

**CITY OF DELAWARE  
CITY COUNCIL  
AGENDA  
CITY COUNCIL CHAMBERS  
1 SOUTH SANDUSKY STREET  
7:00 P.M.**

**6:30 EXECUTIVE SESSION:** pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance.

REGULAR MEETING

MARCH 9, 2015

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the regular meeting of Council held February 23, 2015, as recorded and transcribed.
5. CONSENT AGENDA
  - A. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held January 28, 2015.
  - B. Acceptance of the Motion Summary for the Shade Tree Commission meeting held January 27, 2015.
  - C. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board meeting held November 18, 2014.
  - D. Acceptance of the Motion Summary for the Planning Commission meeting held February 4, 2015.
  - E. Resolution No. 15-14, a resolution accepting the recommendations of the Delaware City Tax Incentive Review Council (TIRC) on the status of the 2014 Community Reinvestment Area (CRA), Enterprise Zone (EZ), and Tax Increment Financing (TIF) programs.
  - F. Establish March 23, 2015 at 7:30 p.m. as the date and time for a public hearing and second reading of Ordinance No. 15-25, an ordinance approving a Rezoning Amendment for Fidelity Federal Savings and Loan and Turning Point from R-4 (Medium Density Residential District) to R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District) at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001,

and 519-423-01-047-001) on approximately 14.9 acres, Ordinance No. 15-26, an ordinance approving a Conditional Use Permit for Fidelity Federal Savings and Loan and Turning Point to allow the placement of a PMU (Planned Mixed Use Overlay District) to be established at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 (Medium Density Residential), and Ordinance No. 15-27, an ordinance approving an Amendment to the Comprehensive Plan for Fidelity Federal Savings and Loan and Turning Point on property designated as Institutional and High Density Single Family on the Future Land Use Map to Mixed Use at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District).

- G. Establish March 23, 2015 at 7:45 p.m. as the date and time for a public hearing and second reading of Ordinance No. 15-29, an ordinance approving a Conditional Use Permit for WRD Real Estate LLC to allow an indoor self- storage facility at 35 South Franklin Street on approximately 0.50 acres zoned B-3 (Community Business District).
- H. Establish March 23, 2015 at 8:00 p.m. as the date and time for a public hearing and second reading of Ordinance No. 15-31, an ordinance approving an Amended Conditional Use Permit for Brown Jug Storage to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street.

6. LETTERS, PETITIONS, AND PUBLIC COMMENTS

7. COMMITTEE REPORTS

8. PRESENTATIONS

- A. March for Meals proclamation – Toni Dodge, Council for Older Adults Meals on Wheels Coordinator
- B. ODOT US42 Access Management Study – Burton Planning Services, Nicole Clune, P.E., Transportation Planning Director

9. CONSIDERATION of Ordinance No. 15-23, an ordinance permitting the sale and consumption of alcohol for the Delaware YMCA c/o New Moon Half & Quarter Marathon even to be held on May 30, 2015, course map attached hereto in the City of Delaware.

10. CONSIDERATION of Ordinance No. 15-24, an ordinance permitting the sale and consumption of alcohol for the Women’s City Club Art For Your

Ears event to be held on May 16, 2015 on South Sandusky Street, from William Street to Spring Street in the City of Delaware.

11. CONSIDERATION of Ordinance No. 15-25, an ordinance approving a Rezoning Amendment for Fidelity Federal Savings and Loan and Turning Point from R-4 (Medium Density Residential District) to R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District) at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres.
12. CONSIDERATION of Ordinance No. 15-26, an ordinance approving a Conditional Use Permit for Fidelity Federal Savings and Loan and Turning Point to allow the placement of a PMU (Planned Mixed Use Overlay District) to be established at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 (Medium Density Residential).
13. CONSIDERATION of Ordinance No. 15-27, an ordinance approving an Amendment to the Comprehensive Plan for Fidelity Federal Savings and Loan and Turning Point on property designated as Institutional and High Density Single Family on the Future Land Use Map to Mixed Use at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District).
14. CONSIDERATION of Ordinance No. 15-28, an ordinance approving a Combined Preliminary and Final Development Plan for Turning Point in Sub-Area A at 500 Liberty Road (Parcel 519-423-01-045-000) on approximately 7.73 acres zoned R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District).
15. CONSIDERATION of Ordinance No. 15-29, an ordinance approving a Conditional Use Permit for WRD Real Estate LLC to allow an indoor self-storage facility at 35 South Franklin Street on approximately 0.50 acres zoned B-3 (Community Business District).
16. CONSIDERATION of Ordinance No. 15-30, an ordinance approving a Final Subdivision Plat for Buehler's Food Market, Inc. at 800 Central Avenue on approximately 16.59 acres zoned B-3 PUD (Community Business District) with a Planned Unit Development District).
17. CONSIDERATION of Ordinance No. 15-31, an ordinance approving an Amended Conditional Use Permit for Brown Jug Storage to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East

William Street.

18. CONSIDERATION of Ordinance No. 15-32, an ordinance amending the Employment Agreement with the City Manager.
19. CITY MANAGER'S REPORT
20. COUNCIL COMMENTS
21. ADJOURNMENT

**6:30 EXECUTIVE SESSION:** Mr. Jones moved to enter into Executive Session at 6:31 p.m. This motion was seconded by Mr. Shafer and approved by a 5-0 vote. Council met in executive session pursuant to Ohio Revised Code Section pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) Consideration of Confidential Information Related To A Request For Economic Development Assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller (arrived at 6:35 p.m.), Third Ward Joe DiGenova, Fourth Ward Andrew Brush (arrived at 6:35 p.m.), At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle. Following the discussion at 7:00 p.m., it was moved by Mr. Brush that Council move into Open session, seconded by Mr. Shafer and approved by 7-0 vote.

The regular meeting of February 23, 2015 was called to order at 7:01 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Andrew Brush, At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle who presided. The invocation was given by Mr. DiGenova, followed by the Pledge of Allegiance.

Staff Present: Dave Efland, Planning and Community Development Director, Scott Stowers, IT Director, Dean Stelzer, Finance Director, Dan Whited, Public Service Group Director, Darren Shulman, City Attorney, Sean Hughes, Economic Development Director, Brad Stanton, Public Utilities Director, Bruce Pijanowski, Chief of Police, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

**ITEM 4: APPROVAL OF MINUTES**

APPROVAL of the Motion Summary of the joint meeting between City Council and the Delaware City School Board held February 2, 2015, as recorded and transcribed.

APPROVAL of the Motion Summary of the regular meeting of Council held February 9, 2015, as recorded and transcribed.

**Motion:** Mr. Brush moved to approve the Motion Summary of the joint meeting between City Council and Delaware City School Board held

February 2, 2015, and the regular meeting of Council held February 9, 2015, as recorded and transcribed, seconded by Mr. Jones. Motion approved by a 6-0-1 (Shafer) vote.

**ITEM 5: CONSENT AGENDA**

- A. Resolution No. 15-11, a resolution appointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments.
- B. Resolution No. 15-12, a resolution authorizing the installation of a No Parking Here to Corner zone 250 feet west of US23 on the north and south side of Cottswold Drive.
- C. Resolution No. 15-13, a resolution appointing a representative and an alternate representative to the Ohio Public Works Committee District 17 Integrating Committee for the period of April 2015 through April 2018.
- D. Acceptance of the Motion Summary for the Board of Zoning Appeals meeting held November 12, 2014.
- E. Acceptance of the Motion Summary for the Parking and Safety Committee meeting held November 17, 2014.
- F. Acceptance of the Motion Summary for the Finance Committee meeting held November 20, 2014.

**Motion:** Mr. Shafer moved to approve the Consent Agenda, seconded by Mr. Brush. Motion approved by a 7-0 vote.

**ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS**

Ms. Kristin Jones, 164 Sylvan Drive, Delaware, Ohio 43015

Ms. Jones voiced a concern regarding the lack of information provided on the projected Speedway Development. Ms. Jones voiced her concern over the construction of the project, and opposed the development due to health and safety concerns. Mr. Efland addressed the concerns voiced by Ms. Jones, and reported that no development plan had been formally submitted.

**ITEM 7: COMMITTEE REPORTS**

Mr. Jones informed Council of the upcoming Historic Preservation Commission meeting to be held, Wednesday, February 25, 2015.

Mr. DiGenova informed Council that there is a Shade Tree meeting that will be held, Tuesday, February 24, 2015.

Mr. Brush reviewed the recommendations of the Finance Committee meeting held, February 12, 2015. Mr. Brush discussed the endorsement by the Finance Committee on the passage of legislation for the Glenn Road projects. Mr. Brush also discussed with Council the recycling grant that was awarded to the City of Delaware, as well as the efforts the City of Delaware is taking to pursue prosecution of delinquent filing of income taxes.

**ITEM 8: CONSIDERATION OF NEW LIQUOR PERMITS**

- A. Kevin Kiet Luc, DBA Spa & Nails, 1149 Columbus Pike, Delaware, OH 43015. Permit Class: D1
- B. Asahi Restaurant Group LLC, DBA Asahi Japanese Restaurant, 1139 Columbus Pike, Delaware, OH 43015. Permit Classes: D2 and D3

Chief Pijanowski reviewed the request for new liquor permits, with no concerns voiced.

**Motion:** Mr. Brush moved to approve the new liquor permit for Kevin Kiet Luc, DBA Spa & Nails, 1149 Columbus Pike, Delaware, OH 43015, Permit Class: D1, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to approve the new liquor permit for Asahi Restaurant Group LLC, DBA Asahi Japanese Restaurant, 1139 Columbus Pike, Delaware, OH 43015, Permit Classes: D2 and D3, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 9: PRESENTATIONS**

- A. Second Ward Community Initiative (SWCI) Update, Executive Board Members Cindy Montgomery and Todd Miller

Ms. Cindi Montgomery, 1224 Westwood Drive, Lewis Center, Ohio  
Mr. Todd Miller, 160 West Fountain Avenue, Delaware, Ohio  
Mr. Harry Hart, 29 David Street, Delaware, Ohio

Ms. Montgomery and Mr. Miller discussed the projects and classes that are being offered at the Second Ward Community Initiative. They also provided information on outreach programs and fundraising efforts. Mr. Hart updated Council on the recent building improvements and provided an update of the building lay out.

- B. Heapy Engineering – City Hall HVAC Update – Brad Graupmann and Bill Ferrigno

Mr. Brad Graupmann, 1800 Watermark Drive, Columbus, Ohio, Representative of Heapy Engineering

- C. Parking Survey Results – Kent Shafer

**ITEM 10: ORDINANCE NO. 15-14** [Second Reading]

AN ORDINANCE ACCEPTING THE ANNEXATION OF 102.4 ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS “A” AND “B” FOR THE ANNEXATION KNOWN AS THE LANE ANNEXATION BY DAVID W. FISHER, AGENT FOR THE PETITIONERS.

