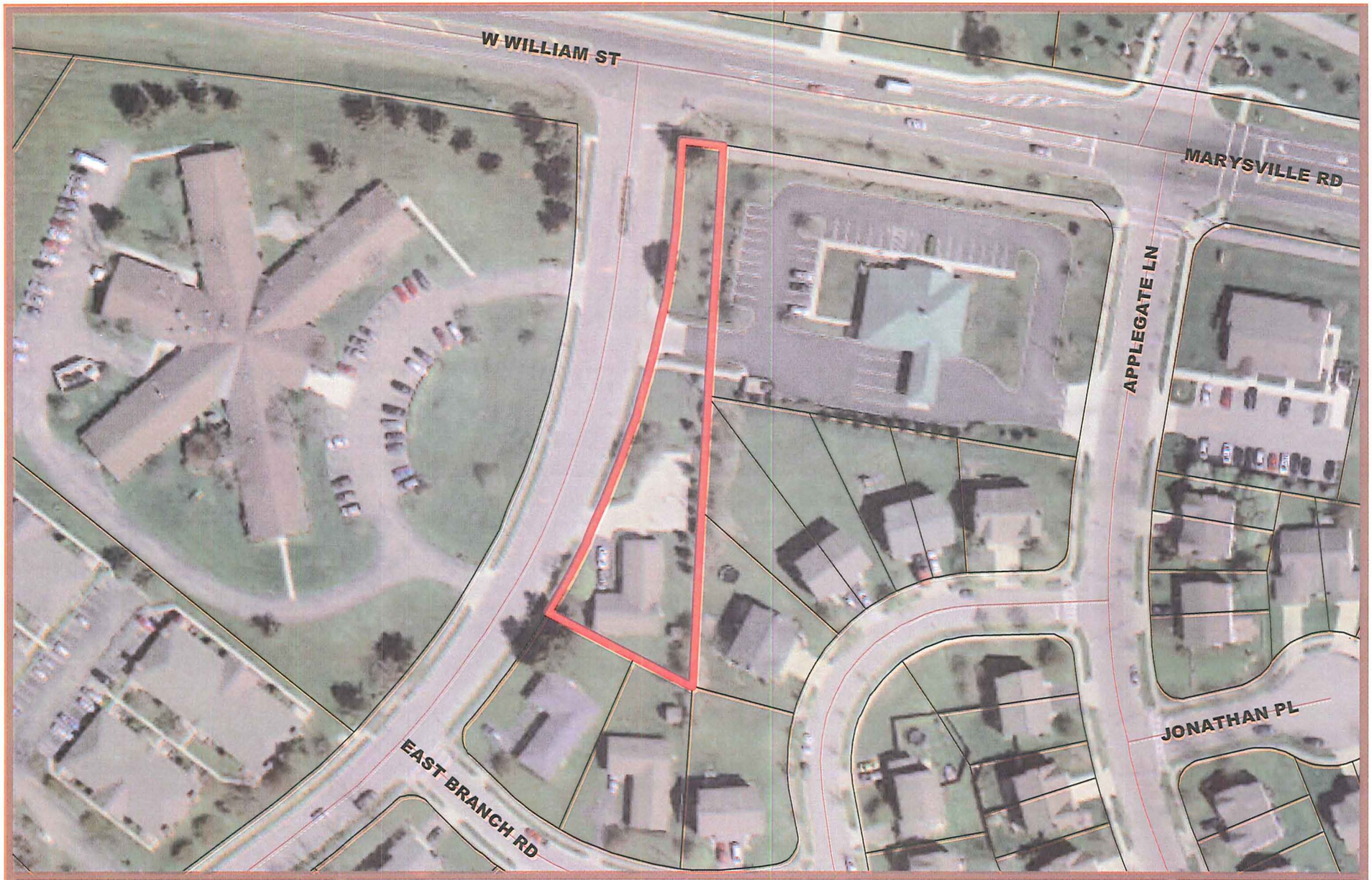
CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2486
Rezoning
21 New Market Drive - Shear Style
Location Map



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2486
Rezoning
21 New Market Drive - Shear Style
Zoning Map

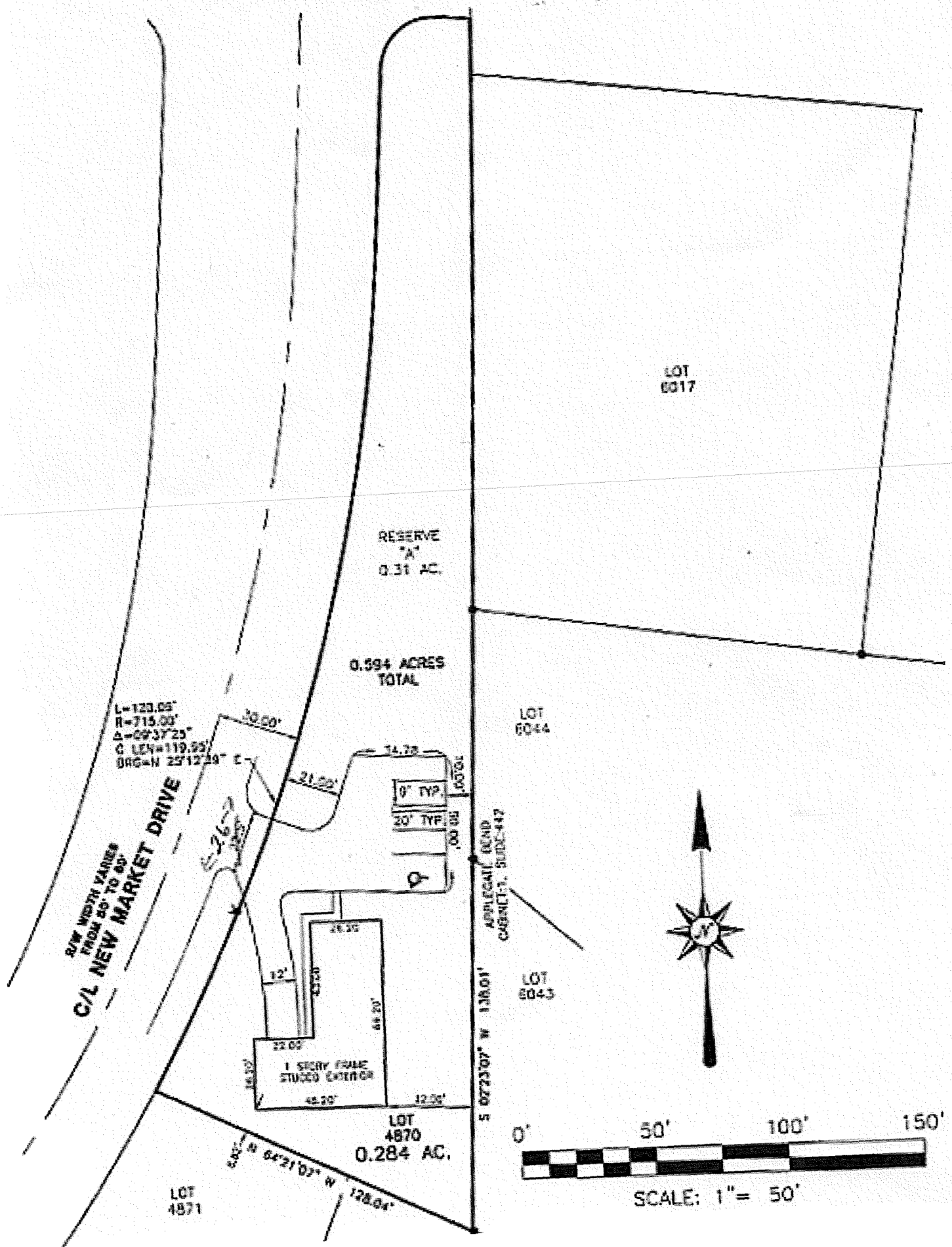


CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2486
Rezoning
21 New Market Drive - Shear Style
Aerial (2013)

(3) PLAT OF HOUSE LOCATION FOR WAYNE NOLTING

LOT 4870, SUNNYVIEW FARMS SECTION 1 (PLAT BOOK:11, PAGE:25)
CITY OF DELAWARE, DELAWARE COUNTY, OHIO



SHEAR STYLE
51934303004000 11/12/2009

CITY OF DELAWARE

December 15, 2014

Mr. Wayne Nolting
21 New Market Drive
Delaware, Ohio 43015

Re: Zoning Determination Letter – 21 New Market Drive (519-343-03-004-000)

Dear Mr. Nolting:

After several discussions with you and many hours of staff research, staff could not locate any City ordinance that rezoned the subject property from R-4 (Medium Density Residential District) as indicated on the official City Zoning Maps in 1968, 1991, 1997 and 2014 to B-1 (Neighborhood Business District) which was the City staff interpreted zoning district in Planning Case 03-060A which was an administrative approval of a parking lot at the May 28, 2003 Planning Commission meeting (see attached).

Therefore, staff will initiate and support a City sponsored rezoning of the subject property from R-4 to B-1 because the site has been utilized as a barber shop since November 2001 when you purchased the property without any documented complaints from the adjacent neighbors and because of the administrative approval actions taken by the Planning Commission on May 28, 2003. The rezoning case will be on Wednesday, January 21, 2015 Planning Commission agenda with an anticipated public hearing at City Council on Monday, February 9, 2015.

In the meantime, the barber shop would be considered a legal non-conforming use per the City Zoning Code Section 1151.02 & 03 which would permit the existing barber shop use unless it has been discontinued or abandoned for a one year period (see attached). Until the rezoning case is decided, staff would allow the reconstruction of the building as it exists today and if the building is destroyed by any means or razed to the extent of more than 50% of the fair replacement cost of the structure.

If you have any questions don't hesitate to contact me.

Sincerely,

Lance A. Schultz, AICP
Zoning Administrator

cc: David Efland, Director of Planning & Community Development
enclosures

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2014-2505 & 2506
REQUEST: Multiple Requests
PROJECT: Union Electric
MEETING DATE: January 21, 2015

APPLICANT/OWNER
Notturniano Investments LLC
259 Vernon Avenue
Delaware, Ohio 43015

REQUEST
2014-2505: A request by Union Electric for approval of a Rezoning Amendment to allow a Planned Mixed Use Overlay District (PMU) at 259 Vernon Avenue on approximately 1.63 acres on property zoned R-4 (Medium Density Residential District).
2014-2506: A request by Union Electric for approval of a Conditional Use Permit allowing the placement of Planned Mixed Use Overlay District (PMU) at 259 Vernon Avenue on approximately 1.63 acres on property zoned R-4 (Medium Density Residential District).

PROPERTY LOCATION & DESCRIPTION
The subject parcel is at 259 Vernon Avenue which is located north of Vernon Avenue and just east of the railroad tracks. The subject parcel is zoned R-4 (Medium Density Residential District) as are the properties to the south and west. The property to the north is zoned R-1 (One Family Residential District) while the property to the east is zoned A-1 (Agricultural District).

BACKGROUND/PROPOSAL
The owner purchased the subject property in April 2014 and has utilized the building for their Union Electric business since. Prior to purchasing the property in 2014, the subject property was used a contractors office and storage area since it was constructed in 1977 and is deemed a legal non-conforming use per the zoning code. The owner, who has worked diligently with staff since prior to their purchasing of the property, is requesting to bring to site into zoning compliance with a proposed PMU that would permit the existing office and light industrial use.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The Comprehensive Plan recommends a future land use of Medium Density Single Family for the subject property. The existing electrical shop is likely less intense than the previous contractors facility as it is a destination point on the dead end street next to the railroad tracks. As noted above, the site has been utilized for light industrial uses since 1977 and has become an accepted use in the area.
- **ZONING:** As previously mentioned, the subject property (Union Electric) has been deemed a legal non-conforming use per the City Zoning Code Section 1151.02 & 03 which would permit the existing or similar uses unless it has been discontinued or abandoned for a one year period. The rezoning to a PMU is accompanied by specific development text (see attached) which would allow certain residential, office and light industrial uses and would need to be approved by the Planning Commission and City Council.
- **SITE CONFIGURATION:** The subject site has a single curb cut on the western portion of the site from Vernon Avenue that extends into a gravel parking lot. A second curb cut is located just east of the site and accesses the parking lot but is located on railroad property. The building is located in the center of the property with a fenced-in storage area located just east of the building. The owner is not proposing any revision to the current site plan. They have significantly cleaned up the site which had fallen into disrepair with piles of debris outside when Union Electric purchased the property. The owner desires to utilize the property in a low profile manner for their office and secure indoor storage.
- **BUILDING DESIGN:** The single story 7,700 square foot metal building with a flat roof was constructed in 1977 for light industrial uses. The owner is not proposing any revisions to the current building.
- **SIGNAGE:** Currently there is not any signage on the site. Any building and site signage would have to achieve compliance with the minimum zoning code requirements.
- **LIGHTING**: The building has wall lighting but there is not any site lighting.
- **LANDSCAPING & SCREENING:** There is not any landscaping on the subject property.

STAFF RECOMMENDATION (2014-2505 – REZONING AMENDMENT)
Staff recommends approval of a request by Union Electric of a Rezoning Amendment to allow a Planned Mixed Use Overlay District (PMU) at 259 Vernon Avenue on approximately 1.63 acres on property zoned R-4 (Medium Density Residential District), with the following condition that:

1. Any new signage (permanent or temporary) shall achieve compliance with the zoning code.

STAFF RECOMMENDATION (2014-2506 – CONDITIONAL USE PERMIT)
Staff recommends approval of a request by Union Electric for approval of a Conditional Use Permit allowing the placement of Planned Mixed Use Overlay District (PMU) at 259 Vernon Avenue on approximately 1.63 acres on property zoned R-4 (Medium Density Residential District).

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 1/16/15

PC TEXT

UNION ELECTRIC
NOTTURNIANO INVESTMENTS, LLC.
259 VERNON AVENUE

DEVELOPMENT TEXT
PLANNED MIXED USE OVERLAY DISTRICT

1. DESCRIPTION OF DEVELOPMENT

Union Electric owned by Nottorniano Investments, LLC. is requesting a Planned Mixed Use Overly District (PMU) on their subject property zoned R-4 (Medium Density Residential District) that encompasses approximately 1.638 acres located at 259 Vernon Avenue.

Address	**Parcel #**	**Use(s)**
259 Vernon Avenue	519-442-01-002-000	Office/Light Industrial

2. GENERAL DEVELOPMENT STANDARDS

a. **Purpose and Intent.** It is the intent of the owner to bring the site into zoning compliance to allow the existing building to accommodate an office and light industrial use while maintaining the R-4 zoning district for single family and two family uses. Currently the office and light industrial uses are a legal nonconforming use in the R-4 zoning district. Therefore, the PMU Overlay District would permit the existing building to be rebuilt per Section 1151.02 which states a structure can be rebuilt if it was destroyed by any means or razed to the extent of fifty percent (50%) of the fair replacement cost of the structure. This Development Text represents the zoning requirements for this area unless otherwise noted.

b. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this development text, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of application.

c. **Limitations.** Nothing in this text shall prohibit additional restrictions or requirements from being placed on the approval of any Final Development Plan.

d. **Major Modifications.** The existing building, parking lot and all other site improvements at the date of approval comprise the Final Development Plan. Once a Final Development Plan has been approved by City Council, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code. Major modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any major change in the use or occupancy or any increase from the existing building envelope that might be proposed in the future.
(2) Major change in the approved location of land uses.

e. **Minor Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

(1) Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.
(2) Any minor change to the use or occupancy other than those uses specifically allowed in this text or any minor changes to the approved site layout.
(3) Minor change in the approved location of land uses.
(4) Minor structural alterations that do not alter the overall design intent of the building.

3. **USE & SPECIFIC DEVELOPMENT STANDARDS**

a. **Uses.** The following residential, office and light manufacturing uses shall be considered permitted, conditionally permitted, or limited uses on the site as represented in the chart below by P, C, or L, respectively, and as defined by Chapter 1121 of the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

Residential/Office/Light Industrial Uses

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this text and the Zoning Code, as applicable.

(2) **Conditionally Permitted Uses.** In addition to all standards specified within this development text, uses listed as conditionally permitted uses shall meet all the then current Zoning Code standards for approval of a Conditional Use Permit current at the time of application for the specific conditional use as well as any other regulations contained within the Zoning Code and applicable to the conditional use.

(3) **Limited Uses.** Limited uses shall be considered permitted uses subject to complying with all the specific limitations and restrictions as specified within this text as determined by Final Development Plan approval.