The Clerk read the ordinance for the second time.

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 15-14, seconded by Mr. Brush. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 15-14, seconded by Mr. Brush. Motion approved by a 7-0 vote.

**ITEM 11: ORDINANCE NO. 15-16** [Second Reading]

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR DELAWARE CITY SCHOOLS FOR A

BUILDING EXPANSION AND PARKING LOT CONFIGURATION FOR DELAWARE HAYES HIGH SCHOOL ON APPROXIMATELY 29.42 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED AT 289 EUCLID AVENUE.

The Clerk read the ordinance for the second time.

Mr. Efland reviewed the proposed site plan and expansion project.

APPLICANT:

Mr. Larry Davis, 149 Westwood Avenue, Delaware Ohio, Representative for Delaware City Schools

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 15-16, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 15-16, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**ITEM 12: ORDINANCE NO. 15-19** [Second Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$12,145,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-19, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-19, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-19, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**ITEM 13: ORDINANCE NO. 15-20** [Second Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,640,000, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS

PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-20, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-20, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-20, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**ITEM 14: ORDINANCE NO. 15-21** [Second Reading]  
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$800,000, FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING AND EQUIPPING THREE EMERGENCY MEDICAL SERVICE VEHICLES INCLUDING ALL NECESSARY EQUIPMENT, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-21, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-21, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-21, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

**ITEM 15: ORDINANCE NO. 15-22** [Second Reading]  
AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; SPECIFYING THE PUBLIC INFRASTRUCTURE

IMPROVEMENTS DIRECTLY BENEFITING THE PARCELS; AUTHORIZING COMPENSATION PAYMENTS TO THE DELAWARE CITY SCHOOL DISTRICT, THE OLENTANGY LOCAL SCHOOL DISTRICT AND THE DELAWARE AREA CAREER CENTER; AND AUTHORIZING THE EXECUTION OF RELATED SCHOOL COMPENSATION AGREEMENTS AND TAX INCREMENT FINANCING AGREEMENTS FROM TIME TO TIME, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-22, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-22, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-22, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**ITEM 16: CITY MANAGER'S REPORT**

Mr. Homan provided a compliment received by the Public Works Department on the recent removal of snow throughout the City.

Mr. Homan informed Council that Chief Donahue will be having a phone conference with the Salvation Army to further discuss the efforts needed to assist the homeless population.

Mr. Homan discussed with Council that Mayor Riggle and himself met with the Parks and Recreation Advisory Board at the February 17, 2015 meeting to discuss the changing role of the board.

**ITEM 17: COUNCIL COMMENTS**

Mrs. Keller discussed the earlier concerns that were voiced by Ms. Jones on the projected Speedway development, and discussed that as soon as a plan is available, that the public will be notified and provided the opportunity to review the plans at the Planning Commission meeting.

Mr. Brush informed Council of an informal public meeting to be held March 3, 2015 to discuss the plans for a domestic violence shelter in the City of Delaware.

Delaware City Council

February 23

15

Mayor Riggle provided compliments to the City of Delaware Police and Fire Department on the services and follow through that they provided to a resident in need.

**ITEM 18: ADJOURNMENT**

**Motion:** Mr. Shafer moved to adjourn the meeting. The meeting adjourned at 8:58 p.m.

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Mayor Carolyn Kay Riggle

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Elaine McCloskey, Council Clerk

**HISTORIC PRESERVATION COMMISSION**  
**January 28, 2015**  
**MOTION SUMMARY**

ITEM 1. Roll Call

Chairman Koch called the meeting to order at 7:00 p.m.

Members Present: Sherry Riviera, Erinn Nicley, Councilman Chris Jones, Vice-Chairman Hatten and Chairman Roger Koch

Members Absent: Joe Coleman, Kim McMullen

Staff Present: Lance Schultz, Zoning Administrator and Dianne Guenther, Development Planner

**Motion to Excuse:** Vice-Chairman Hatten moved to excuse Mr. Coleman, seconded by Councilman Jones.

ITEM 2. APPROVAL OF MOTION SUMMARY of the Historic Preservation Commission meeting held on December 17, 2014, as recorded and transcribed.

**MOTION:** Mr. Nicley moved to approve the Motion Summary of the Historic Preservation Commission meeting held on December 17, 2014, as recorded and transcribed, seconded by Councilman Jones. Motion approved by a 4-0-1(Hatten) vote.

ITEM 3. REGULAR BUSINESS

A. HPC 2015-0024: A request by Solar Saloon for approval of a Certificate of Appropriateness for signage at 2 North Sandusky Street, which is currently zoned B-2 (Central Business District) and located in the Downtown Core Sub-District of the Downtown Historic District Overlay.

Ms. Guenther provided a review of the Solar Saloon. Ms. Guenther reviewed the different requests for signage by the applicant, with the first choice of applicant to include two pedestrian oriented projecting signs. Ms. Guenther reviewed the HPC standards and reviewed staff recommendations. Ms. Guenther reviewed the second option by the applicant for door signage. Ms. Guenther also reviewed the request for an auto-oriented projecting sign, and window signs for installation on William Street elevation. Staff recommendations and conditions were reviewed.

APPLICANT:

Mr. Don Temple, 2 ½ North Sandusky Street, Delaware Ohio

A discussion was held with the applicant over his agreement to the conditions and recommendations. Mr. Temple discussed with the Commission the possibility of using a valance in the future with the name advertised on it for signage. This is an option only if the two projecting signs are not installed due to the amount of signage present on the property.

Chairman Koch suggested that Mr. Temple mount the pedestrian oriented sign in line with the windows due to the tree placement and to make the pedestrian oriented sign round in shape to distinguish from the lower level business.

Mr. Nicley discussed the staff recommendation of proposed interior signs be limited to three window banks. Ms. Guenther clarified this is a stipulation for the Williams Street elevation for signage. Discussion held on signage for North Sandusky Street elevation.

Vice-Chairman Hatten voiced concern over the increase of requests for projecting signs as second floor businesses are being acquired.

**Motion:** Mr. Nicley moved to approve HPC 2015-0024 for a Certificate of Appropriateness for signage accepting staff recommendations with the following modifications: Condition 6 to state that proposed interior signs shall be limited to four, 4 by 4 window banks on East William Street elevation and one, 4 by 4 window bank on North. Sandusky Street, seconded by Ms. Riviera. Motion approved by a 4-1 (Hatten) vote.

B. Informal Review: A request by St. Mary Catholic Church for an informal review of proposed demolition of the rear vacant garage of 23 South Union Street which is zoned R-6 (Multi-Family Residential) District and located in the Residential Sub-District of the Downtown Historic District Overlay.

Ms. Guenther reviewed the property location and provided site photos of 23 South Union Street. Ms. Guenther provided a history of the property and the construction of the garage. Ms. Guenther provided information on the deterioration status of the garage and concern of public safety due to the close proximity to the school. Vice-Chair Hatten explained that the building is considered a carriage house.

APPLICANT:

Reverend Michael Watson, 82 E. William Street, Delaware Ohio, Pastor of St. Mary Church

Mr. Rick Trippier, 82 E. William Street, Delaware Ohio, Business Manager for St. Mary Church

Reverend Watson explained to the Commission that the properties were purchased in August 2014, with the intention to provide additional parking and green space for the school.

There was no opposition from the Commission over the proposed demolition of the carriage house.

ITEM 4. COMMISSION MEMBER COMMENTS AND DISCUSSION

Vice-Chairman Hatten discussed the concern of LED lighting use as it provides a variance in color and brightness and feels the Commission needs to determine a standard to control this technology.

Chairman Koch recommended that the Commission research into what other communities have done to monitor and set standards for LED technology and to also identify shortcomings in the architectural standards that have been set.

ITEM 5. ELECTION OF OFFICERS

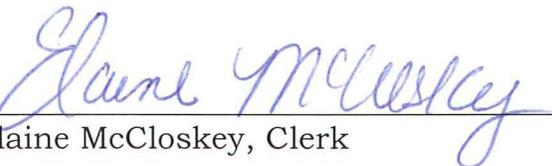
**Motion:** Vice-Chairman Hatten moved to table the election of officers, seconded by Mr. Nicley. Motion approved by a 5-0 vote.

ITEM 6. NEXT REGULAR MEETING: February 25, 2015

ITEM 7. ADJOURNMENT

**Motion:** Vice-Chairman Hatten moved to adjourn the meeting, seconded by Ms. Riviera. The Historic Preservation Commission meeting adjourned at 8:23 p.m.

  
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Roger Koch, Chairman

  
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Elaine McCloskey, Clerk

**CITY OF DELAWARE  
SHADE TREE COMMISSION  
MOTION SUMMARY**

JANUARY 27, 2015

Staff in attendance included Arborist Doug Richmond and Customer Service Liaison Linda Mathews.

Meeting called to order at 7:00 p.m. by Chairman Dave Carey.

1. ROLL CALL

At roll call members present included Chairman Carey, Michaela Dean, Joe DiGenova, Amanda Mowry, Paul Olen, Tom Wolber and Vice-Chairwoman Wright.

Absent members included Jim Buck, he had advised that would not be present, and Brenda Hendricks.

Vice-Chairwoman Wright moved to excuse Mr. Buck and Ms. Hendricks. Mr. Olen seconded the motion and both members were excused by a 7-0 vote.

2. APPROVAL of the Motion Summary for the meeting held November 25, 2014 as recorded and transcribed.

Mr. Wolber requested a correction on page three of the Motion Summary to correctly reflect his comments regarding the Ohio Wesleyan University Tree Campus USA status. The word "submitting" will be modified to "considering" in paragraph six on page three.

Vice-Chairman Wright moved to approve the amended motion summary. Motion seconded by Councilman DiGenova and approved by a 7-0 vote.

3. PUBLIC COMMENTS

There were no public comments presented.

4. DISCUSSION of Arbor Day Activities

Vice-Chairwoman Wright opened the discussion noting that Arbor Day will be Friday, April 24<sup>th</sup> this year. Last year the Shade Tree Commission conducted a tree planting ceremony and participated in the First Friday event in May. These are possibilities that can be undertaken this year as well.

Mr. Olen commented that he felt things went well in 2014 and Chairman Carey concurred.

Following additional discussion it was decided that participation at the May First Friday event would be undertaken. A tree planting in the downtown area will be explored in conjunction with the First Friday event. More discussion will be conducted moving forward to determine what all will be included in the First Friday booth.

#### 5. DISCUSSION of Annual Shade Tree Commission Report

Vice-Chairwoman Wright opened this discussion indicating that the Annual Report is given to City Council in April. She will prepare the report for the commission to review at the February meeting, but would like input on the 2014 highlights so they can be incorporated.

Members listed several items-Watershed Festival participation, revised MOU with American Electric Power, Tree Stewardship program and City Council support to plant 500 plus trees, as some of the highlights.

#### 6. ARBORIST REPORT

Arborist Richmond reviewed the report that was included in the agenda packet.

Mr. Richmond noted that a better survival rate for newly planted trees is being observed over the last fall planting-approximately three trees were lost.

Mr. Richmond updated the commission on the plans for tree replacements due to the new construction at Buehler's.

#### 7. STAFF COMMENTS

Customer Service Liaison Linda Mathews highlighted the Customer Service Requests that had been received in December 2014. This type of report will be included in the agenda packet monthly moving forward.

#### 8. MEMBER COMMENTS

Mr. Olen advised that he would be attending an upcoming meeting regarding the 2015 Watershed Festival and would assist the Shade Tree Commission with their display at the event. Following commission discussion, Chairman Carey appointed Mr. Olen as the Shade Tree Commission's Liaison with the Watershed Festival.

Chairman Carey noted that the election of officers will occur at the February meeting with the appointment of members to positions with terms expiring at the end of January.

Councilman DiGenova updated the commission on notices that he had received from American electric Power in conjunction with tree pruning being completed in his Ward. He received no constituent concerns regarding this activity.

Councilman DiGenova noted that this will be his last year serving on the Shade Tree Commission.

Ms. Dean will be working with school representatives to identify a replacement for the student position upon her graduation this year.

Ms. Dean requested that the Tree Stewardship Program be included as a topic on the February agenda.

Mr. Wolber discussed an email he had received from ODNR inquiring if the City of Delaware would be interested in hosting a 2017 Tree City USA event. Additional information will need to be obtained so that more discussion can occur before a decision is determined on the matter.

## 9. PLAN REVIEWS

### A. Delaware Hayes High School-Phase 2

Arborist Richmond outlined the plans for this location. It was approved as submitted.

### B. Carlisle and Dempsey Schools

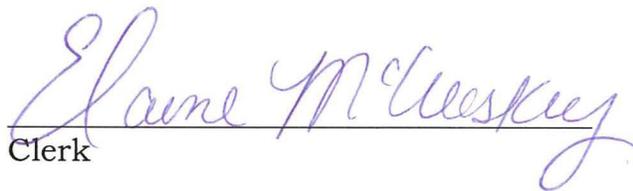
There was discussion on the tree loss at Carlisle as a result of construction and the designation at Dempsey for a Tree Save area to accommodate for the loss. Ms. Mathews will obtain additional information from the Planning Department on this topic and email to commission members.

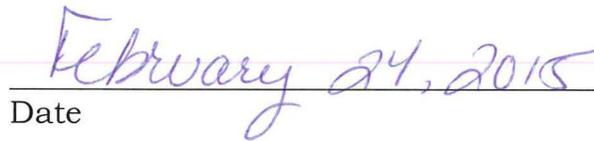
With regard to the Dempsey plans-there are no right-of-way trees that will be affected. A tree species change was noted on the plans and approved with this suggested change.

10. ADJOURNMENT

Vice-Chairwoman Wright moved to adjourn, seconded by Ms. Dean and meeting was adjourned at 8:25 p.m.

  
Chairman

  
Clerk

  
Date

**PARKS AND RECREATION ADVISORY BOARD**  
**November 18, 2014**  
**MOTION SUMMARY**

ITEM 1. Roll Call

Chairman Shannon called the meeting to order at 7:01 p.m.

Members Present: Matt Polites, Kathy Shelton, Julie German, Gretchen Bowling, Vice Chairwoman Jennifer Davis and Chairman Shannon

Members Absent: Linda Mathews, Nicole Lamar-Nelson, and Councilmember Chris Jones

City Staff Present: Stacy Davenport, Parks Superintendent and Dan Whited, Public Service Group Director

YMCA Staff Present: Matthew Bruns, Executive Director

**MOTION TO EXCUSE**

**Motion:** Mr. Polites moved to excuse, Ms. Lamar-Nelson, Ms. Mathews, and Councilmember Jones, seconded by Vice-Chairwoman Davis. Motion approved by a 6-0 vote.

ITEM 2. APPROVAL of the Motion Summary for the meeting held November 19, 2014 as recorded and transcribed.

**Motion:** Mr. Polites moved to approve the Motion Summary for the meeting held August 19, 2014, seconded by Ms. Shelton. Motion approved by a 6-0 vote.

ITEM 3. PUBLIC COMMENTS

ITEM 4. DISCUSSION of YMCA Recreation Management Agreement

Mr. Bruns reviewed the discussions for the past year with Assistant City Manager, Jackie Walker regarding revisions to the agreement including a three year agreement. Mr. Bruns discussed some potential changes to YMCA Recreational services, such as, adding the Jack Florence Pool membership fee into their YMCA membership. Mr. Bruns provided information on the use of soccer fields at Veteran's Park and the progress of the Youth and Government Program.

ITEM 5. UPDATE of YMCA Recreation Services

Mr. Bruns provided an update on the Pumpkin Run held October 25, 2014. Mr. Bruns explained that flag football is still in session and basketball has begun. The Board was also informed that the YMCA will be offering a soccer recreational program in the spring. Mr. Bruns informed the Board that they had fifty riders for the second Livestrong event.

ITEM 6. UPDATE of Parks Improvements

Mr. Davenport provided a summary to the Board regarding Mingo Park tennis park rehabilitation project that is to begin in the spring of 2015. Mr. Davenport indicated that the landscaping at Veteran's Park has been completed and that OHM was chosen for the design of the park.

ITEM 7. UPDATES of Capital Improvement and Other Projects

Mr. Whited updated the Board of the Capital Improvement projects and the master plan for the bike trail. Mr. Whited informed the Board that City Council will be provided an update at their budget work sessions.

ITEM 8. DISCUSSION of Board Reorganization

Chairman Shannon recommended that this discussion remain tabled until the Board has replaced the recent open seats.

ITEM 9. STAFF COMMENTS

Mr. Davenport stated that the Christmas lights have been turned on and that the Christmas tree will be installed on November 20, 2014.

Mr. Davenport discussed with the Board of having a designated open and close season for the Hidden Valley Golf Course, with a recommendation of it being closed from November thru February. The Board agreed to have this as an item in future.

ITEM 10. MEMBER COMMENTS

Ms. Bowling informed the Board that cheerleading for basketball will be starting, with games scheduled for Tuesdays throughout the season.

Ms. Shelton clarified the current calendar year for the Hidden Valley Golf Course. Mr. Davenport explained that it is closed during inclement weather only.

Vice-Chairman Davis praised staff for the tennis courts that are located at

Smith Park.

ITEM 10. ADJOURNMENT

**Motion:** Vice-Chairwoman Davis moved to adjourn the Parks and Recreation Advisory Board meeting, seconded by Mr. Polites. The Parks and Recreation Advisory Board meeting was adjourned at 7:48 p.m.



Chairman



Elaine McCloskey, Clerk

**PLANNING COMMISSION**  
**February 4, 2015**  
**MOTION SUMMARY**

ITEM 1. Roll Call

Chairwoman Lisa Keller called the meeting to order at 7:00 p.m.

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

Staff Present: Dave Efland, Planning and Community Development Director and Lance Schultz, Zoning Administrator

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on January 21, 2015, as recorded and transcribed.

**Motion:** Mr. Halter moved to approve the Motion Summary for the January 21, 2015 meeting, seconded by Mrs. Tucker-Buck. Motion passed by a 7-0 vote.

ITEM 3. REGULAR BUSINESS

A. 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 7.86 acres bounded by Sandusky Street, Weiser Avenue and Henry Street.
- (2) 2015-0014: A request by MV Affordable Housing LLC for approval of an Amended Preliminary Development Plan for Delaware Place Phase 2 & 3 zoned R-7 & B-3 (Multi-Family Residential and Community Business District with a Planned Mixed Use Overlay District) at 351 South Sandusky Street on approximately 7.86 acres bounded by Sandusky Street, Weiser Avenue and Henry Street.

Mr. Efland provided a presentation of the location of the property and reviewed the sub-area map. Mr. Efland provided a summary of the proposed amended preliminary plan and reviewed the different building elevations. Mr. Efland clarified the plan for senior residential living on the second level, with commercial office space on the lower level. Mr. Efland reviewed the location and access to the parking lot, including traffic patterns and loading zone availability.

APPLICANT:

Ms. Denise Blake, 9349 Waterstone Blvd, Cincinnati, Ohio, Representative of Miller Valentine.

Ms. Blake provided an update on current occupancy rates and current wait list.

**Motion:** Vice-Chairman Simpson moved for approval of 2015-0013, along with all staff recommendations, seconded by Mr. Lemke. Motion approved by a 7-0 vote.

**Motion:** Vice-Chairman Simpson moved for approval of 2015-0014, along with all staff recommendations, seconded by Mr. Lemke. Motion approved by a 7-0 vote.

B. Engineered Materials Systems

- (1) 2015-0025: A request by Sawmill Delaware Investments LLC for approval of a Final Subdivision Plat at 2663 Airport Road (parcel #419-220-02-003-000) on approximately 47.558 acres zoned M-1 PMU (Light Manufacturing with a Planned Mixed Used Overlay District).
- (2) 2015-0026: A request by Sawmill Delaware Investments LLC for approval of a Final Development Plan for Engineering Materials Systems for a 61,600 square foot building with a potential 40,000 square foot addition in Phase 2 located on proposed Innovation Court on approximately 8.898 acres zoned M-1 PMU (Light Manufacturing with a Planned Mixed Use Overlay District).

Mr. Schultz provided a presentation which included the location map, zoning map and aerial photographs. Mr. Schultz reviewed the final subdivision plat. Mr. Schultz informed the Commission that access to the site depends on the construction of Sawmill Parkway, and he reviewed the alternate access route until construction of Sawmill Parkway begins. Mr. Schultz also reviewed the tree removal and replacement plan, as well as, the landscaping plans, lighting plans, signage and building design.

**Motion:** Mrs. Tucker-Buck moved to approve 2015-0025, along with all staff recommendations, seconded by Mr. Halter. Motion approved by a 7-0 vote.

**Motion:** Mrs. Tucker-Buck moved to approve 2015-0026, along with all staff recommendations, seconded by Mr. Halter. Motion approved by a 7-0 vote.

C. 2015-0034: A request by Delaware City Schools for approval of a Combined Preliminary and Final Development Plan for a Building Expansion and Parking Lot Conversion for Delaware Hayes High School on approximately 29.42 acres zoned R-3 (One-Family Residential District) and located at 289

Euclid Avenue.