(4) **Accessory Uses and Structures.** Although not specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to sheds (non-commercial), fences, walls, trash receptacles and enclosures and off-street parking areas. If the uses are specified as conditional or limited uses the processes and limitations shall apply regardless of accessory use status.

Land Use Category	**Uses**
(a) Residential	
(1) Single-family dwelling	L*
(2) Two family dwelling	L*
(b) Offices and Professional Services	
(1) Offices – administrative, business and professional	P
(2) Research and Development	P
(3) Medical and dental offices, health and allied services	P
(4) Training Facility	P
(c) Storage and Distribution	

Land Use Category	Uses
(1) Contractor warehouse or indoor storage facility	P
(2) Storage (aboveground) of flammable liquids	C
(d) Outdoor Storage	
(1) Storage of fleet vehicles for operation of principal use	P
(e) Other	
(1) Public safety facility	C
(2) Public utility substation or distribution facility	C
(f) Accessory Uses	
(1) Off-street parking and loading area	A
(2) Fencing and walls	A
(3) Trash receptacles	A
(4) Sheds (non-commercial)	A

b. **Lot Standards.** The following standards shall apply for lot standards and coverage.

Lot Standards	
(1) Minimum lot area	1.5 acre
(2) Minimum lot width	150 ft.

c. **Building Setback Standards.** The following standards shall apply for minimum building setbacks, except as otherwise approved on the Final Development Plan.

Minimum Building Setbacks	
(1) Front Yard	Existing condition** or 50 feet for a new building/construction.
(2) Side Yard	Existing condition** or 50 feet for a new building/construction.
(3) Rear Yard	Existing condition** or 50 feet for a new building/construction

d. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks. Parking setbacks include any parking space, parking lot drive aisle, and parking lot circulation aisle.

Minimum Parking Setbacks	
(1) Setback from street right-of-way	Existing condition** or 50 feet for a new building/construction.
(2) Setback from rear and side setbacks	Existing condition** or 30 feet for a new building/construction.

** Existing condition or rebuilds because of an act of God.

e. **Maximum Building Height.** The maximum height of any building or structure shall be 35 feet as measured from finished floor elevation to the highest point of the roof.

f. **Building Design.** Any new building (except for rebuilds because of an act of God) shall comply with Chapter 1171 Design Criteria and Performance Standards.

g. **Tree Removal and Replacement.** Any new building (except for rebuilds because of an act of God) shall comply with Chapter 1168 Tree Preservation Regulations.

h. **Landscaping and Screening.** Any new building (except for rebuilds because an act of God) shall comply with all landscaping and screening requirements per Chapter 1166.

(1) A minimum 6 foot high solid fence or equivalent landscaping shall be installed adjacent to the parking lot to buffer the residence to the west.

i. **Lighting.** Any new exterior lighting (except for rebuilds because an act of God) shall be provided in accordance with the Chapter 1158 Lighting Plan.

j. **Signs.** All new signage shall comply with Chapter 1165 Signs and the Gateways and Corridors Plan except for the following:

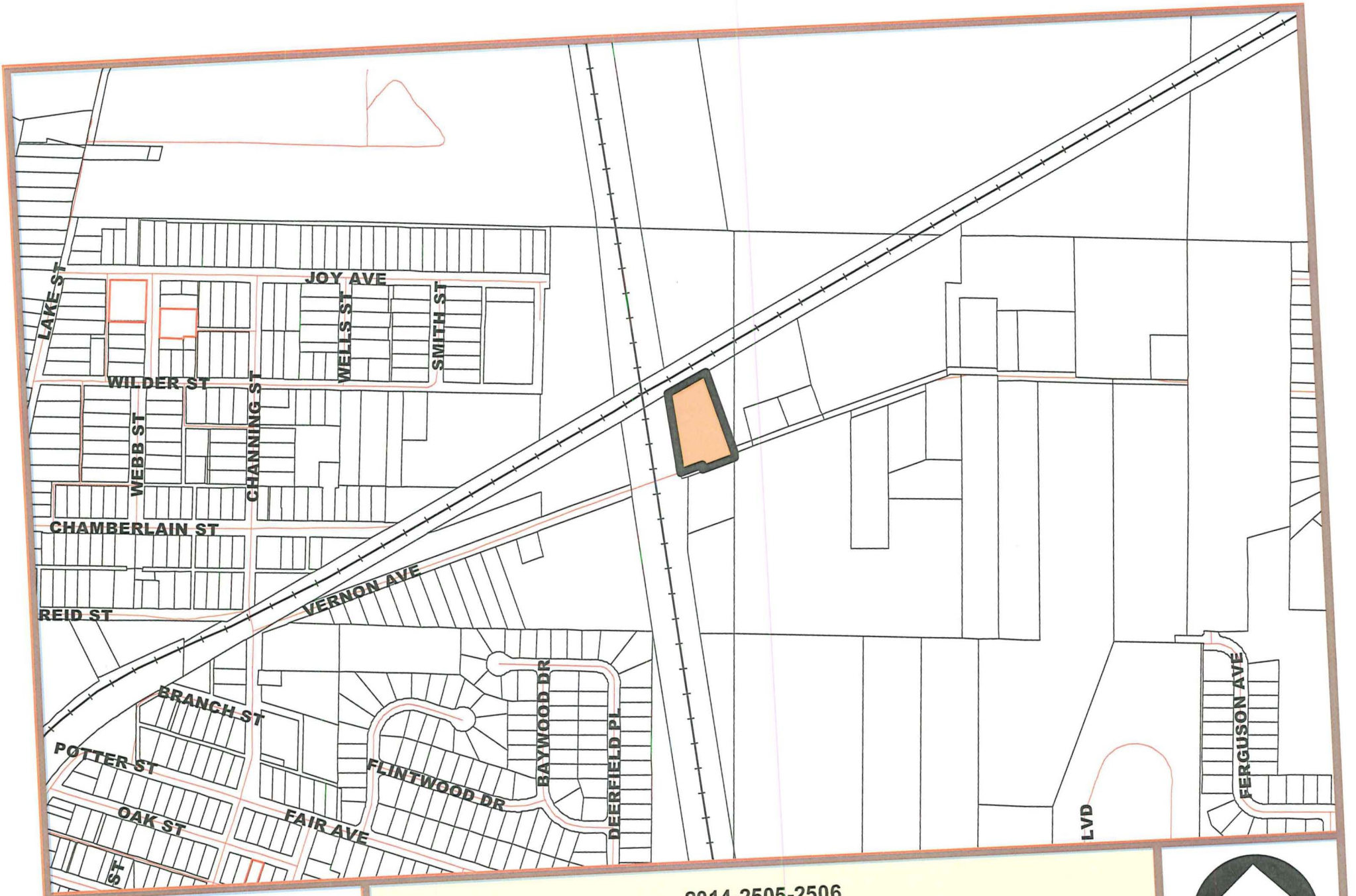
k. **Dumpster**. Any new dumpster(s) shall be screened by a wood enclosure with doors painted or stained to compliment the building color. Staff recommends a brick or stone enclosure with woods doors to match to lessen the future durability and maintenance concerns.

l. **Parking.** Any new building (except for rebuilds because an act of God) shall comply with all parking and loading requirements per Chapter 1161.

m. **Specific Standards for Limited Uses.**** Any use listed as a limited use shall meet all requirements of the Zoning Code, unless otherwise exempted or modified in this Section which shall take precedence in all cases, as determined through the Final Development Plan approval process. If any of the requirements set forth in this text or the then current Zoning Code are not met, the use shall be considered a Conditional Use and a Conditional Use Permit must be approved as set forth in the Zoning Code.

(1) **Single and Two Family Dwelling.** Such limitations include: 1. Only one single family dwelling or one two family dwelling shall be allowed on the subject lot. For more than one single family dwelling or two family dwelling, a zoning amendment to this PMU and a Preliminary/Final Development Plan and Preliminary/Final Subdivision Plat shall be required to be approved by the Planning Commission and

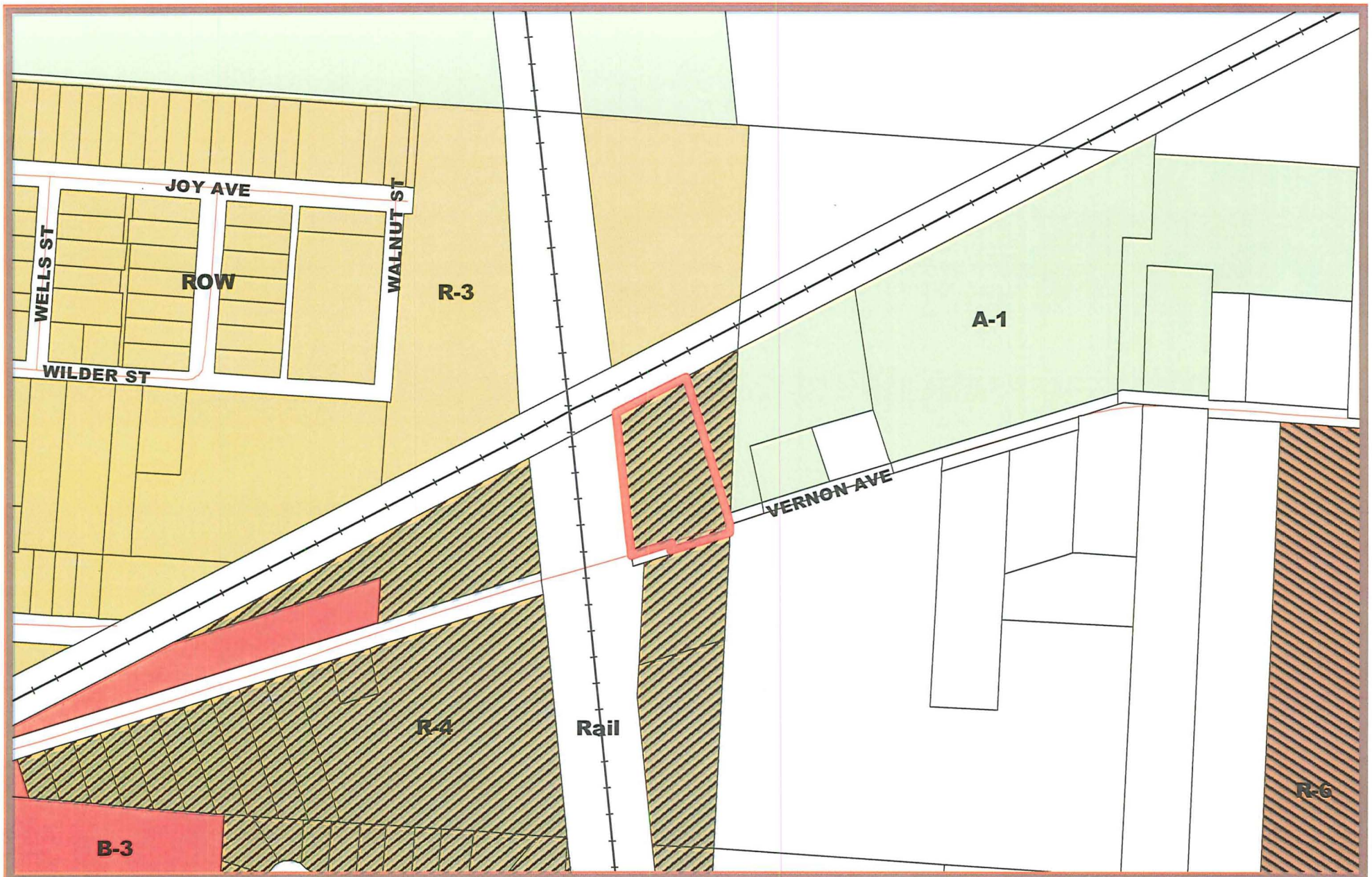
City Council. 2. All single and two-family structures shall comply with minimum bulk requirements in an R-4 zoning district along with achieving compliance with Chapter 1171.08 Residential Development and Design Criteria and Performance Standards.



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2505-2506
Conditional Use Permit and Rezoning
259 Vernon Ave - Union Electric
Location Map

N



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2505-2506
Conditional Use Permit and Rezoning
259 Vernon Ave - Union Electric
Zoning Map

N

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2505-2506
Conditional Use Permit and Rezoning
259 Vernon Ave - Union Electric
Aerial (2013)

N

CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM

Planning and Community Development
CITY OF DELAWARE, OHIO

DEC 3

Project # _____ Case # REZ

Planning Commission

- [ ] Amended Final Development Plan
- [ ] Amended Final Subdivision Plat
- [ ] Amended Preliminary Development Plan
- [ ] Amended Preliminary Subdivision Plat
- [ ] Annexation Review
- [ ] Combined Preliminary & Final Development Plan
- [ ] Comprehensive Plan Amendment
- [ ] Concept Plan
- [x] Conditional Use Permit
- [ ] Determination of Similar Use
- [ ] Development Plan Exemption
- [ ] Final Development Plan
- [ ] Final Development Plan Extension
- [ ] Final Subdivision Plat
- [ ] Final Subdivision Plat Extension
- [ ] Floodplain Permit
- [ ] Lot Split
- [ ] Pre-annexation Agreement
- [x] Preliminary Development Plan - N: Fee
- [ ] Preliminary Dev Plan Extension
- [ ] Preliminary Sub Plat
- [ ] Preliminary Sub Plat Extension
- [x] Rezoning
- [ ] Subdivision Variance
- [ ] Substitution of a Non-Conforming Use
- [ ] Vacation-Alley
- [ ] Vacation-Easement
- [ ] Vacation-Street

Board of Zoning Appeals

- [ ] Appeal Administrative Decision or Interpretation
- [ ] Conditional Use Permit
- [ ] Substitution of Equal or Less Non-Conforming Use
- [ ] Variance

Subdivision/Project Name _____ Address 259 Vernon Ave

Acreage 1.63802 Square Footage _____ Number of Lots _____ Number of Units _____

Zoning District/Land Use _____ Proposed Zoning/Land Use _____ Parcel # 519-442-01-002-000

Applicant Name Union Electric Contact Person Lisa Notturniano

Applicant Address 259 Vernon Ave, Del. Oh 43015

Phone 740-362-4447 Fax 740 362-5447 E-mail LN34@aol.com

Owner Name Notturniano Investments LLC Contact Person Lisa Notturniano

Owner Address 74 Glengary Drive, Delaware Oh 43015

Phone 614-206-4075 Fax 740 362-5447 E-mail LN34@aol.com

Engineer/Architect/Attorney _____ Contact Person _____

Address _____

Phone _____ Fax _____ E-mail _____

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Lisa Notturniano — Owner Signature

Lisa Notturniano — Owner Printed Name

_____ Agent Signature

_____ Agent Printed Name

Sworn to before me and subscribed in my presence this 3rd day of September, 2014

NOTARIAL SEAL STATE OF OHIO

ALLYSON N. SIMCOX
Notary Stamp NOTARY PUBLIC
STATE OF OHIO
Recorded in
Fairfield County
My Comm. Exp. 6/9/16

_____ Notary Public

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2015-0013 & 0014
REQUEST: Multiple Requests
PROJECT: Delaware Place Phase 2
MEETING DATE: January 21, 2015

APPLICANT/OWNER
MV Affordable Housing LLC
9349 Waterstone Boulevard
Cincinnati, Ohio 45249

REQUESTS
2015-0013: A request by MV Affordable Housing LLC for approval of a Rezoning Amendment for Delaware Place zoned R-7 & B-3 PMU (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District) at 351 South Sandusky Street on approximately 7.34 acres bounded by Sandusky Street, Weiser Avenue and Henry Street.
2015-0014: A request by MV Affordable Housing LLC for approval of an Amended Preliminary Development Plan for Delaware Place Phase 2 zoned R-7 & B-3 PMU (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District) at 351 South Sandusky Street on approximately 7.34 acres bounded by Sandusky Street, Weiser Avenue and Henry Street.

PROPERTY LOCATION & DESCRIPTION
The property is located on the east side of Henry Street, north side of Weiser Avenue and west side of Sandusky Street and is comprised of three existing parcels today totaling 7.34 acres. The developer, Miller Valentine, owns all of the properties. The zoning of the property is R-7 and B-3 PMU (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District). The surrounding zoning is B-3 (Community Business District) and R-6 (Multi-Family Residential District) to the north, B-3 and R-4 (Medium Density Residential District to south, R-1 (One-Family Residential District) to the west and M-2 (General Manufacturing District) to the east across US 23. These properties serve as a transition from the US 23/Henry Street corridor to the Sandusky Street corridor.