Mr. Schultz reviewed the proposed site plans, including landscaping plans, lighting plans, and staff recommendations. Mr. Schultz informed the Commission that Delaware City Schools will come before the Board and Zoning Appeals Board on February 11, 2015 to request a variance.

APPLICANT:

Mr. Larry Davis, 149 Westwood Avenue, Delaware, Ohio, Representative for Delaware City Schools.

Mr. Davis reviewed the security plans for the building and the plans to reorganize the classrooms for the academic building expansion project. Mr. Davis discussed with the Commission enrollment projections for the year 2020.

**Motion:** Mr. Lemke moved to approve 2015-0034, along with all staff recommendations, seconded by Mr. Halter. Motion approved by a 7-0 vote.

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland provided an update on the joint City Council and Delaware City School Board meeting held February 2, 2015. Mr. Efland discussed the upcoming land annexation to be presented to Council at the February 8, 2015 meeting. Mr. Efland provided an update on the street lights for the Houk Road Bike Path.

Mr. Schultz discussed potential upcoming projects.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

Mr. Prall informed the Commission that he will be unable to attend the June 3, 2015 meeting.

Mrs. Tucker-Buck requested information on the Kensington Place improvements. Mr. Efland provided information on the recent construction plans for Ryan Homes in this location.

ITEM 6. NEXT REGULAR MEETING: March 4, 2015

ITEM 7. ADJOURNMENT:

**Motion:** Chairman Keller moved for the February 4, 2015 Planning Commission meeting to adjourn. The meeting adjourned at 8:11 p.m.

*Lisa M Keller*

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Chairman Lisa Keller

*Elaine McCloskey*

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Elaine McCloskey, Clerk

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: CONSENT ITEM E**

**DATE: 03/09/15**

**PUBLIC HEARING: NO**

**READING: FIRST**

**ORDINANCE NO.:**

**RESOLUTION NO.: 15-14**

**DESCRIPTION:** A RESOLUTION ACCEPTING THE RECOMENDATIONS OF THE DELAWARE CITY TAX INCENTIVE REVIEW COUNCIL (TIRC) ON THE STATUS OF THE 2014 COMMUNITY REINVESTMENT AREA (CRA), ENTERPRISE ZONE (EZ) AND TAX INCREMENT FINANCING (TIF) PROGRAMS.

**DEPARTMENT AFFECTED:**  
**Economic Development**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**  
**N/A**

**FUND SOURCES:**  
**N/A**

**BUDGETED:**  
**NO**

**RECOMMENDATIONS**

**COMMITTEE:**  
**Tax Incentive Review Council**

**RECOMMENDATION:**  
**Approval**

**VOTE:**

**MEETING DATE: 2/19/2015**

**STAFF RECOMMENDATION:**  
**Approval**

**PRESENTER: Sean Hughes, Economic Development Director**

**SUMMARY OF ITEM:**

In order to maintain and continue commercial and residential tax exemptions/abatements (Enterprise Zone, Community Reinvestment Area and Tax Increment Financing Agreements), authorized per the Ohio Revised Code and City Resolutions and Ordinances, the City of Delaware legislative authority must appoint a Tax Incentive Review Council (TIRC). The TIRC annually reviews and makes recommendations to City Council to Continue, Modify or Terminate each tax abatement agreement. City Council's decisions to accept or change the TIRC's recommendations are annually reported to the Ohio Department of Development no later than March 31. (For a summary of the TIRC's actions, please see the attached minutes)

**ATTACHMENTS:**

2015 TIRC Minutes

2014 CRA and EZ Abatements Status Report Summary Spreadsheet

2014 TIFs Status Report Summary Spreadsheet

2014 Residential CRA Abatements Status Report Summary Spreadsheet

**COUNCIL NOTES:**

RESOLUTION NO. 15-14

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE DELAWARE CITY TAX INCENTIVE REVIEW COUNCIL (TIRC) ON THE STATUS OF THE 2014 COMMUNITY REINVESTMENT AREA (CRA), ENTERPRISE ZONE (EZ), AND TAX INCREMENT FINANCING (TIF) PROGRAMS.

WHEREAS, the purpose of the Delaware City CRA, EZ and TIF Programs is to provide the community with an effective tool for managing and guiding economic development by enhancing the tax base, by encouraging and sustaining long term investment in the community, by enhancing the quality of life, and by preserving existing and attracting new business investment within said Programs; and

WHEREAS, the duly appointed Delaware City Tax Incentive Review Council (TIRC) met on February 19, 2015, and reviewed the status of each active agreement and made certain recommendations concerning action to either continue, modify, terminate or expire said agreements; and

WHEREAS, the City of Delaware is required, under Ohio Revised Code Sections 3735.69 and 5709.68 to submit an annual report regarding the status of each Agreement by March 31, to the Director of the Ohio Development Services Agency.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Delaware as follows:

SECTION 1: That the review and recommendations made by the TIRC in the Meeting Minutes on this Resolution's Fact Sheet and the Fact Sheet Attachments "Program Year 2014 Summary Report" and the "2014 CRA Residential Status Report" be accepted and that these reports, and all other information required by the State of Ohio be accepted by the Council of the City of Delaware and be forwarded to the Director of the Ohio Development Services Agency, and all other appropriate entities, as noted in ORC Sections 3735.69 and 5709.68

SECTION 2: That this Resolution shall take effect and be in force immediately after its passage.

PASSED: \_\_\_\_\_, 2015

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CRA & EZ Tax Abatement Reporting

Business. Life. Success.



Descriptor	Company	Address	Total Payroll Goal	Retained Payroll Goal	New Payroll Goal	Current Retained Payroll	Current New Payroll	Current Total Payroll	Payroll Achieve	FTE Goal	Retained FTE Goal	New FTE Goal	Current Total FTE	Current Retained FTE	Current New FTE	FTE Achieve	Approx. Expire Date (tax year)	Yrs.	Abatement %	notes	NOTES / response received	Consent / Consideration	Parcel #	Taxes Paid in 2014	Total Taxes During Abatement Paid thru Last Report	Total Taxes Paid thru 12/31/14	Abatement Parcel #	Taxes Foregone in 2014	Total Taxes Foregone thru Last report	Total Taxes Foregone thru 12/31/14	Primary Contact	e-mail	phone	
CRA 03-001	Harry Frank/Son of Thurman	587 N Sandusky	\$275,000	\$0	\$275,000	\$0	\$558,000.00	\$558,000.00	203%	13	0	13	29	0	29	223%	12/31/15	10	100		Received information from Chris Duval on 2/13/2015	Consent	51943225027000	\$5,261.42	\$45,377	\$50,638	51943225027877	\$20,662	\$20,662		Chris Duval	cdval@columbus.rr.com	(740) 417-9614	
CRA 03-002	ToolMatics	144 Johnson	\$375,000	\$250,000	\$375,000				0%	16	13	3	16	13	3	100%	12/31/18	15	100	Starting in 2014, five year extension to retain 13 employees and add 3 new.	Received information from Albert Valiko on 2/2/2015	Consent	41921001006002	\$2,460.00	\$13,698	\$16,158	41921001006872	\$12,000.00	\$103,861	\$115,861	Albert Valiko, President	avaliko@toolmatics.com		
CRA 04-001	Tri-Men - Amanda Plumbing	39 E William	\$280,000	\$200,000	\$80,000	\$200,000	\$80,000	\$280,000	100%	8	6	2	11	6	5	138%	12/31/14	10	100		Received information from Amanda Hines 2/11/2015	Consent	51943109029000	\$1,940.22	\$15,488	\$17,428	51943109029877	\$846	\$9,088	\$9,934	Doug Hines	dplumbing@amandaplumbing.com	740.369.5161	
CRA 04-002	Howald Industrial	320 London	\$100,000	\$0	\$100,000				0%	6	0	6				0%	12/31/16	10	100		Received information from John Howald	Consent	51934418007000	\$317,716	\$317,716	51934418007877	\$90,593	\$90,593		John M. Howald, President	jhowald@howaldperies.com	740.363.7373		
CRA 04-003	Tone Holding / Creative Foundation	57 N Sandusky	\$200,000	\$0	\$200,000		\$2,700,000		1350%	4	0	4	180	0	180	4500%	12/31/14	10	100		Received information from Joe Diamond 2/10/2015	Consent	51943224027000	\$4,394.74	\$38,886	\$43,281	51943224027877	\$2,755	\$16,715	\$19,470	Joe Diamond	cjdiamond@columbus.rr.com	740.369.6258	
CRA 04-004	Symmetry One	2097 London	\$450,000	\$0	\$450,000	\$0	\$450,000	\$450,000	100%	15	0	15	27	0	27	180%	12/31/19	15	100		Received information from John Lewis 2/11/2015	Consent		\$5,354.40	\$42,843	\$48,197		\$69,071	\$420,742	\$489,813	John Lewis	JLewis195	740.815.0454	
CRA 04-004A	unit - A																								\$0		\$0							
CRA 04-004B	unit - B																									\$0		\$0						
CRA 04-004C	unit - C																									\$0		\$0						
CRA 04-004D	unit - D																									\$0		\$0						
CRA 04-004E	unit - E																									\$0		\$0						
CRA 04-004F	unit - F																									\$0		\$0						
CRA 04-004G	unit - G																									\$0		\$0						
CRA 04-004H	unit - H																									\$0		\$0						
CRA 04-004I	unit - I																									\$0		\$0						
CRA 04-004J	unit - J																									\$0		\$0						
CRA 04-004K	unit - K																									\$0		\$0						
CRA 04-004L	unit - L																									\$0		\$0						
CRA 04-005	Sandusky St LLC / Steve Martin	51 N Sandusky	\$35,000	\$0	\$35,000	\$92,000	\$467,000	\$559,000	1597%	2	0	2	7	2	5	350%	12/31/14	10	100		Received information from Steve Martin 2/5/2015	Consent	51943224024000	\$12,252.00	\$12,101	\$24,353	51943224024850	\$8,936	\$8,859	\$17,795	Steve D. Martin, Esq.	smartin@mmpdlaw.com	740.363.1313	
CRA 04-006	Tone Holding / Old Bag	66 N Sandusky	\$400,000	\$0	\$400,000	\$0	\$0	\$472,587	118%	32.5	0	32.5	92	0	92	283%	12/31/14	10	100		Received information from Joe Diamond 2/10/2014	Consent	51943108011000	\$4,125.70	\$35,994	\$40,120	51943108011877	\$9,584	\$58,140	\$67,724	Joe Diamond	cjdiamond@columbus.rr.com	740.369.6258	
CRA 06-001	V&P Hydraulics	1700 Pittsburgh	\$2,300,000	\$0	\$2,300,000	\$1,980,000	\$2,300,000	\$3,297,426	143%	65	0	65	81	0	81	125%	12/31/22	15	50		Received information from Judd Scott 1/30/15.	Consent	41922001006003	\$30,611.88	\$110,232	\$128,114	41922001006873	\$24,462	\$86,752	\$111,214	Judd Scott	j.scott@vphyd.com	740.203.3607	
CRA 06-002	Sky Climber	1800 Pittsburgh	\$2,000,000	\$0	\$2,000,000	\$0	\$2,846,022	\$2,846,022	142%	45	0	45	48	0	48	107%	12/31/22	15	50		Received information from Bob Archer 2/2/2015	Consent	41922001006002	\$30,390.00	\$153,157	\$183,547	41922001006872	\$23,480	\$110,233	\$133,713	Bob Archer	barcher@skyclimber.com	7410.203.3964	
CRA 06-003	Associated Hygienic Products	2332 US 42 S	\$7,480,879	\$7,480,879	\$7,480,879	\$0	\$11,519,340		154%	201	0	201	221	0	221	110%	12/31/22	15	75		Received information from Steve Burns 2/1/2015	Consent	41922002001000	\$109,822.00	\$720,160	\$829,982	41922002001871	\$329,466	\$1,317,808	\$1,647,274	Steve Burns	stevenburns@domar.com	740.368.7880 x7163	
CRA 07-001	NABI Parts Division	2338 US 42 S	\$2,000,000	\$0	\$2,000,000	\$2,000,000	\$2,299,407	\$4,399,407	220%	45	0	45	74	45	34	164%	12/31/23	15	50		Received information from Paul Alexander 2/12/2015	Consent	41922002001001	\$109,316.30	\$322,807	\$432,123	41922002001877	\$87,737	\$326,319	\$414,056	Paul Alexander	paul.alexander@nabusa.com	740.368.7936	
CRA 10-001	American Freight	680 Sunbury	\$2,120,000	\$1,870,000	\$250,000	\$1,800,000	\$250,000	\$2,050,000	97%	35	30	5	49	30	19	140%	12/31/21	10	50		Received information from Karen Davis 2/12/2015	Consent	51944403010000	\$21,840.68	\$61,964	\$83,805	51944403010877	\$5,616	\$10,739	\$16,355	Carol Norz. CFO	cnorz@americanfreight.us	740.363.2222 ext 105	
CRA 10-002	Henkel	421 London	\$2,750,000	\$2,400,000	\$350,000	\$2,400,000	\$350,000	\$2,750,000	100%	47	42	5	47	42	5	100%	12/31/21	10	40		Received information from Azhar Zuberi 2/12/2015	Consent	41921105009000 41921105002900	\$46,656.78	\$154,219	\$200,876	41921105009877 419211050029877	\$21,032	\$21,032	\$42,064	Robert Haugh	robert.haugh@us.henkel.com	740.363.1351 x3019	
CRA 11-001	Optimum Plastics Engineered Material Systems (132 Johnson)	1188 S Houk	\$3,000,000	\$2,800,000	\$200,000	\$2,800,000	\$200,000	\$3,000,000	100%	63	55	8	70	55	15	111%	12/31/22	10	100		Received information from Jon Bates 2/12/2015	Consent	41922001017005	\$11,239.83	\$23,303	\$34,543		\$11,240	\$0	\$11,240	Jon Bates	jbates@optimumplastics.com	740.369.2770	
EZ 05-01		132 Johnson	\$1,125,000	\$875,000	\$250,000						23	15	8			0%	12/31/15	10		100% on personal property														
EZ 05-02	Innopak, Inc.	1932 Pittsburgh	\$1,300,000	\$1,100,000	\$200,000	\$1,100,000	\$908,788	\$2,452,502	223%	12	7	5	23	7	16	192%	12/31/16	10		100% on real and personal property	Received information from Dianne DeWald 2/12/2015	Consent	41922001006001	\$5,254.00	\$33,225	\$38,479	41922001006877	\$49,432	\$215,798	\$265,230	Todd or Jon Sill	todd@innopak.com	740.363.0900 x200 or x201	
<b>TOTALS</b>			<b>\$24,890,879</b>							<b>621</b>																								
			<b>Total Payroll Goal</b>							<b>Current Payroll</b>			<b>Current FTE</b>			<b>FTE Achieve</b>								<b>Taxes Paid in 2013</b>	<b>Total Taxes During Abatement Paid thru last report</b>	<b>Total Taxes Paid thru 12/31/13</b>		<b>Taxes Foregone in 2015</b>	<b>Total Taxes Foregone thru Last report</b>	<b>Total Taxes Foregone thru 12/31/14</b>				

\*Sent to AZ-- getting info from Azhar Zuberi

Sent Jon info via email; followed up 2-12

Motion:  
Second:  
Vote:

Considerations  
Motion:  
Second:

# 2015 Tax Incentive Review Council

## TAX INCREMENT FINANCE DISTRICT REPORTING

City of Delaware TIF zones				
Area	Total Amt. Disbursed	Amt. to City	Expires	Notes
Airport #527 - Jet Stream, Airspace	\$25,670.53	\$25,670.53	2027	
#565 - Braumiller Subdivision	\$97,268.27	\$97,268.27	2036	from prior: \$26364.00
#562 - Cheshire North	\$125,271.33	\$125,271.33	2036	from prior: \$53382.32
#563 - Cheshire South	\$19,457.49	\$19,457.49	2036	
#564 - Cheshire West	\$107,048.06	\$107,048.06	2036	from prior: 19326.52
#566 - Evans Residential	\$0.00	\$0.00	2036	None collected
#776 Southeast Commercial	\$0.00	\$0.00	2037	None collected
#945 Skyclimber & V&P Hydraulics	\$48,376.32	\$0.00	2037	
#1088 - Zaremba - Mill Run	\$146,262.32	\$0.00	2039	
<b>Total</b>	<b>\$569,354.32</b>	<b>\$374,715.68</b>		
<b>Motion:</b>				
<b>Second by:</b>				
<b>Vote:</b>				



# 2015 Tax Incentive Review Council Tax year 2014 - Abated Businesses



Descriptor	Company	Address		Primary Contact	Email	Phone
CRA 02-011	Optimum Plastics	1188	S Houk	Jon Bates	jbates@optimumplastics.com	740.369.2770
CRA 03-001	Harry Frank / Generations	5&7	N Sandusky	Chris Devol	<a href="mailto:cdevol@columbus.rr.com">cdevol@columbus.rr.com</a>	(740) 417-9614
CRA 03-002	Toolmatics	144	Johnson	Albert Valko, President	<a href="mailto:avalko@toolmatics.com">avalko@toolmatics.com</a>	740.368.8665
CRA 04-001	Tri-Men - Amanda Plumbing	39	E William	Doug Hines	<a href="mailto:plumbing@amandaplumbing.com">plumbing@amandaplumbing.com</a>	740.369.5161
CRA 04-002	Howald Industrial	320	London	John M. Howald, President	<a href="mailto:jhowald@howaldproperties.com">jhowald@howaldproperties.com</a>	740.363.7373
CRA 04-003	Tone Holding / Creative Foundation	57	N Sandusky	Joe Diamond	<a href="mailto:cjdiamond@columbus.rr.com">cjdiamond@columbus.rr.com</a>	740.369.6258
CRA 04-004	Symmetry One .	2097	London	John Lewis	<a href="mailto:JLewis195">JLewis195</a>	740.815.0454
CRA 04-005	Sandusky St LLC / Steve Martin	51	N Sandusky	Steve D. Martin, Esq.	<a href="mailto:smartin@mmpdlaw.com">smartin@mmpdlaw.com</a>	740.363.1313
CRA 04-006	Tone Holding / Old Bag	66	N Sandusky	Joe Diamond	<a href="mailto:cjdiamond@columbus.rr.com">cjdiamond@columbus.rr.com</a>	740.369.6258
CRA 06-001	V&P Hydraulics	1700	Pittsburgh	Judd Scott	<a href="mailto:j.scott@vphyd.com">j.scott@vphyd.com</a>	740.203.3607
CRA 06-002	Sky Climber	1800	Pittsburgh	Bob Archer	<a href="mailto:barcher@skyclimber.com">barcher@skyclimber.com</a>	7410.203.3964
CRA 06-003	Associated Hygienic Products	2332	US 42 S	Steve Burns	<a href="mailto:steven.burns@domtar.com">steven.burns@domtar.com</a>	740.368.7880 x7163
CRA 07-001	NABI Parts Division	2338	US 42 S	Paul Alexander	<a href="mailto:paul.alexander@nabiusa.com">paul.alexander@nabiusa.com</a>	740.368.7936
CRA 10-001	American Freight	680	Sunbury	Carol Norz, CFO	<a href="mailto:cnorz@americanfreight.us">cnorz@americanfreight.us</a>	740.363.2222 ext 105
EZ 05-01	Engineered Material Systems (132 Johnson)	132	Johnson	Todd Irion	<a href="mailto:tirion@emsadhesives.com">tirion@emsadhesives.com</a>	740.203.2940
EZ 05-02	Innopak, Inc.	1932	Pittsburgh	Todd or Jon Sill	<a href="mailto:todd@innopak.com">todd@innopak.com</a>	740.363.0090 x200 or x201
CRA 10-002	Henkel	421	London	Robert Haugh	<a href="mailto:robert.haugh@us.henkel.com">robert.haugh@us.henkel.com</a>	740.363.1351 x3019

# CITY OF DELAWARE TAX INCENTIVE REVIEW COUNCIL (TIRC) MINUTES

Thursday, February 19, 2015  
9:00 A.M.  
City Hall- CITY COUNCIL CHAMBERS

## 1. Call to Order

Honorable George Kaitsa called to order the 2015 TIRC at 9:00 AM.

## 2. Roll Call

Members Present: Honorable George Kaitsa, Dean Stelzer, Melissa Lee, Brian Kern (came late), Chris Bell, Carl Johnson and Tom Homan's designee: Jackie Walker.

Staff Present: Sean Hughes, Lindsey Kerr

## 3. Consent Agenda: 2014 CRA/EZ Tax Abatement Reports

Mr. Hughes explained that 15 CRA (Harry Frank/Son of Thurman, ToolMatics, Tri-men Amanda Plumbing, Tone Holding (57 N Sandusky and 66 N Sandusky), Sandusky St. LLC, V&P Hydraulics, Sky Climber, AHP/Domtar, NABI Parts Division, American Freight, Henkel, Optimum Plastics and Inno-pak) were in compliance with their total payroll goals and new and retained full time employee (FTE) goals. Mr. Bell made a motion to recommend compliance to City Council, second by Ms. Lee and approved by a 6-0 vote. Mr. Bell made a motion to recommend continuation of all tax abatements on the consent agenda except four that expired on 12/31/2014 ((Tri-Men Amanda Plumbing, Sandusky St. LLC, Tone Holding (57 N Sandusky and 66 N Sandusky)), second by Ms. Lee and approved by a 6-0 vote. Ms. Lee made a motion to expire Tri-men Amanda Plumbing, Sandusky St. LLC, Tone Holding (57 N Sandusky and 66 N Sandusky), second by Mr. Johnson and approved by a 6-0 vote.