BACKGROUND/PROPOSAL
In September 2011 City Council approved a Rezoning Amendment adding at PMU to the subject property, a Preliminary Development Plan, a Conditional Use Permit and a Comprehensive Plan Amendment to the former hotel and gas station sites. In June 2012, City Council approved the Final Development Plan for Phase 1 to facilitate the construction of the four-story (49 units) senior housing main building and seven two unit single-family duplex units in Phase 1 on the eastern portion of the site fronting Henry Street to the east and Weiser Avenue to the south. The developer is now proposing to construct Phase 2 which consists of a three-story 48,390 square foot building with 42 senior dwelling units fronting the internal private street.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN AMENDEMENT:** The Comprehensive Plan Future Land Use Map recommends Mixed Use land use designation which is consistent with the zoning and existing and proposed land uses for this site. This property is located in the Near South Sub-Area of the Comprehensive Plan. The major goal for this sub-area is to stabilize the neighborhood while protecting the integrity of residential areas and encouraging reinvestment and business expansion. The Near South Subarea is bounded approximately by London Road to the north, CSX rail road tracks to the west, US42 to the south, and US23 to the east. The Subarea is comprised of a mix of zoning districts with commercial districts centered on the main transportation thoroughfares. There are single family and multi-family residential zoning districts generally located behind the primary road corridors. The largest single property in the Subarea is comprised of the Oak Grove Cemetery located across Sandusky St. from the Site. Land uses generally follow the zoning districts throughout the Subarea. Certain areas of the Subarea, however, are in various states of land use transition including many vacant and abandoned properties.
- **ZONING**: The current zoning on the property is R-7 and B-3 PMU with the development text that allows the proposed mix of use of residential and commercial uses. Since Phase 2 has changed from previous approvals the Planning Commission and City Council would have to approve the Rezoning Amendment and Amended Preliminary Development Plan for Phase 2. Ultimately, a Final Development Plan would need to be approved by the Planning Commission and City Council for Phase 2 prior to any constructing commencing.

- **DEVELOPMENT TEXT:** Being proposed as a PMU Overlay, the Development Text sets forth the development standards and requirements for this development. Some minor revisions to the development text are required to accommodate the proposed site plan based on market changes and leasing the space for complimentary uses to the senior housing project as well as the fact that the existing stream cuts diagonally across the site itself making construction and parking for these uses difficult. Consistent with the RFP response, the development text allows for up to 89 dwelling units in several configurations in Sub-Area A. All residential units will be for a senior housing, age restricted long term development. The development would require OHFA tax credits requiring active, on-site management for effectively at least 30 years. This on-site management is a critical component to the long term success of the development and its interaction with the larger community. The Development Text allows for a number of non-residential uses that can serve as an appropriate transition from Sandusky St. as well as those that complement the overall senior housing complex. The senior development in its own right will have several accessory uses and spaces inside the multi-story buildings including dining facilities, and community rooms on multiple floors. In many cases there are restrictions on how these uses can be placed or oriented on the site. However, in no case shall any non-residential use be allowed to operate between the hours of 10pm and 7am without first obtaining approval of a Conditional Use Permit. This Conditional Use Permit gives the Planning Commission and City Council the ultimate authority in determining if a later operating use is appropriate for the site. Service and delivery activities are prohibited during the same hours.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review for each subject phase prior to Final Development Plan approval.
- **ROADS AND ACCESS:** Phase 2 would be accessed by the existing private drive that bisects the site in an east/west orientation that extends from South Sandusky Street to Henry Street.
- **SITE LAYOUT:** The aforementioned private drive divides the site into north and south sections which dictates the site layout for Phase 2. The proposed three story 48,390 square foot building with 42 senior dwelling units is located just west of the existing main building with the main entrance on the private street with 38 parking spaces of which 30 are perpendicular to the private street. A sidewalk connects the parking spaces to the front, side and rear entrances to the building.
- **PARKING**: The new development in Phase 2 requires 42 parking spaces (1 space per high rise residential dwelling unit) while only 38 are proposed which results in a 4 space shortfall. However, the development text does allow for, as does the Zoning Code of the City, a reduction in the overall amount of parking so long as the supply is adequate to the use. Shared parking opportunities are relevant in this development proposal as this will be master planned, developed, and managed site. Also, given the residential use proposed and age restriction involved there are well established industry standards that serve as good guides as to how much parking is actually necessary. In Phase 1, 3 additional parking spaces were constructed than required for the 49 senior dwelling unit building which would result in a one space shortfall for the entire development. Even as the site has full occupancy of units today, there are many parking spaces which remain unused in Phase 1 on a typical day. Therefore, staff is comfortable with the proposed plan as submitted with no further modifications.
- **DESIGN:** Within the Development Text is a very comprehensive set of design requirements. The proposed three-story building is similar to the existing four-story building with the majority of the elevation comprised of brick and limestone on the entire first floor accented with vinyl siding on every other wall on the second floor and the entire third floor. The main roof is pitched with asphalt shingles accented with gables on each bump out wall elevation. The proposed building in Phase 2 is similar in design and materials to the current building constructed in Phase 1 fronting Weiser Avenue and the stream. Thus, Phase 2 preserves this design continuity.
- **SIGNS:** A Comprehensive Sign Plan has been submitted and approved with the Final Development Plan for Phase 1 and there are no anticipated changes in this regard. The Development Text does set forth the parameters for the Comprehensive Sign Plan including that only three free-standing signs are allowed (two in sub-area A and one in sub-area B) and that they shall comply with the Gateway and Corridor Plan.

- **LIGHTING:** The submitted Preliminary Development Plan does not identify any building or site lighting but this would be required prior to Final Development Plan submittal. Any lighting shall comply with minimum zoning requirements and be consistent with Phase 1 and would have to be approved by the Chief Building Official.
- **PEDESTRIAN CONNECTIVITY:** Public sidewalks are located along South Sandusky Street and Weiser Avenue with internal sidewalks connecting the individual buildings to the public network.

STAFF RECOMMENDATION – REZONING (2015-0013)

Staff recommends approval of a request by MV Affordable Housing LLC of a Rezoning Amendment for Delaware Place zoned R-7 & B-3 PMU (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District) at 351 South Sandusky Street on approximately 7.34 acres bounded by Sandusky Street, Weiser Avenue and Henry Street, with the following condition that:

1. Any new building(s), structure(s) and site improvements shall require conformance to all provisions of the Development Text, Preliminary Development Plan and Final Development Plan.

STAFF RECOMMENDATION – PRELIMINARY DEVELOPMENT PLAN (2015-0014)

Staff recommends approval of a request by MV Affordable Housing LLC for approval of a Preliminary Development Plan for Delaware Place Phase 2 & 3 zoned R-7 & B-3 PMU (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District) at 351 South Sandusky Street on approximately 7.34 acres bounded by Sandusky Street, Weiser Avenue and Henry Street, with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. Any rooftop equipment shall be screened from public view.
3. Any dumpster shall be enclosed by brick or stone walls that match the building and have wood doors.
4. The parking for the Phase 2 building shall be reduced to 38 parking spaces (from 42 parking spaces) as shown on the Preliminary Development Plan and parking shall be shared between Phases 1 and 2.
5. A lighting plan that achieves compliance with the zoning code shall be submitted, review and approved by the Chief Building Official.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 1/15/15
REVISED:

DELAWARE PLACE
PLANNED MIXED USE DEVELOPMENT TEXT
DELAWARE, OHIO

1. DESCRIPTION OF DEVELOPMENT

The City of Delaware, after an extension request for the proposal process, is proposing to allow the redevelopment of the former Delaware Hotel site located at 351 S. Sandusky St. as well as the former gas station site immediately to the west of the Hotel site located at 371 S. Sandusky St. For the former Hotel property currently owned by the City of Delaware, a mixed residential use, age restricted senior housing development is contemplated with ongoing, on site, and active management. For the former gas station property, a mixture of commercial and retail uses are contemplated including those complimentary to the senior housing development and which may include a community wellness center. The redevelopment of both sites are contemplated within the context and materials supplied in response to the City's call for a request for proposal for such known as RFP 03-11 PL and the developer's response known as the Miller Valentine Group's proposal for Delaware Place.

2. GENERAL DEVELOPMENT STANDARDS

a. **Purpose and Intent.** It is the intent of this development to provide a mixed use development with compatible and common architectural design, streetscape, signage, and lighting amenities to be compatible throughout the entire development and to be compatible with and provide for appropriate transition to the adjacent existing residential developments. Prototypical design that is not consistent with this purpose and intent will not be accepted during the required Development Plan review process. It is also the intent of this development to

prominently but respectfully address the US 23 view shed, a noted gateway entrance to the City of Delaware.

b. **Conformance with Codified Ordinances and City Policy.** Unless noted otherwise within this Development Text, all development will be constructed and provided in conformance with the then current Codified Ordinances and City Policy in effect at the time of Development Plan application.

c. **Limitations.** Nothing in this text shall prohibit additional restrictions or requirements consistent with this Development Text and the requirements of the Zoning Code and accepted City Policies from being placed on the approval of any Development Plan.

d. **Minor Modifications.** Once a Final Development Plan has been approved by City Council, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this text shall mean any modification of the approved Development Plan, as determined by the Director of Planning & Community Development, that results in:

   i. Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.

   ii. Any minor increase of 10% or less in the non-residential building area.

   iii. An increase in the number of dwelling units allowed by this Development Text of less than 10% in aggregate.

   iv. Minor change in the approved location of land uses.

   v. Minor alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of pedestrian paths that results in a change in operating characteristics or character.

   vi. Minor structural alterations that do not alter the overall design intent of the building.

e. **Major Modifications.** During Final Development Plan review and/or once a Final Development Plan has been approved by City Council, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code including, but not limited to, review and recommendation

/approval by the Planning Commission and City Council. Major modification for the purposes of this text shall mean any modification of the approved Development Plan, as determined by the Director of Planning & Community Development, that results in:

i. Any increase in the non-residential building area not considered a minor modification.

ii. Any increase in the number of dwelling units not considered a minor modification.

iii. Any change in the approved location of land uses not considered a minor modification.

iv. Substantial alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved public and private street pattern, access points, parking facilities, service access, trash storage facilities, and system of pedestrian paths that results in a change in operating characteristics or character.

3. SUB-AREAS

The development area shall be divided into two sub-areas. **Sub-area A** contains the property owned by Miller Valentine which encompasses the four story 49 senior dwelling unit and 7 two family units on 4.53 acres (parcel number 419-121-02-034-000). **Sub-area B** contains property that was formerly a gas station and is now vacant land and owned by Miller Valentine and is divided into two properties comprised of approximately +/- 2.9 acres (parcel number 419-122-09-003-000 and 419-121-02-034-002)

4. DEVELOPMENT STANDARDS

a. **Uses.** The following uses shall be considered permitted or limited uses as represented in the chart below by P or L, respectively, and as defined by the Zoning Code. Any use not listed in the chart shall be considered a prohibited use unless amended by action of the Planning Commission and City Council through a Zoning Amendment process.

(1) **Permitted Uses.** Permitted uses are permitted by-right and shall meet all development standards specified within this text and the Zoning Code, as applicable. Designated by the letter "P" in the use chart below.

(2) **Limited Uses.** Limited uses shall be considered permitted uses subject to complying with all the specific limitations and restrictions as specified

within this text as determined by Final Development Plan approval. Designated by the letter "L" in the use chart below.

(3) **Accessory Uses and Structures.** Although not all possible accessory uses are specified in the chart below, accessory uses, which are considered allowed uses, include those items that are customarily incidental and secondary to the principal use of the land. Such items include but are not limited to signs, fences, trash receptacles and enclosures, and off-street parking areas. If the uses are specified as limited uses the processes and limitations shall apply regardless of accessory use status. Designated by the letter "A" in the chart below and as interpreted on a case-by-case basis by the Director of Planning and Community Development.

Land Use Category	**Sub-area A (Former Hotel Site)**	**Sub-area B (former gas station site)**
(a) Office and Professional Services		
(1) Offices – administrative, business and professional	A	P
(2) Financial institutions, banks, not including pay day lending or other businesses offering similar services	A	P
(3) Medical and dental offices, health and allied services	A	P
(b) Retail and Services		
(1) Retail and service establishments in completely enclosed buildings	A	P
(2) Restaurant – table service	A	P
(3) Veterinary office (no outside run or outside kennel)	Not Allowed	L
(4) Veterinary hospital (no outside run or outside kennel)	Not Allowed	L
(c) Community Facilities		
(1) Schools, trade, business or cultural arts	A	P
(2) Place of Worship	A	P
(3) Public cultural institutions and art galleries	A	P
(4) Day care center, child/adult	A	P
(5) Public safety & service facility	P	P
(6) Public/Private parks & playgrounds	P	P
(d) Recreation and Entertainment		

Land Use Category	Sub-area A (Former Hotel Site)	Sub-area B (former gas station site)
(1) Indoor recreation and amusement (such as indoor theater, bowling alley, arcade, billboard parlor, assembly hall and party center)	A	L
(2) Health club	A	P
(e) Residential		
(1) Age restricted, Senior (age 55 years and older) housing community, master planned and under common management	P	P

b. **Standards for All Uses.** Any use listed shall meet the following additional standards:

(1) Any non-residential use proposed to operate from 10pm to 7am shall be subject to all requirements and processes of a Conditional Use Permit as defined by the Zoning Code.

(2) Regardless of the hours of operation, no delivery, loading, trash removal, or similar operations are permitted between the hours of 10:00pm and 7:00am.

c. **Specific Standards for Limited Uses.** Any use listed as a limited use shall meet all requirements of the Zoning Code, unless otherwise exempted or modified in this Section which shall take precedence in all cases, as determined through the Final Development Plan approval process. If any of the requirements set forth in this text or the then current Zoning Code are not met, the use shall be considered a Conditional Use and a Conditional Use Permit must be approved as set forth in the Zoning Code prior to the use being permitted.

(1) **Any Use Proposed to Operate from 10pm to 7am.** Such use shall be subject to all requirements and processes of a Conditional Use Permit as defined by the Zoning Code.

(2) **Veterinary Office (with no outside run or outside kennel) and Veterinary Hospital (with no outside run or outside kennel).** Such uses shall meet all requirements of the then current Zoning Code and be limited to household pets prohibiting on-site services to livestock, goats, equine, and other non-domesticated animals. Animal crematoriums or other such accessory or principal uses shall be prohibited on the subject properties.

(3) **Indoor Recreation and Amusement (such as indoor theater, bowling alley, arcade, billiard parlor, assembly hall and party center).** Such use shall not include principal for profit, non-charitable, skill based gaming and bingo halls oriented towards adults and designed to substantially mimic

gambling devices such as but not limited to spinning skill stop games. Traditional video arcade type gaming restaurant/party center arrangements, such as, but not limited to, Dave & Buster's, Magic Mountain, and Chuck E. Cheese are permitted.

d. **Lot Standards.** The following standards shall apply for lot standards and coverage.

Lot Standards	**Sub-Areas A & B**
(a) Minimum lot area	2 acre
(b) Minimum lot width and frontage*	150 ft.
(c) Maximum building coverage	40%
(d) Maximum lot coverage	70%

e. **Building Setback Standards.** The following standards shall apply for minimum building setbacks. Decorative architectural elements such as canopies and overhangs shall be permitted to encroach into any setback provided that no encroachment shall exceed 5 feet.

Minimum Building Setbacks	**Sub-areas A & B**
(a) Front Setback from Sandusky St. right-of-way	10 ft.
(b) Front Setback from Weiser Ave. right-of-way	65 ft. – Sub-area A 10 ft. – Sub-area B
(c) Front Setback from Henry St. right-of-way	10 ft.
(d) Side setback	10 ft.
(e) Rear setback	10 ft.

f. **Parking Setbacks.** The following standards shall apply for minimum parking setbacks. Parking setbacks include any parking space, parking lot drive aisle, and parking lot circulation aisle.

Minimum Parking Setbacks	**Sub-areas A & B**
(1) Setback from Sandusky St.	10 ft.
(2) Setback from Weiser Ave.	15 ft.