## 4. Consideration Agenda: CRA 04-002 Howald Industrial

Mr. Hughes explained the situation of noncompliance. Mr. Hughes stated that Mr. Howald failed to submit his 2014 report and that his agreement goes through December 31, 2016. Mr. Hughes explained that though Mr. Howald failed to report, that his Industrial Park is completely full and that he is confident that he exceeded his FTE commitment of 6. TIRC members discussed the situation and based on the industrial park being full, indicated that if Mr. Howald submits his 2014 CRA report on or before March 31, 2015, that they will change his status from noncompliant to compliant. Mr.

Stelzer made a motion to recommend noncompliance with the condition to City Council, seconded by Mr. Johnson and approved by a 6-0 vote. Ms. Lee made a motion for continuance of the CRA agreement to City Council, seconded by Mr. Johnson and approved by a 6-0 vote.

**5. Consideration Agenda: EZ 05-01 Engineered Material Systems**

Mr. Hughes explained to TIRC members that Engineered Material Systems (EMS) EZ was on personal property (machinery and equipment). With the CAT tax, this abatement no longer applies. Mr. Hughes recommended expiration of abatement; however, Mr. Kaitsa recommended requesting EMS' report for 2014 and if received on or before March 31, 2015, EMS' status would be changed from noncompliant to compliant. Mr. Bell made a motion to recommend noncompliance due to failure to submit a report but with the above condition, seconded by Ms. Walker and approved by a 6-0 vote. Mr. Bell made a motion to recommend continuance of the EZ agreement, seconded by Ms. Lee and approved by a 6-0 vote.

**6. Tax Increment Finance Districts (TIF)**

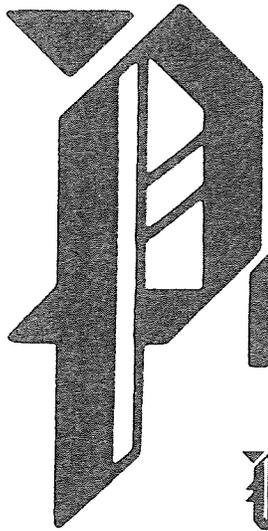
Mr. Hughes reported that 9 active TIF agreements are in compliance by having had their respective payments in lieu of taxes on real property paid, distributed to the City to be deposited in individual project accounts, and, then having funds from those account distributed as respective project related payments. Mr. Kern made a motion to recommend compliance, seconded by Ms. Lee and approved by a 7-0 vote (at this point, Mr. Kern had joined the meeting). Ms. Lee made a motion to recommend continuation of TIF agreements, seconded by Mr. Kern and approved by a 7-0 vote.

**7. Residential CRA Agreements**

Mr. Hughes reported that all 38 Residential CRA agreements are active and in compliance (residential improvements had been made and remaining non-abated taxes were up to date). Mr. Bell made a motion to recommend compliance of all Residential CRA agreements to City Council, second by Mr. Johnson and approved by a 7-0 vote. Mr. Johnson made a motion to recommend continuation of all Residential CRA agreements to City Council, second by Ms. Walker and approved by a 7-0 vote.

**8. Adjournment**

Meeting was adjourned at 9:40 AM.



Office of the Mayor

# Proclamation

**Whereas:**

the City of Delaware has the responsibility

to recognize occasions of outstanding significance; and

WHEREAS, Meals on Wheels America established the national March for Meals campaign in 2002 to raise awareness about the escalating problems of senior hunger and isolation in America; and

WHEREAS, the 2015 observance provides an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness; and

WHEREAS, Meals on Wheels has served the Delaware area admirably for more than 40 years; and

WHEREAS, volunteer drivers for Meals on Wheels programs in the Delaware community are the backbone of the program and not only deliver nutritious meals to homebound seniors and individuals with disabilities, but also caring concern and attention to their welfare; and

WHEREAS, Meals on Wheels deserves recognition for the contributions it has made and will continue to make in our community, our state and our nation.

NOW THEREFORE, I, Carolyn Kay Riggle, Mayor of the City of Delaware, Ohio, do hereby proclaim March 2015 as:

## **MARCH FOR MEALS MONTH**

in the City of Delaware, Ohio, and urge every citizen to take time this month to honor our Meals on Wheels programs, the seniors they serve and the volunteers who care for them.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of Delaware.



\_\_\_\_\_  
Carolyn Kay Riggle, Mayor

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 9**

**DATE: 03/09/15**

**PUBLIC HEARING: NO**

**READING: FIRST**

**ORDINANCE NO.: 15-23**

**RESOLUTION NO.:**

**DESCRIPTION:** AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL BY THE DELAWARE YMCA C/O NEW MOON HALF & QUARTER MARATHON EVENT TO BE HELD ON MAY 30, 2015, COURSE MAP ATTACHED HERETO IN THE CITY OF DELAWARE.

**DEPARTMENT AFFECTED:**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**

**RECOMMENDATION:**

**VOTE:**

**MEETING DATE:**

**STAFF RECOMMENDATION:**  
**approval**

**PRESENTER:**

**Darren Shulman, City Attorney**

**SUMMARY OF ITEM:**

This event is to be held Saturday, May 30, 2015. New this year is a beer garden, to be located on Sandusky Street. A drawing of its location is included. Proceeds from the Celebration Village will support the Delaware YMCA's People Helping People Program. The event organizer has reviewed and agreed to comply with all of the proposed guidelines regarding serving alcohol on City property. "Delaware YMCA c/o New Moon Half and Quarter Marathon" is applying for the state F Permit.

**ATTACHMENTS:**

**Council Requirements**

**Event Application**

**COUNCIL NOTES:**

ORDINANCE NO. 15-23

AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL BY THE DELAWARE YMCA C/O NEW MOON HALF & QUARTER MARATHON EVENT TO BE HELD ON MAY 30, 2015, COURSE MAP ATTACHED HERETO IN THE CITY OF DELAWARE.

WHEREAS, Delaware YMCA c/o New Moon Half & Quarter Marathon has requested permission for the sale and consumption of alcohol for their event to be held Saturday, May 30, 2015, and

WHEREAS, the New Moon Half & Quarter Marathon raises monies for the Delaware YMCA's People Helping People Program, and

WHEREAS, City of Delaware Ordinances may prohibit the consumption of upon city streets, and

WHEREAS, City Council desires to support the efforts of the Delaware YMCA c/o New Moon Half & Quarter Marathon, and

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

SECTION 1. That the provisions of any ordinance or policy of the City of Delaware that would prohibit the sale and consumption of alcohol at the Delaware YMCA c/o New Moon Half & Quarter Marathon event on Saturday, May 30, 2015 between the hours of 6 p.m. and 9 p.m. in the area set forth in attachment hereto, be waived as they may be applied to the New Moon Half & Quarter Marathon event.

SECTION 2. That Delaware YMCA c/o New Moon Half & Quarter Marathon will secure all proper permits from the State of Ohio to allow it to serve alcohol during the event.

SECTION 3. That Delaware YMCA c/o New Moon Half & Quarter Marathon will secure all proper permits and comply with all guidelines from the City of Delaware for the event and closure streets.

SECTION 4. 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.

VOTE ON RULE SUSPENSION:

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

## **New Moon Half and Quarter Marathon 2015**

To serve or consume alcohol at a special event on city property, the following must take place:

1. A Special Events Permit application must be completed and submitted to the Special Events Committee for review at least 90 days prior to the event.  
**Submitted Feb. 4, 2015; Copy and related materials attached. Met with Special Events Committee Feb. 4, 2015, 10 a.m. City Hall.**
2. The organizing entity must be a not-for-profit organization, as defined in Section 501 © of the Internal Revenue Code: **Designated charity: Delaware YMCA People Helping People Program, People in Need.**
3. A written request for the use of alcohol must be submitted to City Council for review at least 90 days prior to the event. City Council's review of the request must include at least two readings. A copy of the written request must be sent to the City Manager's Office. **Written request to the City Manager's Office is attached.**
4. A Special Events Liquor Permit must be obtained from the State of Ohio Liquor Control Department and submitted to the City prior to the day of the event. For permit information, contact the State of Ohio Liquor Control Department at 614-644-3155 or [www.liquorcontrol.ohio.gov](http://www.liquorcontrol.ohio.gov). A copy of the permit will become part of the Special Event application and is a condition of the Special Events Permit. **Copy of the final permit will be included in the application packet.**
5. Proof of Liquor Liability Insurance in the minimum amount of one million dollars (\$1,000,000) on an "occurrence" basis, naming the City of Delaware as an additional insured is required if the sponsoring organization and/or server is in the business of distributing/selling alcohol. A copy of the certificate must be provided to the City Manager's Office at least 30 days prior to event. **Certificate to be included at least 30 days prior to event.**
6. Event organizers must comply with all Ohio laws.
7. The event organizer is responsible for checking the identification of all persons being served alcohol and for ensuring all persons acting as servers are age 21 or older. It is also the volunteer servers' responsibility to make sure that intoxicated persons are not served. **Will meet with event staff on the duties and responsibilities of serving alcohol, including rules and regulations of Ohio liquor laws.**
8. The Delaware Police will identify general security issues to consider and event organizers may be charged special duty rates for police services. The event organizer will receive an estimate for potential scenarios and must have a valid agreement to

pay for police services. **Will have agreement with Delaware Police Dept. to contract for special duty officers.**

9. The event organizer must provide a copy of a currently valid ruling or determination letter recognizing the tax-exempt status of the organization pursuant to the Internal Revenue Code Section 501 (C).

*Under subsection 501 (c) there are 12 other sections that separate the different organizations according to operations. The most common include:*

*c(1) - Any corporation that is organized under an act of Congress that is exempt from federal*

*income tax*

*c(2) - Corporations that hold title of property for exempt organizations*

*c(3) - Corporations, funds or foundations that operate for religious, charitable, scientific,*

*literary or educational purposes*

*c(4) - Non-profit organizations that promote social welfare*

*c(5) - Labor, agricultural or horticultural associations*

*c(6) - Business leagues, chambers of commerce, etc. that are not organized for profit*

*c(7) - Recreational organizations*



## NEW MOON HALF & QUARTER MARATHON MAY 30, 2015 6:00 PM DELAWARE, OH

### **Purpose of the Run and Walk**

The goal is to create a unique evening half and quarter marathon that provides a fun, new way to promote and celebrate healthy living, heart health and the community of Delaware. The event would be a "kick-off to summer fun in Delaware" and showcase key attractions in the City – parks, Ohio Wesleyan University, trails, schools, lively downtown, business and merchants, and the community.

### **Event Summary**

The following summarize key elements of the event:

- Date: **May 30, 2015**
- Set-up time: **3:30 pm** Athlete Check-in: **4:30 pm**
- Participants start time: **6:00 pm** Est. End Time: **9:30 pm**
- Half Marathon (13.1 miles) and quarter marathon (6.55 miles) running and walking event
- Start/Finish: **Downtown Delaware**
- Engage all the Downtown business in the event and post-event celebration to have live outdoor music and festivities in the streets of downtown

### **Other Key Facts**

- Designated Charity: Delaware YMCA People Helping People Program, People in Need
- Parking: Participants will have designated parking area in County and City lots
- Expected 2nd year participants: 1,000; estimated spectators: 2,000
- Street closure: N. Sandusky St from William to Central

### **Community and Business Involvement**

- Be part of Finish Line or Course Cheer Squads
- Assemble 6-8 employees and create fun themed Aide Station along route
- Get employees involved and participate as a team in the event to showcase company spirit
- Take part in the event as a sponsor of event to create greater awareness of company
- Take part as exhibitor in Celebration Village (post-event area)
- Develop an associate training program to walk or run
- Other ideas

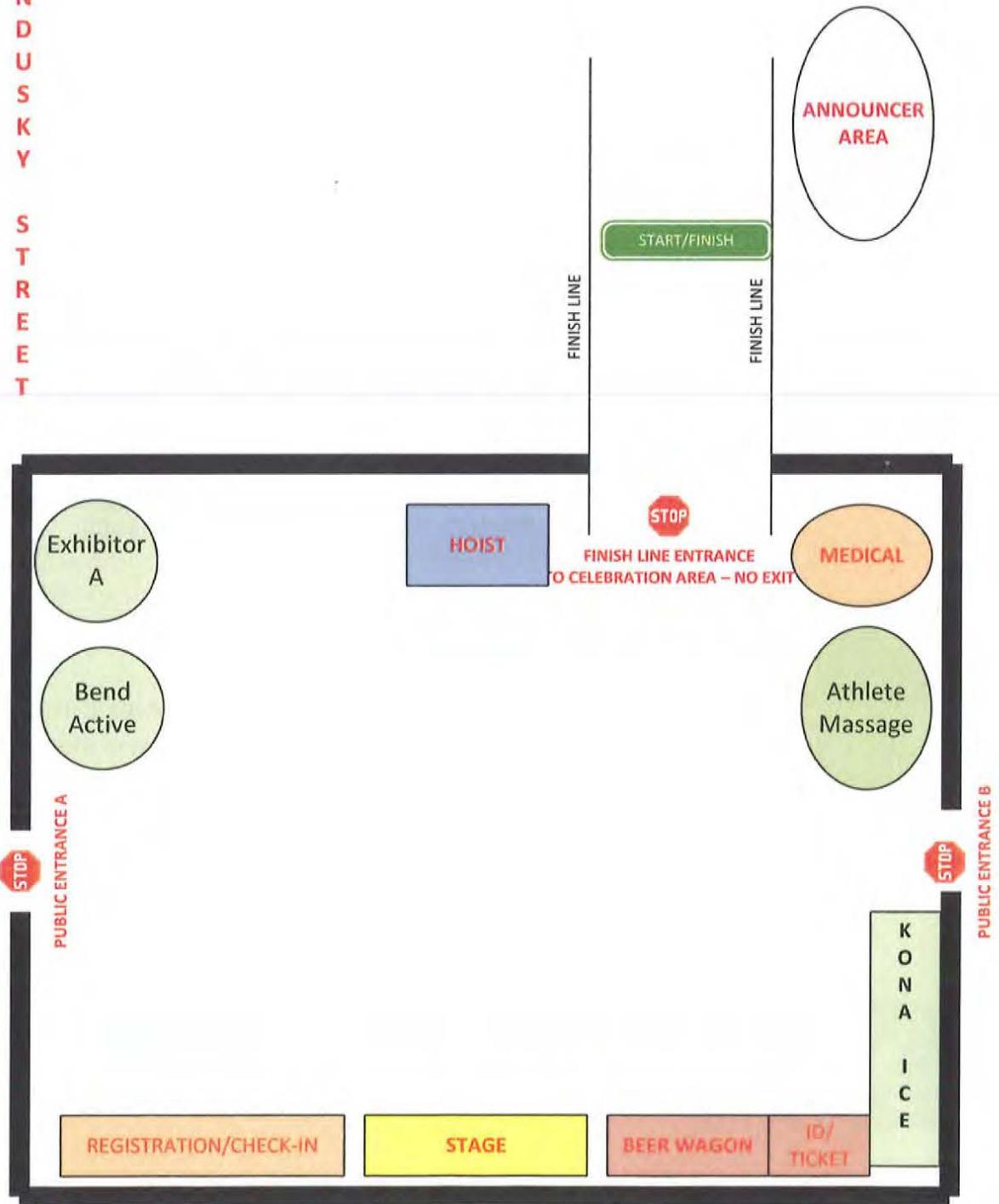
### **Event Organizer**

Craig Thompson, Greenswell  
Phone: 614.425.1156  
Email: [craigthompson@greenswell.com](mailto:craigthompson@greenswell.com)  
Web: [www.greenswell.com](http://www.greenswell.com)





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WILLIAM STREET



## COURSE ROUTE

START: N. Sandusky St between Williams St (SR 36) and Winter St.

Mile 0-1: North on N. Sandusky St- turn West on Pennsylvania Ave

Mile 1-2: Pennsylvania Ave to Euclid Ave – turn South on Euclid

Mile 2-3: Euclid Ave turn East on W. Lincoln Ave – turn South off W. Lincoln Ave to Liberty St

Mile 3-4: From Liberty, turn West on Oak Hill Ave, turn South on Montrose, East onto Park Ave to S. Sandusky St

Mile 4-5: South on S. Sandusky St to Olentangy Ave – turn East, Olentangy to S. Henry St – turn North

Mile 5-6: North on S. Henry St to Delaware Bike Path

Mile 6-6.55: Delaware Bike Path to E. Winter St – turn West and take Winter to intersection of E. Winter St and N. Sandusky St.

Half Marathon: Turn North at intersection of E. Winter/Sandusky and repeat course. Upon completion of 2<sup>nd</sup> lap at intersection of E. Winter/N. Sandusky – turn South to Finish and Celebration.

Half Marathon Relay: Upon completion of 1<sup>st</sup> lap, hand-off to 2<sup>nd</sup> runner to complete 2<sup>nd</sup> leg of run

Quarter Marathon: 1 lap of 6.55 mile course, head to Finish at intersection of E. Winter St/Sandusky St.

The quarter marathon course will be open for 2 hours and the half course for 3 hours. Walkers must be able to walk at minimum 13:45 min/mile pace.



Event: New Moon Half & Quarter Marathon 2015  
Date of event: May 30, 2015  
Meeting date: February 4, 2015



## Special Event Permit Application

Complete and return to:  
City of Delaware  
City Manager's Office  
1 Sandusky Street  
Delaware, Ohio 43015

740-203-1015  
[lvoakum@delawareohio.net](mailto:lvoakum@delawareohio.net)

*Updated January 2015*

**Special Events:** Application must be received by the City of Delaware 90 days prior to the proposed event with a \$25 application fee, payable to "City of Delaware."

**If permit packet is not received by that time, City staff has the right to refuse to review the event permit.**

**Special Event:**

Name of Event: New Moon Half & Quarter Marathon  
Date and Time of Event: Saturday, May 30, 2015  
Location of Event: Downtown Delaware - City of Delaware  
Responsible Organization: Greenswell  
Web site: www.greenswell.com  
Contact's Name: Craig E Thompson

Please note whether the following mailing address is for the  organization or the  contact's residence.

Address: 8917 S. Old State Rd #198  
City/State: Lewis Center, OH Zip: 43035  
Telephone: (b) 614-425-1156 (h) \_\_\_\_\_  
Cell Phone: 614-425-1156  
Email: craigthompson@greenswell.com

Type of Event:  Run/Walk  Parade  Street Festival  Other

If other, please describe: Run/Walk 6.55 miles or 13.1 miles

Brief Event Description – including purpose, target audience and description.

Running and walking event based out of downtown Delaware with a course that runs throughout the city - See course Map

Day/Dates/Times of Event: Saturday, May 30, 2015 6:00 pm - 10:00 pm  
Day/Dates/Time of Set Up: Saturday, May 30, 2015 3:00 pm - 6:00 pm  
Day/Dates/Times of Tear Down: Saturday, May 30, 2015 8:00 pm - 11:00 pm  
Day/Dates/Times of Rain Event: N/A (rain or shine event)

Will you charge admission or participation fees? If so, what? Varies based on distance and when enter (\$40-50)

If applicable, indicate planned street closure or event route and **attach proposed route map or closure plan:**

Route Map attached

Attendance: \_\_\_\_\_ Anticipated Spectators: 250 Anticipated Participants: 1,000

Will the normal operations of residents or businesses be affected by your event?  Yes  No

If yes, please attach a copy of the notification letter being sent to the affected residents/businesses.

\*\*\*Any items left blank can be determined at the event meeting.\*\*\*

**Security and First Aid:**

- Will you hire a private security firm for event security?  Yes  No  
Will you request Delaware Police for event security?  Yes  No  
Will you request Delaware Fire Department provide primary first aid?  Yes  No

**Traffic Control and Parking Resources:**

- Will you request the services of Delaware Police for traffic control?  Yes  No  
Will you request on-street parking removal?  Yes  No  
Will you request that any street(s) be closed?  Yes  No  
If yes, please list street(s), date(s) & time(s): \_\_\_\_\_

*Parking or lane restrictions throughout course*

- Will you require barricades?  Yes  No Quantity: \_\_\_\_\_  
Traffic cones?  Yes  No Quantity: \_\_\_\_\_

**Signage**

- Will this event require temporary No Parking signs?  Yes  No Quantity: \_\_\_\_\_  
Handicapped Parking signs?  Yes  No Quantity: \_\_\_\_\_  
Directional signage?  Yes  No Quantity: \_\_\_\_\_

## Sanitation

Will street trash cans need to be emptied before/after event?