(3) Setback from Henry St.	10 ft.
(4) Setback from interior property lines	As approved on the Final Development Plan

g. **Maximum Building Height.** The maximum height of any building or structure shall be as measured from finished floor elevation to the highest point of the roof, not including spires, steeples, chimneys, and other similar architectural additions that are uninhabitable. Maximum Heights shall be a maximum of 55 ft. in Sub-area A and 35 ft. in Sub-area B, both can be modified through the Final Development Plan review process by approval of City Council.

h. **Maximum Intensity / Density of Uses.** The maximum intensity of / density of uses is as follows:

(1) Sub-area A: Within Sub-area A, the maximum permitted number of dwelling units shall be 89. The site shall be a master planned and actively managed senior housing development with specific age restrictions allowing only those at least 55 years or older to reside in the units. Dwelling units are permitted to be designed and built in several types and configurations across the site including a maximum of two (2) - multi-story structures (one 4-story structure maximum and one 3-story-structure maximum are allowed), duplex - single-story units, and single-family-detached dwelling units. A portion of the 105 total dwelling units proposed may be constructed in Sub-area B as will fit with the design and intent of this text and can comply with engineering, planning, and design regulations and intent of the City of Delaware. As a master planned development consisting of the two sub-areas then the maximum density allowed is 12 units per acre.

(2) Sub-area B: Within Sub-area B, the maximum development shall include non-residential uses and those residential uses as noted in the use table within this text in additional to the restrictions contained in the sub-section above related to Sub-area A. This sub-area is intended to be master planned in coordination with Sub-area A. The sub-area shall have no more than 12,000 square feet of non-residential structures, which may be in a single building or multiple building configurations as approved on the Final Development Plan. Maintenance of the existing open stream channel is desired but crossings, limited piping, and relocation of the stream are all potentially approvable through the Final Development Plan review process at the discretion of the City of Delaware.

(3) The development is generally proposed to occur in 3 phases. Phase 1 consists of 63 total dwelling units (49 in four story building and 7 duplex units). Phase 2 consists of 42 dwelling units is three story building. Phase

3 is conceived as a commercial building or buildings to the west of the stream

i. **Building Design.** All buildings regardless of use shall meet the following building design requirements. To create a cohesive and unified design throughout the entire development, each building shall be consistent in overall design, color, material, and architectural pattern and include similar and/or repeating a pattern of design elements such as cupolas, wind vanes, dormers, columns, awnings, or other elements as determined through the Final Development Plan review process and not inconsistent with the response submitted to the RFP 03-11 PL and the approved Preliminary Development Plan.

(1) General Design Requirements – **Sub-area A**

a. The architectural design of all residential buildings shall be traditional in nature and shall establish proper transitional relationships with adjacent developments and across the master planned site, including Sub-area B. Quality architecture shall be utilized with a consistent look and feel. All structures shall be designed to be architecturally compatible with each other by employing similar roof pitches, architectural details and be constructed of compatible exterior building materials. However, while similar and consistent in overall design each individual structure shall not be identical but rather shall share consistent elements and repeating patterns as part of the overall master planned development. Exterior materials shall be primarily masonry incorporating prominently stone and/or brick (natural or cultured) with accent materials as provided elsewhere in this text. All buildings and portions thereof shall retain traditional building massing while addressing the US23 gateway entrance view corridor to the City of Delaware and as approved on the Final Development Plan. Buildings shall incorporate elements and forms that reduce large masses into an assemblage of definable parts. The scale of the building(s) shall be aided through the use of different materials and architectural elements to help reduce the perception of the building mass. See attached exhibits for examples of acceptable building types and designs.

b. Required architectural features shall include transparent fronts and window systems, prominent entryways, roof elements such as dormers, cupolas, chimneys, roof spires, and hip and gable roofs to emphasize and reduce the building scale. Rooflines shall be significantly pitched emphasizing the overall quality and traditional residential design within the City of Delaware.

c. At least one building shall be oriented toward US 23 addressing this noted prominent community Gateway as noted in the City's Gateway and Corridor Plan.

d. For any multi-story building, at least 50% of each façade area shall be brick and/or stone (natural or cultured), with stone preferred as a wainscoting and carried up through vertical elements as appropriate to break up the mass of the structure. Facades of any structure facing the US23 Gateway view corridor shall be predominantly (100% preferred, minimum 75%) composed of brick, stone, and windows.

e. Multi-story structures must provide prominent, covered entry ways at easily identifiable locations that are designed to be architecturally compatible with the primary structure's elevation to which they are attached.

f. For single story structures, the front and any publicly visible side facades shall be predominantly (100% preferred, minimum 60%) composed of brick and/or stone (natural or cultured). Other elevations and accent areas of single story structures may be composed of materials as permitted below.

g. For single story structures, where wood burning fireplaces are utilized the exposed chimney shall be faced with brick or stone at a minimum. All direct vent fireplaces shall be located along a side or rear elevation and shall be screened from view.

h. For single story structures, all dwelling units shall provide an identifiable entry and covered front porch. Porches shall have a minimum depth of 6 feet and include columns and railing designed to architecturally compliment the main structure.

i. All garage doors shall adhere to one of the following standards:
   (i) Architecturally upgraded to include design elements consistent with the design of the home and development. This can include matching the door color to the predominant color of the main structure, adding trim packages to give the appearance of stable doors, man doors, hinged swing doors and other similar architectural elements. Each garage shall incorporating at least one glass course
   (ii) Setback a minimum of 2 feet from the primary wall of the home.

(2) Exterior Design Elements – **Sub-area A**

a. The permissible building materials shall include the following or shall be a comparable material as approved by the City of Delaware:

   (i) Brick
   (ii) Wood/Engineered Wood (Hardiplank or comparable)

(iii) Stone/Synthetic Stone
(iv) Dimensional or architectural appearance asphalt shingles, slate, synthetic slate, or comparable materials shall be used for any roof.
(v) Minimum roof pitch shall be 6:12.
(vi) Roof lines shall be broken up through a variety of methods including dormers, sheds, chimneys, cornices, and applied architectural patterns and devices.
(vii) Roof overhangs are required on each elevation and shall be a minimum of 12 inches with end rakes and returns to match the overhang provided.
(viii) Wood siding, composite (synthetic) siding (such as LP and Hardi), are preferred where siding is not required to be brick or stone. Vinyl lap, shake, or shingle siding (or in combination) may also be utilized for areas not required to be brick or stone and must be a minimum thickness of 0.42 inches meeting high end siding requirements of Delaware City Code.
(ix) Wood and composite trim materials of equal quality to the primary material and comparable thickness, color, and quality are allowable. Trim is required around all corners, entry doors, roofs, gutters, downspouts, and windows.
(x) Lintels and sills in masonry wall shall be brick soldier course (or similar decorative coursing), limestone, sandstone, or other manufactured stone product.

b. Split-faced concrete block, painted standard concrete block (CMU), tilt-up concrete panels, or pre-fabricated steel panels are prohibited as exterior building materials.

c. Unless fully screened by mounding or landscaping or as otherwise approved as part of the Final Development Plan, buildings shall generally have a similar degree of exterior finishes on all sides and compositions of similar building materials shall be used on all building elevations. Other than for necessary service and loading areas that do not face a pubic right-of-way and are not visible to the public, blank facades shall not be permitted.

d. Façade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited.

e. All exterior service doors shall be glass or if metal shall be painted to blend in with the exterior masonry of the adjacent wall sections.

f. All structures shall incorporate gutter and downspout systems. Gutters shall be metal-type and shall be painted or prefinished to match fascias. Downspouts shall be installed in a manner comparable to and consistent

with the buildings and architecture. Downspouts shall be painted to blend in with exterior building color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed.

(3) General Design Requirements – **Sub-area B**

a. The architectural design of all commercial/retail buildings shall be traditional in nature and shall establish proper transitional relationships with adjacent developments. Quality architecture shall be utilized with a consistent look and feel. All structures shall be designed to be architecturally compatible with each other and with those in Sub-area A by employing similar roof pitches, architectural details and be constructed of compatible exterior building materials.

b. For any multi-story building, at least 50% of each façade area shall be brick and/or stone (natural or cultured), with stone preferred as a wainscoting and carried up through vertical elements as appropriate to break up the mass of the structure.

c. Exterior materials for one story buildings shall be primarily (preferred 100%, minimum 70%) masonry incorporating brick and/or stone (natural or cultured) with accent materials listed below. All buildings and portions thereof shall retain traditional building massing. Buildings shall incorporate elements and forms that reduce large masses into an assemblage of definable parts. The scale of the building(s) shall be aided through the use of different materials and architectural elements to help reduce the perception of the building mass.

d. Required architectural features shall include large transparent storefronts and window systems, roof elements such as dormers, cupolas, roof spires, and hip and gable roofs to emphasize and reduce the building scale at the building storefront.

e. Buildings shall be oriented primarily toward Sandusky St. whenever possible.

(4) Exterior Design Elements – **Sub-area B**

a. The permissible building materials shall include the following or shall be a comparable material as approved by the City of Delaware:

(i) Brick – predominant material of facade
(ii) Stone/Synthetic Stone – predominant material of facade

(iii) Stucco/Synthetic Stucco (commonly known as "EIFS") as accent bands or decorative elements only

(iv) Wood siding, composite (synthetic) siding (such as LP and Hardi), are preferred where siding is not required to be brick or stone. Vinyl lap, shake, or shingle siding (or in combination) may also be utilized for areas not required to be brick or stone and must be a minimum thickness of 0.42 inches meeting high end siding requirements of Delaware City Code.

(v) Dimensional or architectural appearance asphalt shingles, slate, synthetic slate, or comparable materials shall be used for any roof.

(vi) Minimum roof pitch shall be 6:12.

(vii) Roof lines shall be broken up through a variety of methods including dormers, sheds, chimneys, cornices, and applied architectural patterns and devices.

(viii) Roof overhangs are required on each elevation and shall be a minimum of 12 inches with end rakes and returns to match the overhang provided.

(ix) Lintels and sills in masonry wall shall be brick soldier course, limestone, sandstone, or other manufactured stone product.

b. Split-faced concrete block, painted standard concrete block (CMU), tilt-up concrete panels, or pre-fabricated steel panels are prohibited as exterior building materials.

c. Unless fully screened by mounding or landscaping or as otherwise approved as part of the Final Development Plan, buildings shall generally have a similar degree of exterior finishes on all sides and compositions of similar building materials shall be used on all building elevations visible to the public. Other than for necessary service and loading areas that do not face a pubic right-of-way and are not visible to the public, blank facades shall not be permitted.

d. Façade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited.

e. Building trim may feature brighter colors than façade colors, but exposed neon tubing or LED type lighting are prohibited.

f. All exterior service doors and overhead doors other than entry/exits shall be made of a heavy gauge metal painted to blend in with the exterior brick masonry.

g. Unless fully screened by mounding or landscaping as described in this zoning text below or as otherwise approved as part of the Final

Development Plan, walls shall have no more than 20 feet of continuous wall length devoid of windows, on any ground floor, unless the wall includes architectural features such as piers, columns, defined bays or an undulation of the building, so that a pedestrian scale, rhythm, and visual interest is created.

h. All building facades facing a public right-of-way shall employ a minimum of forty percent (40%) fenestration and architectural articulation/details or other architectural elements as described in this text to reduce building scale, add visual interest and create pedestrian visibility and transparency

i. All structures shall incorporate gutter and downspout systems. Gutters shall be metal-type and shall be painted or pre-finished to match fascias. Downspouts shall be installed in a manner comparable to and consistent with the buildings and architecture. Scuppers shall be used at the rear of the building if desired. Through wall scuppers may be permitted where parapet walls are used. Scupper boxes and downspouts shall be painted or pre-finished to blend in with exterior building color or shall be manufactured with a pre-finished metal of a color which compliments the finished material to which it is affixed. Overflow drains may be an open scupper through a masonry parapet in a manner comparable to and consistent with the buildings and architecture. An open scupper shall be detailed to minimize its appearance on the building elevation.

j. **Screening. – All Sub-areas**

(1) Rooftop equipment, antennas, and similar protrusions shall be installed in compliance with all applicable provisions of the Zoning Code. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and rooftop mechanical equipment from public view. All screening elements shall be consistent with the style of architecture of the center. Satellite dishes shall be consistent with applicable federal law and all applicable provisions of the Zoning Code and shall be similarly screened.

(2) All exterior mechanical equipment and appurtenances not located on a roof, including, but not limited to, transformers, air conditioning units not located on rooftops, wall or sprinkler pumps, and storage tanks shall be located in designated service areas and where not otherwise prohibited shall be suitably screened by means of fences, walls, opaque landscaping, or other appropriate screening as approved as part of the Final Development Plan so as not to be visible from any street or adjacent lot. Electrical wireways, meters, gas meter sets, telephone enclosures and

other building services/utility devices shall be painted to match the wall finish to which they are attached.

(3) Loading docks, trash collection, outdoor storage and similar facilities and functions, as provided for by code, shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view. Screen wall materials shall be the same as the building materials and consistent in design. Dumpster enclosures shall be fully enclosed with brick or stone and stone or concrete caps (no roof) with a lockable gate.

k. **Parking. – All Sub-areas**

(1) The amount of parking provided is permitted to be below the minimum requirements of the Zoning Code and shared parking (including across Sub-areas) is strongly encouraged where such locations are logical.

(2) The number of parking spaces provided shall not exceed 10% of the minimum requirements prescribed by the Zoning Code.

(3) Where necessary for connectivity and access management throughout the development and to adjacent properties, cross access easements shall be provided.

(4) No overnight parking except spaces designated for residential uses shall be allowed

(5) For Sub-area A, parking shall be provided for multi-story residential structures at a rate of 1 space per dwelling unit with spaces being in lots or along any public or private streets falling within the development. For single story residential structures, parking shall be provided at a minimum of 2 dedicated off street (public or private falling within the development) spaces per dwelling unit as follows:

(i) 1 off-street garage space
(ii) 1 private unit driveway space per dwelling unit.

(6) For Sub-area B, parking shall be provide for multi-story residential structures at a rate of 1 space per dwelling unit with spaces being in lots or along any public or private street within either Sub-area A or B in a shared parking agreement. The parking for non-residential uses shall in accordance with the then current Zoning Code or as approved on the Final Development Plan. Parking for one story residential uses shall be at a minimum of 2 dedicated off street (public or private falling within the development) spaces per dwelling unit as follows:

(i) 1 off-street garage space
(ii) 1 private unit driveway space per dwelling unit.

l. **Landscaping and Screening. – All Sub-areas.** All landscaping shall meet the requirements of the Zoning Code and the Gateways & Corridors Plan, including but not limited to the provision of street and front yard trees, unless modified herein.

(1) Along the northern property line there is a significant grade change upward to properties located to the north of Sub-area A. This area is covered with vegetation which shall, to the extent practical, be preserved. In areas near Henry St. where vegetation thins, appropriate landscaped transition areas will be created between the development site and the current uses to the north as approved on the Final Development Plan.

(2) Along the southern development boundary there is an open stream channel. This channel is preserved and protected within a conservation easement. Adjacent to this easement the development property will incorporate landscaping to enhance the transitional area between properties located along Weiser Ave. and the development site. A portion of Sub-area B does not have this open stream running along Weiser Ave. For this section, street side landscaping, building design, decorative walls, decorative fencing and the like shall be used to create an appropriate buffer as determined on the Final Development Plan.

(3) Along the eastern development boundary adjacent to Henry St., significant landscaping shall be added to enhance the gateway appearance and to soften noise and other impacts of the adjacent roadways upon the contemplated residential development.

(4) The hillside area in the northeast portion of the Dicken's property in Sub-area B will be preserved as open space and the existing trees shall be preserved.

(5) Parking lots will be landscaped in a manner that minimizes the direct views of parking spaces and/or lots and encourages safe vehicular movement, at a minimum, as depicted on the approved Final Development Plan. Each landscaped island within the parking lot shall be planted with two trees.

(6) Wherever possible along building frontages with a pedestrian walkway a mix of year-round and seasonal foundation plantings shall be provided as well as tree wells or planters of other similar plantings included in the pedestrian walkway.

(7) Ground mounted equipment shall be screened from view using plant materials, and/or opaque decorative fencing or mounding providing 100% year round opacity. This shall be done in a way that is consistent with the screening standards located elsewhere within this text.

(8) Landscaping that is planted on the development site or required to remain as a result of the Final Development Plan approval process shall be required to be maintained in good, healthy condition or replanted as needed in perpetuity by the property owner.

m. **Pedestrian Connectivity. – All Sub-areas.** A pedestrian connectivity plan will be provided with the Final Development Plan.

(1) Walkways and sidewalks are required throughout the site and connecting to the surrounding pedestrian network.
(2) Any current public street without sidewalks/bikepaths or where these are in poor condition shall be the responsibility of the developer to improved or repair concurrent with commencement of any development within the two sub-areas.
(3) A multi-use path is planned along the north side of Weiser Ave. As part of the stream daylighting project, a sidewalk will be installed in advance of any development within the sub-areas. Therefore, in lieu of providing a sidewalk or multi-use path along Weiser Ave. the Applicant shall make a cash contribution in lieu of a sidewalk along US 23 in an amount equal to that which the sidewalk would have cost (per the recent City bid) as certified by the City Engineer. This contribution shall be used to complete missing segments and gaps of the multi-use path system throughout the City in accordance with the 2010 Bikeway Plan of the City.
(4) The stream daylighting project contemplates potential pedestrian walkways over the stream channel which could connect the development site to the surrounding street side pedestrian network or provide connections among the Sub-areas. This is allowable under this zoning text as approved on the Final Development Plan.

n. **Lighting. – All Sub-areas**

(1) Building, site, and accent lighting shall be provided in accordance with the current Zoning Code.

(2) All lighting fixtures, except those located in loading or service areas and not visible by the general public, shall be decorative fixtures that are appropriate and consistent with the overall design of the development.

(3) Standard shoe-box type fixtures and standard wall packs may only be used in loading or service areas that are not visible by the general public.

(4) No lighting fixture shall be mounted higher than 20 feet in height, unless part of the architectural detailing of the building or as approved in the Final Development Plan.

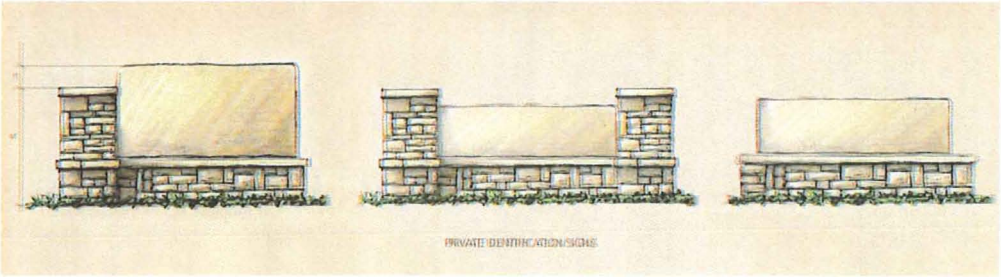
(5) All ground mounted accent lighting shall be hidden in landscaping and directed in a manner that does not affect visibility.

(6) To the extent practical without jeopardizing security, lighting will be minimized along any property line shared with a residentially used or zoned property, including meeting any required minimum lighting specifications of the Zoning Code and including minimal light pole heights even if this results in more overall light poles needing to be utilized Light poles within 20 feet of a single story residential units or within 20 feet of residentially used or zoned property shall have a maximum height of 12 ft., or as approved in the Final Development Plan.

o. **Signs.** A comprehensive sign plan shall be provided in conformance Section 1165.16(c) and the Final Development Plan. All signs shall be in conformance with the approved comprehensive sign plan. The comprehensive sign plan shall meet the following requirements. Unless noted below, all signs shall meet the current Zoning Code.

(1) **All Signs.** All signs shall be designed and located in a manner that is appropriate and consistent with the Gateways & Corridors Plan. Unless noted otherwise, externally illuminated and reverse channel letter signs are preferred, if illuminated at all. For the purposes of this text, a reverse channel letter sign is generally a type of sign that utilizes an opaque aluminum letter which is stud mounted away from the wall or mounting surface. The illumination creates a soft glow or "halo" behind the letter. Changeable copy and changeable face signs are prohibited.

(2) **Free-Standing Signs.** Free-standing signs shall be designed to serve as part of overall entry and landscape feature to the development. Only one free-standing sign is permitted in Sub-area B. Sub-area A may have two free-standing signs. Any free-standing sign included shall be placed on one of the following monument bases consisting of limestone or cultured stone as approved by the City of Delaware and consistent with the Gateway and Corridor Plan. Landscaping shall be included around the base of the monument sign.

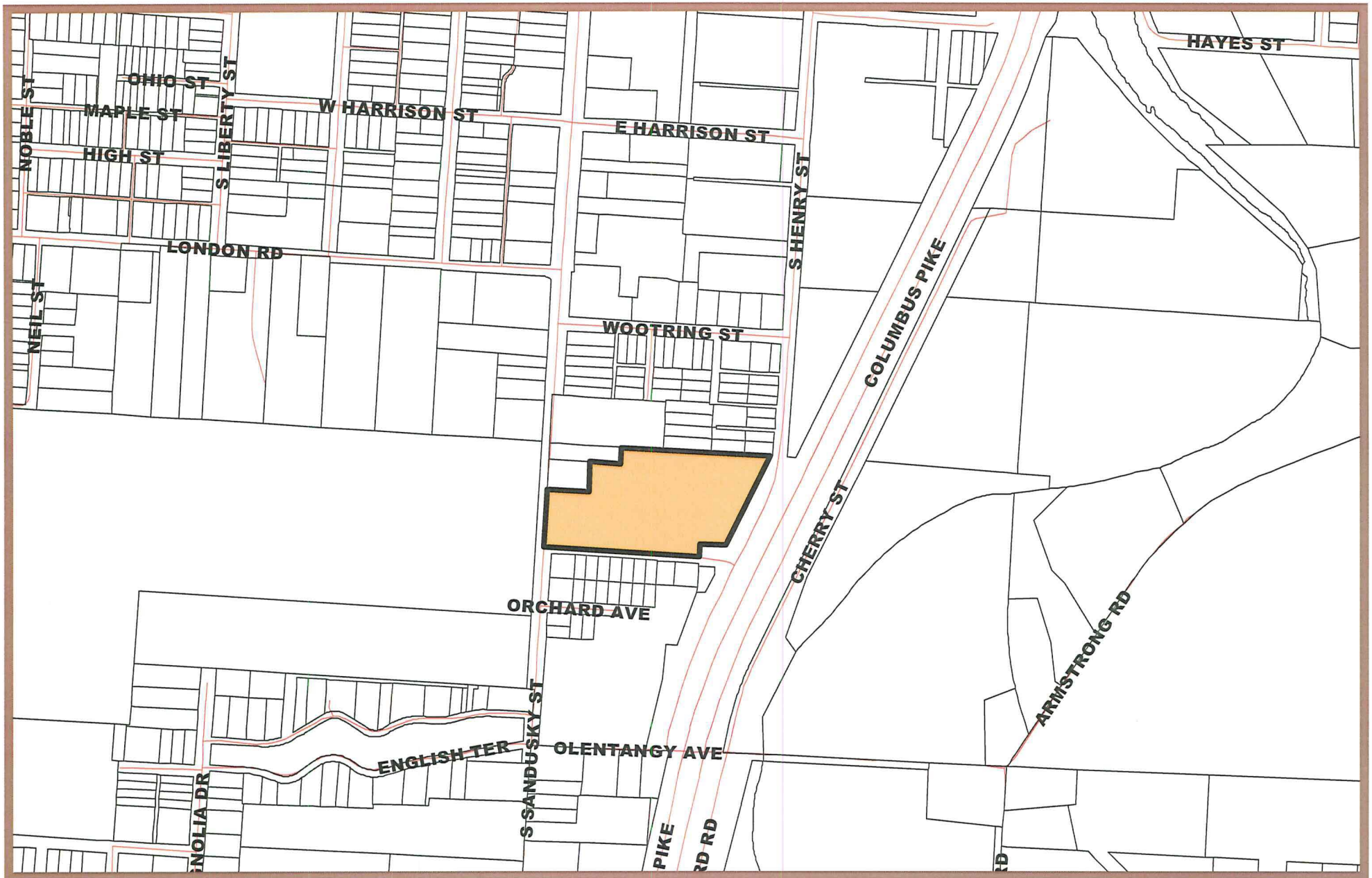


(3) **Wall Signs.** Wall signs shall be integrated into the overall design of the building on which the sign is attached in an area established as part of the building design approval for the purpose of mounting a wall sign.

(i) In Sub-area A, building identification wall signs shall be considered through the Final Development Plan process and consistent with the comprehensive sign plan required. Any such sign shall not be intended for off-site viewing, but rather these are intended as directional and location signs on the development site. As such these signs must be limited in scale, location, lighting, and orientation. Other on site directional signs are allowed per the then current zoning code and comprehensive sign plan.

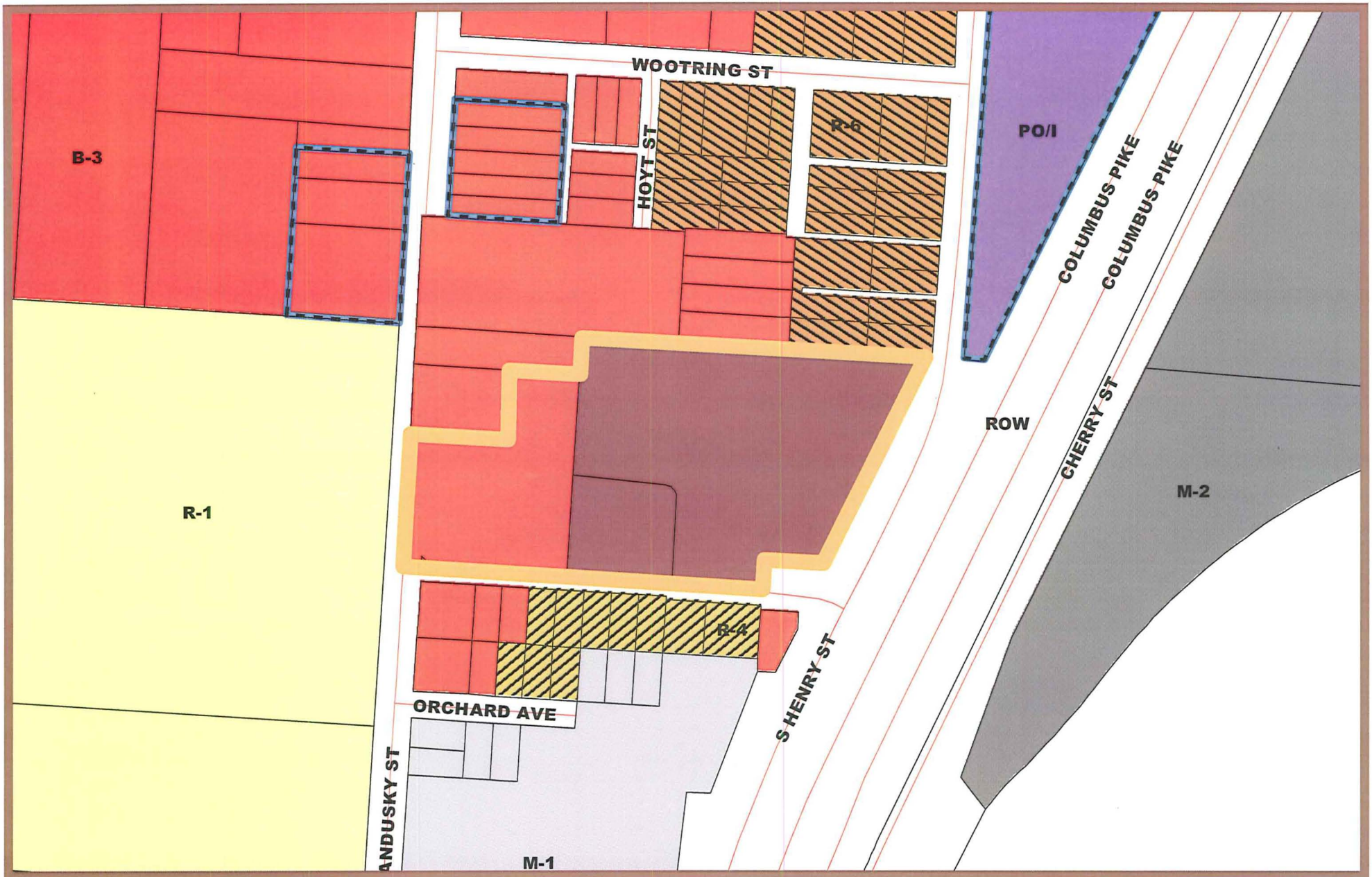
(ii) In Sub-area B, only one wall sign is permitted per tenant and it must be located within the contemplated sign band designed into the overall architecture of the building(s). Signs shall generally face Sandusky St. only. No wall sign shall directly face Weiser Ave. No part of a wall sign shall project above the roof line, eve line, or other similar plane as these signs are then considered roof signs and are prohibited. These signs should be located in a consistent sign band and if illuminated shall utilize externally mounted, goose-neck down lighting. Sing designs shall be considered through the Final Development Plan process.

(4) **Other Signs.** A temporary marketing/for sale or lease sign plan shall be provided as part of the comprehensive sign plan for the development. All other signs shall meet the current Zoning Code.



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2015-0013 & 0014
Rezoning Amendment & Amended
Preliminary Development Plan
Delaware Place - Phase 2
Location Map



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2015-0013 & 0014
Rezoning Amendment & Amended
Preliminary Development Plan
Delaware Place - Phase 2
Zoning Map

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CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2015-0013 & 0014
Rezoning Amendment & Amended
Preliminary Development Plan
Delaware Place - Phase 2
Aerial (2013)

N

PRELIMINARY DEVELOPMENT PLAN FOR:

DELAWARE PLACE

CITY OF DELAWARE, DELAWARE COUNTY, OHIO

ARCHITECT:
M+A ARCHITECTS
775 YARD STREET, SUITE 325
COLUMBUS, OH 43212
PH: (614) 764-0407
FX: (614) 764-0237

CIVIL ENGINEER/ SURVEYOR:
THE KLEINGERS GROUP
350 WORTHINGTON ROAD, SUITE B
WESTERVILLE, OHIO 43082
PH: (614) 882-4311
FX: (614) 882-4479

DEVELOPER:
MV RESIDENTIAL
DEVELOPMENT, LLC
9349 WATERSTONE BOULEVARD
CINCINNATI, OH 45249
PH: (513) 774-8400
FX: (937) 683-6165

APPROVED BY:
CITY OF DELAWARE, OHIO

AVID M. EFLAND, AICP — DATE
IRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

ILLIAM L. FERRIGNO, P.E. — DATE
IRECTOR OF ENGINEERING SERVICES
HIO REGISTERED PROFESSIONAL ENGINEER NO. 59942

AD STANTON — DATE
IRECTOR OF PUBLIC UTILITIES

OTHY W. BROWNING — DATE
UBLIC WORKS DIRECTOR

THOMAS HOMAN — DATE
ITY MANAGER

CHELE KOHLER — DATE
LERK OF COUNCIL

PPROVAL OF THESE PLANS DOES NOT CONSTITUTE ASSURANCE TO PERATE AS INTENDED. THE REVIEWER DOES NOT ACCEPT RESPONSIBILITY OR THE INTEGRITY OF THE PLANS.

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DESCRIPTION

PROPOSED MIXED-USE RESIDENTIAL AND COMMERCIAL UNITS ON SOUTH SANDUSKY STREET IN THE CITY OF DELAWARE, INCLUDING A RESIDENTIAL BUILDING WITH 42 DWELLINGS AND A RESIDENTIAL/RETAIL BUILDING WITH 11 DWELLINGS. THE PROJECT ALSO INCLUDES PARKING LOTS, WATER SERVICES, SANITARY AND STORM SEWERS, AND GRADING IMPROVEMENTS.

PROJECT BENCHMARK

TBM #1:
RAILROAD SPIKE SET IN ELECTRIC POLE, ON THE EAST SIDE OF SOUTH SANDUSKY STREET, 160± LF NORTH OF ℄ WEISER AVENUE.

ELEV=881.24' (NAVD 88)

TBM #2:
ARROW BOLT ON HYDRANT, ON THE SOUTH SIDE OF WEISER AVENUE, 135± LF WEST OF ℄ HENRY STREET.

ELEV=868.50' (NAVD 88)

FLOOD DESCRIPTION

PROPOSED SITE ON SOUTH SANDUSKY STREET IS LOCATED IN ZONE X ON FIRM MAP NUMBER 39041C0112K, DATED APRIL 16, 2009.

ZONING

THE PROPERTY IS LOCATED AT 371 SOUTH SANDUSKY STREET. THE ZONING OF THE SITE IS PMU (PLANNED MIXED USE). SURROUNDING ZONINGS ARE B-3 DISTRICT, PDI DISTRICT AND R-6 DISTRICT.

UTILITY COMPANIES:

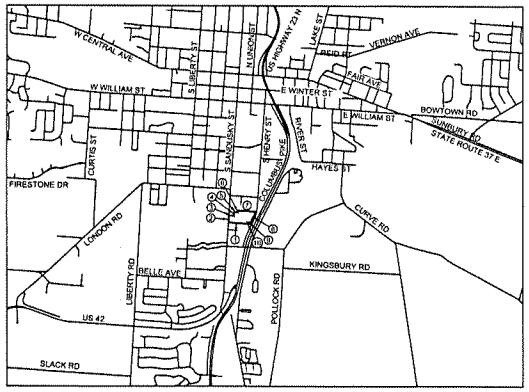
AMERICAN ELECTRIC POWER (AEP)
COLUMBUS SOUTHERN POWER
850 TECH CENTER DRIVE
GAHANNA, OH 43230
SUBDIVISONS & COMMERCIAL
614-883-6851

CITY OF DELAWARE
DEPT OF PUBLIC UTILITIES
225 CHERRY STREET
DELAWARE, OH 43015
740-203-1900

COLUMBIA GAS
920 GOODALE BLVD
COLUMBUS, OH 43212
1-800-344-4077

FRONTIER COMMUNICATIONS
2780 LIBERTY ROAD
DELAWARE, OH 43015
740-369-2780

DEL-CO WATER COMPANY
6658 OLENTANGY RIVER ROAD
DELAWARE, OH 43015
740-548-7746



VICINITY MAP

NOT TO SCALE

BOUNDARY DATA

LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
1	N 86°03'44" W	685.09'	8	N 03°51'16" E	70.00'
2	N 03°51'16" E	244.54'	7	S 86°03'44" E	634.38'
3	S 86°03'44" E	175.00'	6	S 26°49'51" W	423.21'
4	N 03°51'16" E	130.00'	9	N 86°02'16" W	103.45'
5	S 86°03'44" E	125.00'	10	S 04°31'30" W	54.71'

DRAWING INDEX

D1.0 - TITLE SHEET
D1.1 - PRELIMINARY DEVELOPMENT PLAN
D1.2 - PRELIMINARY DEVELOPMENT GRADING PLAN

SITE DATA

SITE AREA
145,011 SQ. FT.
3.329 ACRE(S)

BUILDING	0.644 ACRE(S)	19 % OF TOTAL AREA
PAVEMENT	0.694 ACRE(S)	21 % OF TOTAL AREA
GREEN/OPEN SPACE	1.991 ACRE(S)	60 % OF TOTAL AREA

BUILDING SETBACKS

FRONT - SANDUSKY ST.	10 FT.
FRONT - WEISER AVE.	
SUB-AREA A	65 FT.
SUB-AREA B	10 FT.
FRONT - HENRY ST.	10 FT.
SIDE	10 FT.
REAR	10 FT.

PARKING SETBACKS

FROM SANDUSKY ST.	10 FT.
FROM WEISER AVE.	15 FT.
FROM HENRY ST.	10 FT.
FROM INTERIOR PROP. LINE	AS APPROVED ON FINAL DEVELOPMENT PLAN

BUILDING DATA

STRUCTURE HEIGHT	42'-2"	50'-6"
DWELLING UNITS	5 - 1 BEDRROM 6 - 2 BEDROOM	17 - 1 BEDRROM 25 - 2 BEDROOM
SQUARE FOOTAGE	12,000 SF RESIDENTIAL 12,000 SF RETAIL	48,390 SF TOTAL

PARKING

REQUIRED PARKING
COMMERCIAL/RETAIL = 1/ 200 SF FLOOR AREA = 60 SPACES
RESIDENTIAL = 2 PER DWELLING UNIT = 53 SPACES

PROVIDED PARKING = 63 SPACES

775 Yard Street, Suite 325
Columbus, Ohio 43212
p 614 764 0407
f 614 764 0237
www.ma-architects.com

DELAWARE PLACE

DELAWARE, OHIO

STATUS

REVISION

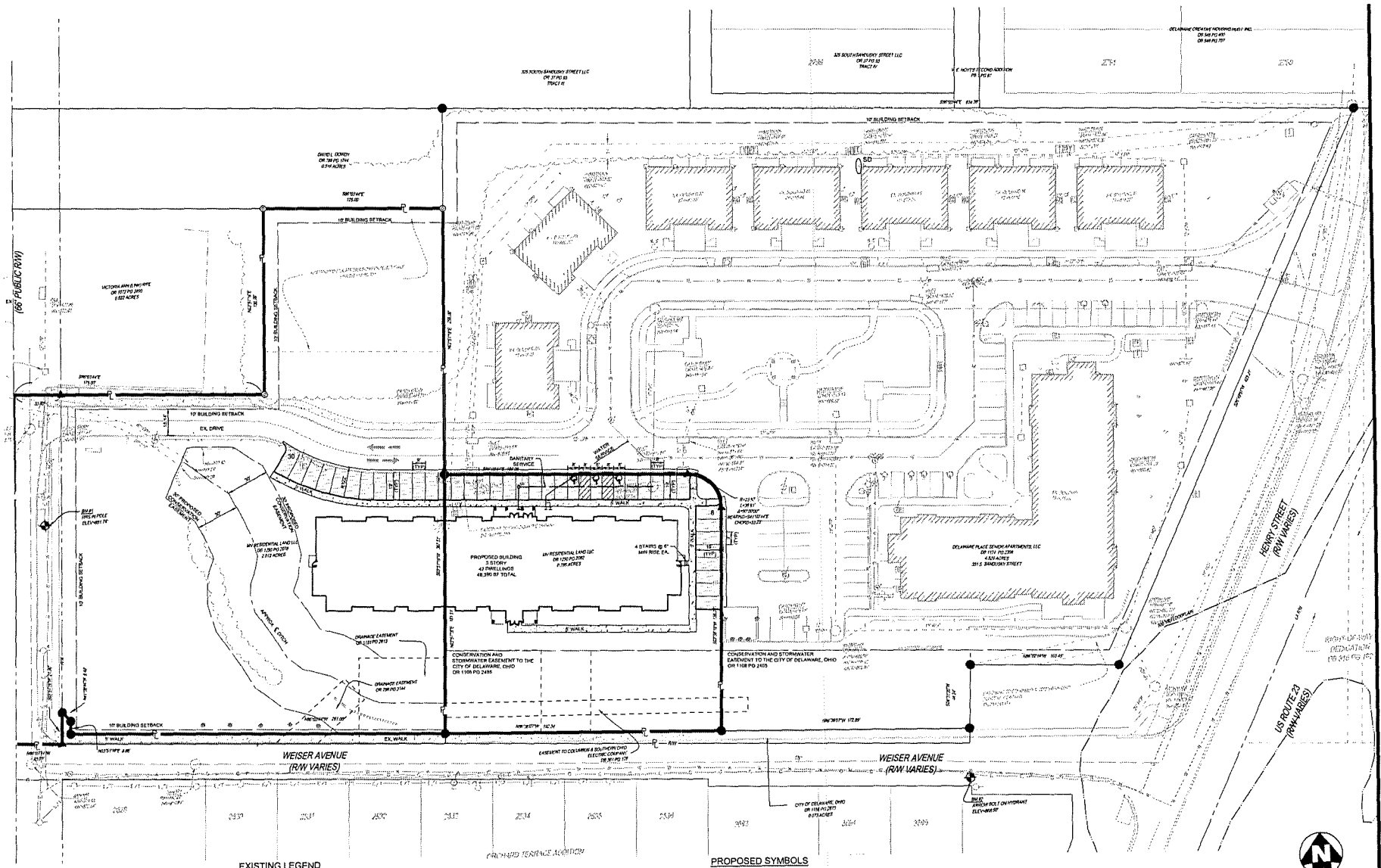
PROJECT NUMBER
2010.288.02

DRAWN BY

DATE
01/15/2015

SHEET NUMBER
D1.0

m+a architects



EXISTING LEGEND

- FOUND 1" IRON PIPE
- 5/8" IRON PIN SET
- MAG SET
- BENCHMARK
- PHONE BOX
- ELECTRIC BOX
- UTILITY POLE
- GUY WIRE
- YARD LIGHT
- LIGHT POLE
- TRANSFORMER
- CATCH BASIN
- YARDDRAIN
- CLEAN OUT
- MANHOLE
- FIRE HYDRANT
- WATER VALVE
- POST INDICATOR VALVE
- IRRIGATION CONTROL VALVE
- GAS VALVE
- GAS METER
- GUARD POST
- TRAFFIC SIGNAL POLE
- HANDICAP PARKING
- SINGLE POST SIGN
- DOUBLE POST SIGN
- TREELINE
- FENCELINE
- UNDERGROUND TELEPHONE
- SANITARY
- GAS LINE
- WATER LINE
- OVERHEAD UTILITIES
- STORM SEWER
- ASPHALT AREA
- CONCRETE AREA

PROPOSED SYMBOLS

- CO SANITARY CLEAN OUT
- SANITARY SEWER
- WATER
- ASPHALT PAVEMENT
- CONCRETE WALK
- HEAVY DUTY CONCRETE
- TRAFFIC DIRECTION/PATTERN

NOTES

1. ALL RADIIARE 5' UNLESS OTHERWISE NOTED.

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Columbus, Ohio 43212
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f 614.744.0237
www.ma-architects.com

DELAWARE PLACE

DELAWARE, OHIO

STATUS

REVISION

PROJECT NUMBER
2010.288.02

DRAWN BY

DATE
01/15/2015

SHEET NUMBER
D1.1

m+a architects

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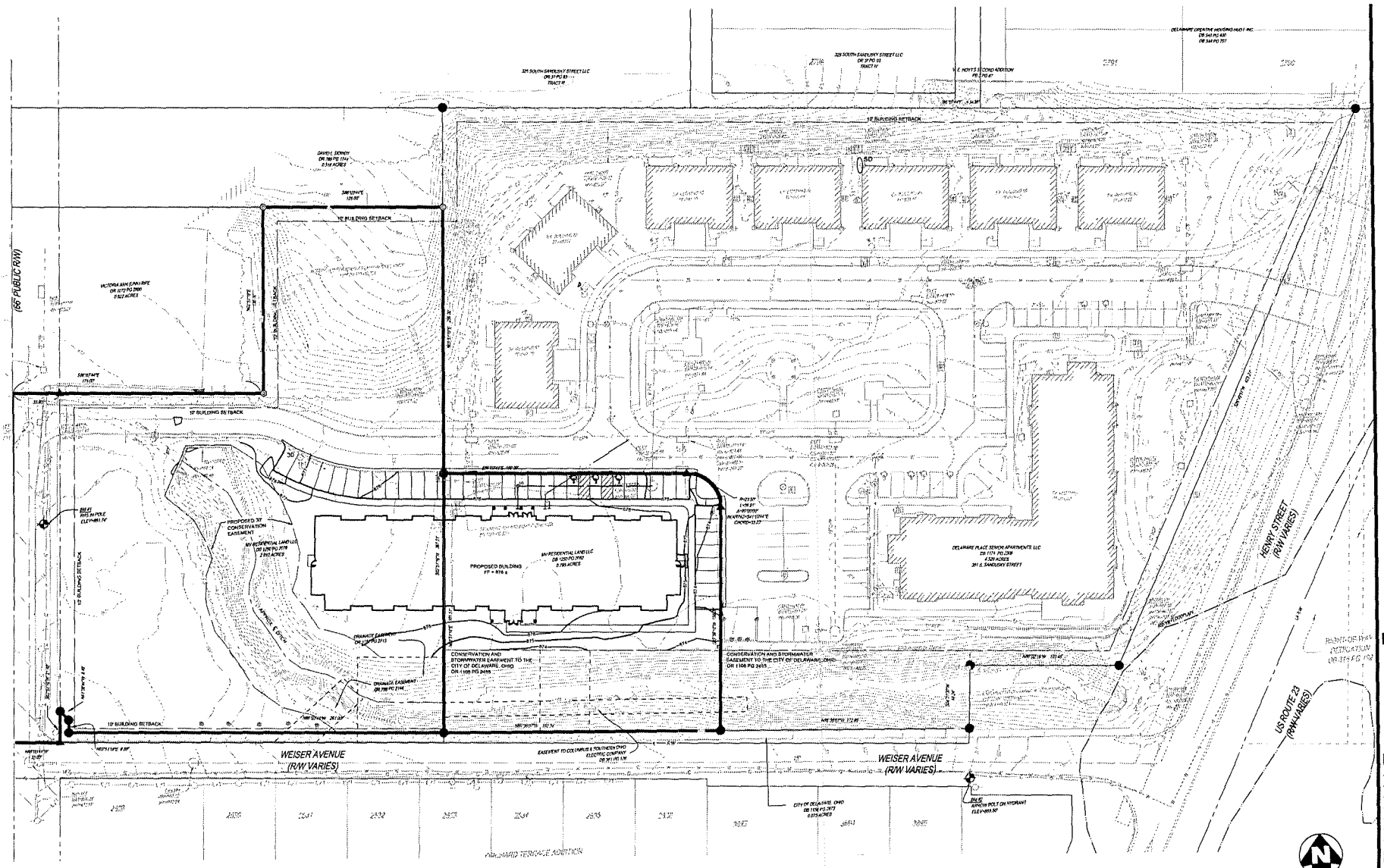

GRADING LEGEND

868	MINOR CONTOUR
870	MAJOR CONTOUR
867	EXISTING MINOR CONTOUR
869	EXISTING MAJOR CONTOUR

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775 Yard Street, Suite 325
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DELAWARE PLACE

DELAWARE, OHIO

STATUS

REVISION

PROJECT NUMBER
2010.288.02

DRAWN BY

DATE
01/15/2015

SHEET NUMBER
D1.2

m+a architects

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north elevation
1/8" = 1'-0"

south elevation
1/8" = 1'-0"

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DELAWARE PLACE II

delaware, ohio

elevations
1.6.2015

page 1

east \ west elevation
1/8" = 1'-0"

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Miller Valentine Group

DELAWARE PLACE II

delaware, ohio

elevations
1.6.2015

CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM

Planning *and* Community Development
CITY OF DELAWARE, OHIO

Project # _____ Case # 2015-0013 REZ -$1280.00
2015-0014-PDP - $1143

Planning Commission

- ☐ Amended Final Development Plan
- ☐ Amended Final Subdivision Plat
- ☐ Amended Preliminary Development Plan
- ☐ Amended Preliminary Subdivision Plat
- ☐ Annexation Review
- ☐ Combined Preliminary & Final Development Plan
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
- ☐ Determination of Similar Use
- ☐ Development Plan Exemption
- ☐ Final Development Plan
- ☐ Final Development Plan Extension
- ☐ Final Subdivision Plat
- ☐ Final Subdivision Plat Extension
- ☐ Floodplain Permit
- ☐ Lot Split
- ☐ Pre-annexation Agreement
- ☒ Preliminary Development Plan
- ☐ Preliminary Dev Plan Extension
- ☐ Preliminary Sub Plat
- ☐ Preliminary Sub Plat Extension
- ☒ Rezoning
- ☐ Subdivision Variance
- ☐ Substitution of a Non- Conforming Use
- ☐ Vacation-Alley
- ☐ Vacation-Easement
- ☐ Vacation-Street

Board of Zoning Appeals

- ☐ Appeal Administrative Decision or Interpretation
- ☐ Conditional Use Permit
- ☐ Substitution of Equal or Less Non-Conforming Use
- ☐ Variance

Subdivision/Project Name: Delaware Place Phase 2&3 Address: 339 S. Sandusky St. (0.52 AC)
351 S. Sandusky St. (2.01 AC)
S. Sandusky St. (0.80 AC)

Acreage: 3.329 Square Footage: 72,390 Number of Lots: 3 Number of Units: 53 dwellings + 12,000 sf retail

Zoning District/Land Use: PMU Proposed Zoning/Land Use: PMU Parcel #: 41912209002000, 41912209003000, 41912102034002

Applicant Name: MV Affordable Housing, LLC Contact Person: Denise Blake

Applicant Address: 9349 Waterstone Blvd. Cincinnati, OH 45249

Phone: (513) 774-8400 Fax: (937) 683-6165 E-mail: Denise.Blake@mvg.com

Owner Name: MV Affordable Housing, LLC Contact Person: Denise Blake

Owner Address: 9349 Waterstone Blvd. Cincinnati, OH 45249

Phone: (513) 774-8400 Fax: (937) 683-6165 E-mail: Denise.Blake@mvg.com

Engineer/Architect/Attorney: M+A Architects Contact Person: Kirk Paisley

Address: 775 Yard Street, Suite 325 Columbus, OH 43212

Phone: (614) 764-04-07 Fax: (614) 764-0237 E-mail: _____

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Owner Signature: _____ Owner Printed Name: Brian M. McGeady, Authorized Signer

Agent Signature: _____ Agent Printed Name: _____

Sworn to before me and subscribed in my presence this 5th day of January, 2015.

NOTARY PUBLIC STATE OF OHIO

MARILEE F. BROWN, Notary Public
Notary Stamp and for the State of Ohio
My Commission Expires 12/12/15

M. Brown
Notary Public

s/planning/forms/nov. 2005 to 2007 pc & bza application forms/master application form

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF REPORT

CASE NUMBER: 2014-2507
REQUEST: Final Subdivision Plat
PROJECT: Curtis Farms - Phase 3
MEETING DATE: January 21, 2015

APPLICANT & OWNER
Maronda Homes
3811 Twin Creek Drive
Columbus, OH 43204

REQUEST
2014-2507: A request by Maronda Homes for approval of Final Subdivision Plat for Curtis Farms Phase 3 located at the terminus of Carolyn Lane and Delaware Drive which consists of 29 single family lots on 13.5 acres zoned R-4 (Medium Density Residential District).

PROPERTY LOCATION & DESCRIPTION
The property is located at the terminus of Carolyn Lane and Delaware Drive and just east of the Schultz Elementary School property. The subject site is zoned R-4 (Medium Density Residential District) as are the properties to the east, west and south while the property to the north is zoned R-3 (One-Family Residential District).

BACKGROUND
The Rezoning Amendment and Preliminary Subdivision Plat for 120 single family lots on 31.29 acres for a gross density of 3.84 dwelling units per acre were approved by City Council in June 2003 (Ordinances 03-23 & 03-24) respectively. The Final Subdivision Plats for Phase 1 and 2 were approved in 2005 and 2009 for 28 and 30 single family lots respectively. The developer is proposing to construct Phase 3 of the development which would consist of 29 single family lots on 13.5 acres.

STAFF ANALYSIS

- **LAND USE**: This development is located in a area that is predominantly residential in character. The Comprehensive Plan recommends Moderate-Density Single-Family land use (3.25-4.75 du/ac and R-3/R-4 zoning) for the site. At 3.84 dwelling units per acre, this development, as approved by the preliminary plat, falls within that residential density range.
- **ENGINEERING**: The engineering plans for the entire subdivision have already been approved with Phase 1 construction drawing approval in 2005. Given the plans are now several years old, the Applicant must meet with the Engineering Department and resubmit drawings to determine if any revisions are necessary per the City Engineer due to changes in required construction standards.
- **ROADS, TRAFFIC & ACCESS**: Access to Phase 3 would be via extending Delaware Drive to the west and Carolyn Lane to the north. The street shall be constructed per the City Engineer with sidewalks on both sides of the street. Past development approvals required roadway assessments (private) for this subdivision via ordinance 08-104 to be placed on all lots in the subdivision.
- **LOT SIZE**: The lots range in size from 7,127 square feet (0.164 acres) to 9,060 square feet (0.208 acres) with the majority in the former size range. In addition, the minimum lot width range from 55-60 feet while the minimum lot depth range from 125-130 feet. The corner lots are oversized by approximately 30% to comply with the zoning code. In conclusion, the proposed lot dimensions/sizes are in accordance with the approved Preliminary Subdivision Plat and consistent with lots already developed within the subdivision.
- **PARKLAND AND OPEN SPACE**: There is not any parkland or open space in Phase 3 but a condition of the Preliminary Subdivision Plat approval by City Council (Ordinance 03-24) states "The developer will contribute $48,100 cash-in-lieu of land before acceptance of any public improvements for Phase 3 and will contribute 0.72 acres of parkland before acceptance of public improvements for Phase 4. Staff is requesting that the proposed parkland in Phase 4 shall be programmed with amenities along with a bike/pedestrian path installed to connect to the school bike path network located just northwest of the parkland in Phase 4 to an amount that is equal to or exceeds $48,100. Staff would coordinate a meeting between the developer and the school to assist in executing an agreement to install the bike path on school property if necessary. The park and proposed amenities shall be maintained by the Homeowners Association but shall be dedicated for public use with an easement agreement.

- **TREE PRESERVATION**: There do not appear to be any trees in Phase 3. However in Phase 4, the trees on the west side of the development along the existing subdivision shall be preserved per the Preliminary Subdivision Plat approval.
- **DESIGN**: The houses would be required to comply with the Residential Design Criteria and Performance Standards of Section 1171.08 of the Planning & Zoning Code. The standards include among other items: front elevations consisting of a minimum 25 percent of natural materials (the natural materials are to include but are not limited to stone, brick, cedar, wood, stucco and stucco stone), minimum 8 inch overhangs/soffits on returns, minimum 4 inch window trim and higher end vinyl siding. However, the developer has agreed that 50% of the front elevations would be comprised of natural materials per the Preliminary Subdivision Plat approval, so this will be the standard of this subdivision.
- **LIGHTING**: A lighting plan shall be submitted, reviewed and approved by the Chief Building Official.
- **LANDSCAPING**: A Street Tree Plan shall be submitted, reviewed and approved by the Shade Tree Commission.

STAFF RECOMMENDATION – FINAL SUBDIVISION PLAT (2014-2507)

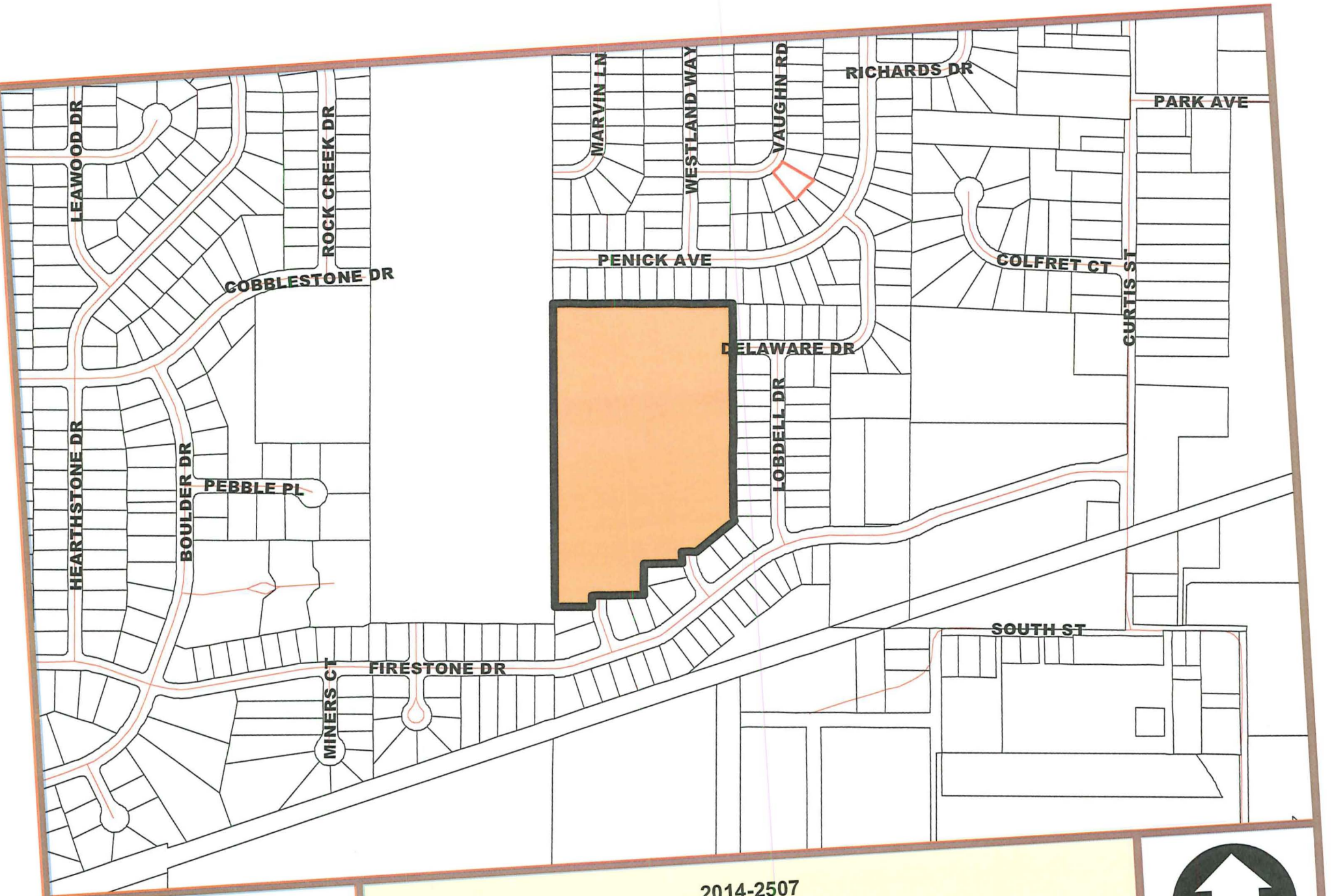
Staff recommends approval of a Final Subdivision Plat for Curtis Farms Phase 3 located at the terminus of Carolyn Lane and Delaware Drive which consists of 29 single family lots on 13.5 acres zoned R-4 (Medium Density Residential District), with the following conditions:

1. The Applicant needs to obtain final engineering approvals, including any stormwater and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. All requirements of Ordinance 08-104 and required plat notes relative to special assessments shall be completed prior to recording of the Final Plat for Phase 3.
3. The houses shall be required to comply with the Residential Design Criteria and Performance Standards of Section 1171.08 of the Planning & Zoning Code along with 50% of the front elevations shall be constructed of natural materials.
4. The proposed parkland land in Phase 4 shall be programmed with amenities and a bike/pedestrian path shall be installed to connect to the school bike path network located just northwest of the parkland in Phase 4 to an amount that is equal to or exceeds $48,100.
5. The park and proposed amenities shall be maintained by the Homeowners Association but shall be dedicated for public use with an easement agreement.
6. A lighting plan shall be submitted, reviewed and approved by the Chief Building Official.
7. A Street Tree Plan shall be submitted, reviewed and approved by the Shade Tree Commission.
8. Helen Street Lane be renamed to Carolyn Lane to match the existing street name.

•
COMMISSION NOTES:

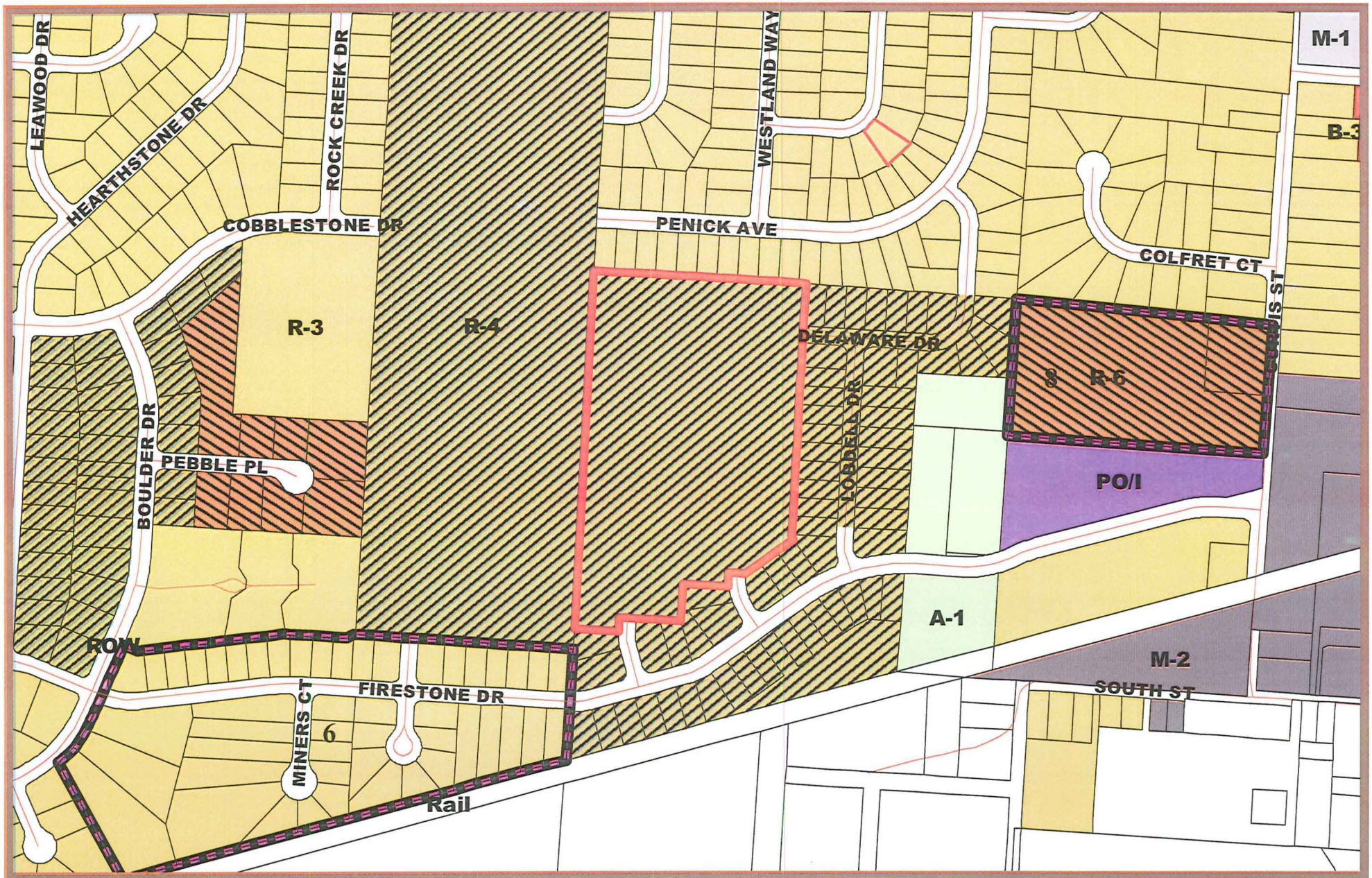
MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled*_____

CONDITIONS/MISCELLANEOUS:



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2507
Final Subdivision Plat
Curtis Farms - Phase 3
Location Map



CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2507
Final Subdivision Plat
Curtis Farms - Phase 3
Zoning Map

CITY OF DELAWARE
PLANNING & COMMUNITY DEVELOPMENT

2014-2507
Final Subdivision Plat
Curtis Farms - Phase 3
Aerial (2013)

N

CURTIS FARMS PHASE 3

STATE OF OHIO, COUNTY OF DELAWARE, CITY OF DELAWARE,
FARM LOT 20, SECTION 3, TOWNSHIP 5, RANGE 19
UNITED STATES MILITARY LANDS

SITUATED IN THE STATE OF OHIO, COUNTY OF DELAWARE, CITY OF DELAWARE, FARM LOT 20, SECTION 3, TOWNSHIP 5 NORTH, RANGE 19 WEST, UNITED STATES MILITARY LANDS, BEING 6.090 ACRES OF THAT 29.808 ACRE TRACT IN FARM LOT 20 CONVEYED TO CURTIS FARMS, LLC, BY DEED OF RECORD IN OFFICIAL RECORD 530, PAGE 2059-2062, BEING OF RECORD IN THE RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

EASEMENTS ARE HEREBY RESERVED IN, OVER AND UNDER AREAS DESIGNATED ON THIS PLAT AS "EASEMENT", OR "DRAINAGE EASEMENT". EACH OF THE AFOREMENTIONED DESIGNATED EASEMENTS PERMIT THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ALL PUBLIC AND QUASI-PUBLIC UTILITIES ABOVE, BENEATH AND ON THE SURFACE OF THE GROUND AND, WHERE NECESSARY, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS AND FOR STORM WATER DRAINAGE. WITHIN THOSE AREAS DESIGNATED "DRAINAGE EASEMENT" ON THIS PLAT, AN ADDITIONAL EASEMENT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING MAJOR STORM WATER DRAINAGE SWALES AND/OR OTHER STORM WATER DRAINAGE FACILITIES. NO ABOVE GRADE STRUCTURES, DAMS OR OTHER OBSTRUCTIONS TO THE FLOW OF STORM WATER RUNOFF ARE PERMITTED WITHIN DRAINAGE EASEMENT AREAS AS DELINEATED ON THIS PLAT UNLESS APPROVED BY THE DELAWARE CITY ENGINEER. EASEMENT AREAS SHOWN HEREON OUTSIDE OF THE PLATTED AREA ARE WITHIN LANDS OWNED BY THE UNDERSIGNED AND EASEMENTS ARE HEREBY RESERVED THEREIN FOR THE USES AND PURPOSES AS EXPRESSED HEREIN.

THE UNDERSIGNED, CURTIS FARMS LLC, BY JOHN OBERLIN, PRESIDENT, OWNER OF THE LAND PLATTED HEREIN, DULY AUTHORIZED IN THE PREMISES, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS "CURTIS FARMS PHASE 3", A SUBDIVISION CONTAINING LOTS NUMBERED 50-54 AND 76-99, BOTH INCLUSIVE, AND DOES HEREBY ACCEPT THIS PLAT OF SAME AND DEDICATE TO PUBLIC USE, AS SUCH, ALL OR PART OF HELEN DRIVE (0.807 ACRES OF LAND, MORE OR LESS), DELAWARE DRIVE (0.346 ACRES OF LAND, MORE OR LESS) SHOWN HEREON AND NOT HERETOFORE DEDICATED.

IN WITNESS WHEREOF, JOHN OBERLIN, PRESIDENT, OF CURTIS FARMS LLC, HAS HEREUNTO SET HIS HAND THIS _____ DAY OF _____, 2015.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

CURTIS FARMS LLC

BY

_____
JOHN OBERLIN, PRESIDENT

_____

_____

STATE OF OHIO
COUNTY OF DELAWARE:

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOHN OBERLIN, PRESIDENT OF CURTIS FARMS LLC, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID CURTIS FARMS LLC FOR THE USES AND PURPOSES EXPRESSED THEREIN.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS _____ DAY OF _____, 2015.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC, _____
STATE OF OHIO

LAND AREA SUBDIVIDED: 6.090 ACRES

OF WHICH:

0.807 ACRES BEING LOCATED WITHIN HELEN DRIVE
0.346 ACRES BEING LOCATED WITHIN DELAWARE DRIVE
4.937 ACRES BEING LOCATED IN LOTS 50-54 AND 76-99, BOTH INCLUSIVE.

PC CASE NO. _____ APPROVED BY THE PLANNING COMMISSION ON _____

APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2015, BY ORDINANCE NO. _____, WHEREIN ALL PUBLIC RIGHT-OF-WAY, EASEMENTS, AND OPEN AREAS SHOWN DEDICATED HEREON ARE ACCEPTED AS SUCH BY THE CITY COUNCIL OF THE CITY OF DELAWARE, OHIO.

APPROVED THIS _____ DAY OF _____, 2015 _____
CITY CLERK

APPROVED THIS _____ DAY OF _____, 2015 _____
CITY MANAGER

APPROVED THIS _____ DAY OF _____, 2015 _____
PLANNING & COMMUNITY DEVELOPMENT DIRECTOR

APPROVED THIS _____ DAY OF _____, 2015 _____
DIRECTOR OF ENGINEERING SERVICES

APPROVED THIS _____ DAY OF _____, 2015 _____
DIRECTOR OF PUBLIC UTILITIES

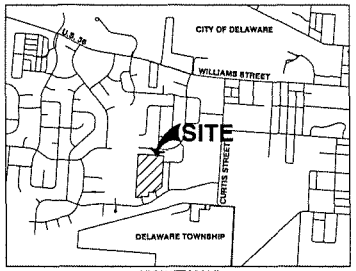
APPROVED THIS _____ DAY OF _____, 2015 _____
ACTING PUBLIC WORKS DIRECTOR

TRANSFERRED THIS _____ DAY OF _____, 2015 _____
AUDITOR, DELAWARE COUNTY, OHIO

FILED FOR RECORD THIS _____ DAY OF _____, 2015 _____
AT _____M. RECORDER, DELAWARE COUNTY, OHIO
FEE $_____

FILE NO.

OFFICIAL RECORD _____, PAGES _____.



VICINITY MAP
NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS:
BEARINGS DENOTED ARE BASED ON THE CENTERLINE OF LOBDELL DRIVE, CURTIS FARMS PHASE 2 (O.R. 951, PG. 714-715), AS BEING NORTH 03°16'25" EAST.

SOURCE DATA:
THE SOURCES OF RECORDED SURVEY DATA REFERENCED IN THE PLAN AND TEXT OF THIS PLAT ARE THE RECORDS OF THE RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

IRON PINS:
WHERE INDICATED HEREON, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE 3/4" I.D. IRON PIPE, THIRTY INCHES LONG WITH A YELLOW PLASTIC CAP BEARING THE INITIALS "CEC".

PERMANENT MARKERS:
WHERE INDICATED HEREON UNLESS OTHERWISE NOTED ARE TO BE SET AND ARE SOLID IRON PINS, 1" DIAMETER, 30" LONG WITH A YELLOW PLASTIC CAP BEARING THE INITIALS "CEC".

CERTIFICATION:
WE DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE ATTACHED PREMISES, PREPARED THE ATTACHED PLAT, AND THAT SAID PLAT IS CORRECT. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. DIMENSIONS SHOWN ALONG CURVES ARE CHORD MEASUREMENTS.

_____
MARK ALAN SMITH
PROFESSIONAL LAND SURVEYOR NO. S-8232

LEGEND
- ● I.P. FOUND
- ○ I.P. SET
- ◎ PERMANENT MARKER SET
- △ MAG NAIL SET

Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road - Suite 250, Worthington, OH 43085
Ph: 614.540.6633 - 888.598.6808 - Fax: 614.540.6638
www.cecinc.com

MARONDA HOMES, INC.
CURTIS FARMS PHASE 3
CITY OF DELAWARE

DRAWN BY:	BA	CHECKED BY:	MAS	APPROVED BY:	JAM
DATE:	DECEMBER 8, 2015	DWG SCALE:	N/A	PROJECT NO:	142-748

CURTIS FARMS PHASE 3

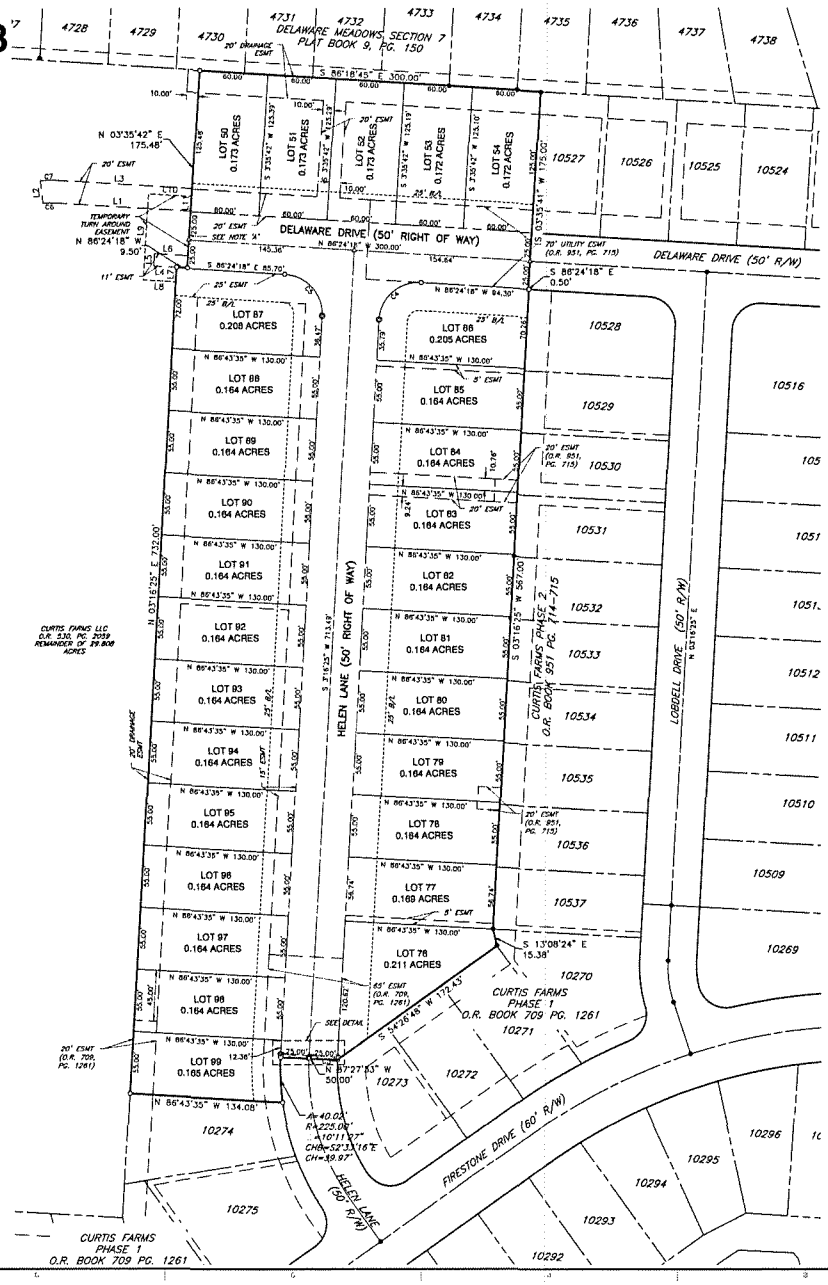
DRAWING NO.: **PLAT**
SHEET 1 OF 2

CURTIS FARMS PHASE 3

STATE OF OHIO, COUNTY OF DELAWARE, CITY OF DELAWARE,
FARM LOT 20, SECTION 3, TOWNSHIP 5, RANGE 19

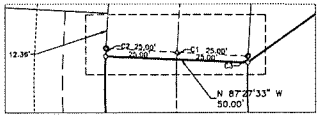
NORTH

SCALE IN FEET
0 50 100



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S 86°24'18" E	118.39'
L2	S 05°47'03" E	20.00'
L3	N 86°24'18" W	118.39'
L4	N 86°24'18" W	20.04'
L5	N 03°35'42" E	11.00'
L6	S 86°24'18" E	29.54'
L7	S 03°18'25" W	13.00'
L8	S 86°24'18" E	28.45'
L9	S 03°35'42" W	78.00'
L10	N 86°24'18" W	37.88'
L11	N 03°35'42" E	13.00'

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHL	CHB
C1	200.00'	0°43'58"	2.56'	2.56'	S 02°54'26" W
C2	225.00'	0°43'58"	2.88'	2.88'	S 02°54'26" W
C3	175.00'	0°43'58"	2.24'	2.24'	S 02°54'26" W
C4	35.00'	90°19'17"	55.17'	49.64'	S 48°26'04" W
C5	35.00'	89°40'43"	54.78'	49.36'	N 41°33'56" W
C6	71.00'	9°22'45"	11.62'	11.61'	S 88°54'19" W
C7	91.00'	9°22'45"	14.90'	14.88'	S 88°54'19" W



DETAIL
SCALE: 1" = 20'

NOTE 'A': NO VEHICULAR ACCESS TO BE IN EFFECT UNTIL SUCH TIME AS THE PUBLIC STREET RIGHT-OF-WAY IS EXTENDED BY PLAT OR DEED. IF REQUIRED, A TEMPORARY T-TURNAROUND SHALL BE CONSTRUCTED AND MAINTAINED UNTIL SUCH TIME AS THE STREET IS EXTENDED AS PER THE DEVELOPMENT OF EACH SECTION. SAID TURN AROUND SHALL MEET THE DESIGN STANDARD OF THE DELAWARE COUNTY ENGINEER AND THE LIBERTY TOWNSHIP FIRE DEPARTMENT.

CEC
Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road - Suite 250, Worthington, OH 43085
Ph: 614.840.6633 - 888.598.6808 - Fax: 614.840.6636
www.cecinc.com

MARONDA HOMES, INC.
CURTIS FARMS PHASE 3
CITY OF DELAWARE

DRAWN BY:	BA	CHECKED BY:	MAS	APPROVED BY:	JAM
DATE:	DECEMBER 8, 2015	DWG SCALE:	1" = 80'	PROJECT NO:	142-748

CURTIS FARMS PHASE 3

DRAWING NO: PLAT

SHEET 2 OF 2

ORDINANCE NO. 08-104

AN ORDINANCE ESTABLISHING THE ASSESSMENTS FOR THE IMPROVEMENT OF PUBLIC STREETS AND EASEMENTS BETWEEN CERTAIN TERMINI BY CONSTRUCTING AN EXTENSION OF FIRESTONE DRIVE COMMENCING FROM A POINT APPROXIMATELY 142 FEET NORTH FROM THE INTERSECTION OF THE CONRAIL RAILWAY AND CURTIS STREET AND PROCEEDING WESTERLY FOR APPROXIMATELY 1,000 LINEAR FEET TO THE EASTERN BOUNDARY OF THE PLAT FOR CURTIS FARMS BY EXCAVATING, GRADING, DRAINING, LANDSCAPING, CURBING AND PAVING, CONSTRUCTING SIDEWALKS, INSTALLING STREET SIGNS, STREET LIGHTING, TRAFFIC PAVEMENT MARKINGS, STORM AND SANITARY SEWERS AND WATER MAINS, AND PROVIDING ALL NECESSARY APPURTENANCES THERETO.

WHEREAS, this Council has adopted Resolution No. 05-34 on, May 9, 2005 authorizing that the Improvement described in Section 1 be made, and

WHEREAS, the Improvement described in Section 1 has been made including the acquisition of property necessary for the construction of the Improvement, and

WHEREAS, the Improvement described in Section 1 including the acquisition of property necessary for the construction of the Improvement has a actual total cost of $770,200.19, and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, Delaware County, Ohio, that:

Section 1. It is determined to proceed to assess the cost of the improvement of constructing an extension of Firestone Drive commencing from a point approximately 142 feet north from the intersection of the Conrail Railway and Curtis Street and proceeding westerly for approximately 1,000 linear feet to the eastern boundary of the plat for Curtis Farms by excavating, grading, draining, landscaping, curbing and paving, constructing sidewalks, installing street signs, street lighting, traffic pavement markings, storm and sanitary sewers and water mains, and providing all necessary appurtenances thereto (collectively, the "*Improvement*").

Section 2. A total additional assessment of $38,510.09 per year for 20 years shall be placed on the lots and vacant land of the Curtis Farms Subdivision

as follows: (1) on all platted lots in the Curtis Farms Subdivision, the amount of $6472.27 plus interest per platted lot. This assessment shall be payable as follows: $323.61 per year or $161.81 per half for a period of 20 years, plus interest not to exceed 3%. The balance of the annual additional assessment after assessing the platted lots shall be assessed to the un-platted portion of the Curtis Farms Development, plus interest not to exceed 3%. The Delaware County Auditor shall collect an additional service charge of 2% or as determined by statute. The proceeds of this assessment shall be paid to Curtis Farms LLC or its successor, c/o Maronda Homes, 3811 Twin Creeks Drive, Columbus OH 43204. The assessment will be used to offset the developer's cost of acquisition and construction of Firestone Drive.

Section 3. A total additional assessment of $11,900.00 per year for 10 years shall be placed on the lots and vacant land of the Curtis Farms Subdivision as follows: (1) on all platted lots in the Curtis Farms Subdivision, the amount of $1000.00 plus interest per platted lot. This assessment shall be payable as follows: $100.00 per year or $50.00 per half for a period of 10 years, plus interest not to exceed 3%. The balance of the annual additional assessment after assessing the platted lots shall be assessed to the un-platted portion of the Curtis Farms Development, plus interest not to exceed 3%. The Delaware County Auditor shall collect an additional service charge of 2% or as determined by statute. The proceeds of this assessment shall be paid to City of Delaware Ohio, 1 South Sandusky Street, Delaware, OH 43015. This assessment will be used for traffic improvements in the vicinity of the development.

Section 4. The Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor of Delaware County, Ohio within 15 days after its passage together with an annual statement of lots to be assessed thereafter if required.

Section 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

PASSED: 12/22, 2008 YEAS 6 NAYS 0
ABSTAIN 0

ATTEST: Christine Shaw
CITY CLERK

Windsee Wheeler
MAYOR