Yes  No

Describe your clean-up plans both during and after the event:

Trash is expected to be minimal but

all trash will be removed by event management

Portable toilets rental company: Wells Septic

Contact: Bruce Wells

Phone: 740-524-5315

After hours phone \_\_\_\_\_

Proposed locations: At PNC Bank and several locations throughout the course

Drop off date/time: Pick up date/time: Saturday, May 30 - same day drop-off and pick-up

## Electric

Will you use electricity?  Yes  No

Generators?  Yes  No

*Outdoor extension cords must be 3-prong UL listed extension cords. Proper grounding required.*

Describe electrical usage:

*All electrical and temporary structure permits must be obtained from the City of Delaware Planning and Community Development Department, 740-203-1600.*

## Equipment

Will you use mobile structures, including tents or inflatables?  Yes  No

Rental company: \_\_\_\_\_

N/A

Phone: \_\_\_\_\_

List tent or inflatable size(s) & location(s) or attach map:

10x10 tents located

*A permit from the City of Delaware Planning and Community Development Department, 740-203-1600, is required for any inflatable or any tent 200 square feet or larger.*

**Entertainment Activities**

Will you have music?  Yes  No

If yes, what type of music/amplification? (e.g., DJ, live band, portable system)

*Amplification system Live Band - TBD*

Time(s) of music: 7:00 pm - 10:00 pm Other: \_\_\_\_\_

**Food & Beverage**

Will food be sold at your event?  Yes  No If yes, describe: \_\_\_\_\_

*A temporary food license must be obtained from the Delaware General Health District if food will be sold for a specified price or specified donation. Food served free of charge or free with the option to donate an unidentified amount, does not require a permit or license.*

*If you do not have a license, please contact the Delaware General Health District, 740-368-1700 to obtain one.*

Will food be served at your event?  Yes  No If yes, what type? Fresh fruit/produce - donated food

**Alcohol: To serve or consume alcohol at a special event on city property, please see Page 6 of the Special Event Guidelines.**

**Facility/Park Rental and Reservation:**

Will you use a City facility/park for your event?  Yes  No

If yes, please list which one: \_\_\_\_\_

Have you reserved the facility/park through Delaware Recreation/YMCA? (740-203-3051 or in person at Mingo Park, 500 East Lincoln Avenue, Delaware)

Yes  No

Please list date/time of facility/park reservation: \_\_\_\_\_



**Consent and Indemnification**

The event sponsor shall secure, pay for and maintain until completion of the event, public liability and property damage insurance as shall protect him and the City, as additional insured, from claims for personal injury and property damage which may arise because of the event. Such insurance policy shall provide coverage in the following amount: Two million dollars (\$2,000,000.00) combined single limit; bodily injury and property damage. This amount is subject to change, depending on the evaluation of potential risk by the City's designated Risk Manager.

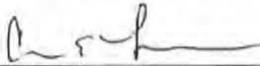
A certificate of insurance naming the City of Delaware as an additional insured acceptable to the City shall be filed with the City at the time the application is approved. This certificate shall contain a provision that coverage afforded under the policies will not be cancelled or reduced until at least fifteen (15) days' prior written notice has been given to the City.

Whether the City's Risk Manager requires insurance coverage or not, the following indemnification provision shall be agreed to:

The sponsor hereby agrees to protect, defend, indemnify and hold harmless from any and all losses, claims, liens, demands and causes of action of every kind and character including, but not limited to, the amounts of judgments, penalties, interests, court costs, legal fees and all other expenses incurred by the City arising in favor of any party, including claims, liens, debts, personal injuries, including employees of the City, death or damages to property (including property of the City) and without limitation by enumeration, all other claims or demands of every character occurring or in any way incident to, in connection with or arising directly or indirectly out of this contract. The sponsor agrees to investigate, handle, respond to, provide defense for and defend any such claim, demand or suit at the sole expense of the sponsor. The sponsor also agrees to bear all other costs and expenses related thereto, even if the claim or claims alleged are groundless, false or fraudulent. This provision is not intended to create any cause of action in favor of any third party against the sponsor or the City or to enlarge in any way the sponsor's liability but is intended solely to provide for indemnification of the City from liability for damages or injuries to third persons or property arising from the sponsor's performance hereunder.

Greenswell LLC

Organization Name



January 8, 2015

Authorized Signature

Date





Please provide the following:

Event Name: New Moon Half & Quarter Marathon  
Event Time, Date: 6:00 PM May 30, 2015  
Event Location: City of Delaware (Downtown)  
Responsible Organization: Greenswell LLC  
Contact's Name: Craig E Thompson  
Address: 8917 S. Old State Rd #198; Lewis Center, OH 43035  
Telephone: 614-425-1156  
Email: craigthompson@greenswell.com

## Special Event Permit

The event organizer has obtained/submitted (✓), the following for the event, or the items are not applicable (NA):

- Tent permit and insurance
- Liability insurance requirement
- Alcohol service and insurance requirements
- Route map
- Neighborhood/business notification letter distributed
- Detailed layout map, including tent locations, vendor sites and logistical needs
- City shelter/facility rental contract

This permit is granted on the express condition that the said event shall in all respects, conform to the ordinances of the City of Delaware, all requirements set forth by the Special Events Committee and all the laws of the State of Ohio, and may be revoked at any time upon violation of any provisions of said laws or requirements.

Public Works needs assessment: \_\_\_\_\_  
\_\_\_\_\_  
Director of Public Works or Designee Date

Risk Management assessment: \_\_\_\_\_  
\_\_\_\_\_  
Risk Manager or Designee Date

Law enforcement needs assessment: \_\_\_\_\_  
\_\_\_\_\_  
Police Chief or Designee Date

Fire/EMS needs assessment: \_\_\_\_\_  
\_\_\_\_\_  
Fire Chief or Designee Date



# ATTENTION NEIGHBORS

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## NEW MOON HALF & QUARTER MARATHON

**THE FOLLOWING STREETS WILL BE UTILIZED FOR A RACE EVENT ON  
THE DATE AND TIME LISTED BELOW.**

- *SR 36/Williams St and N. Sandusky Street*
- *N. Sandusky Street /Winter St intersection to Pennsylvania Ave*
- *Pennsylvania Ave to Euclid Ave*
- *Euclid Ave to W. Lincoln Ave*
- *W. Lincoln Ave to N. Liberty St*
- *N. Liberty St to Oak Hill Ave*
- *Oak Hill Ave to Montrose Ave*
- *Montrose Ave to Park Ave to Williams Dr to Park Ave*
- *Park Ave to S. Sandusky St*
- *S. Sandusky St to Olentangy St*
- *Olentangy St to Henry St*
- *Henry St to Multipurpose Trail – Multipurpose Trail to E. Winter St*

**PLEASE NOTE THAT N. SANDUSKY ST WILL BE CLOSED FROM WILLIAMS STREET  
TO CENTRAL AVE. ALL OTHER STREETS WILL BE OPEN TO TRAFFIC.**

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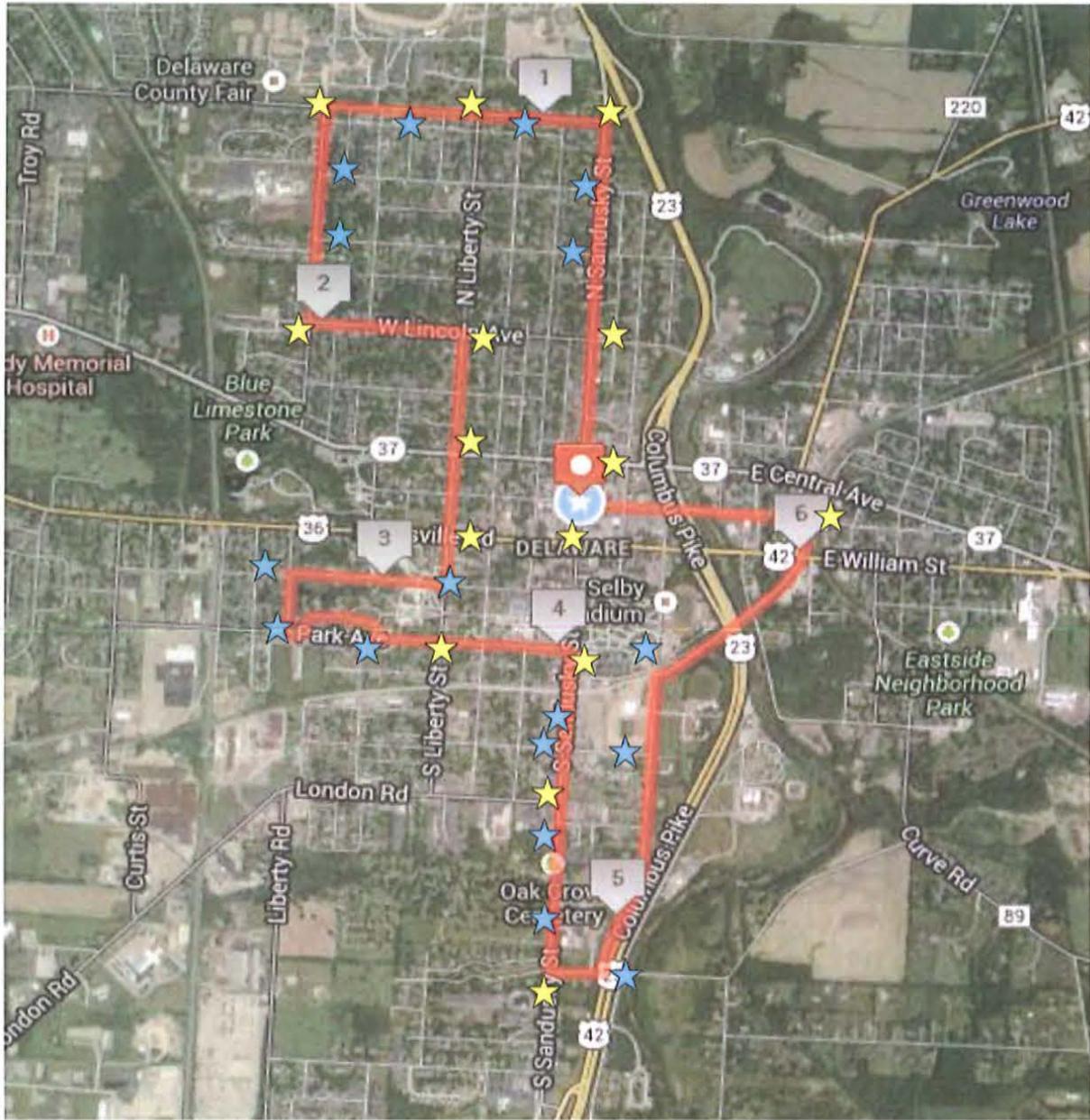
**DATE: SATURDAY, MAY 30, 2014 TIME: 4:00 PM TO 10:00 PM**

**VEHICULAR ACCESS MAY BE LIMITED OR UNAVAILABLE.**

PLEASE CONTACT THE RACE EVENT COORDINATOR FOR QUESTIONS: CRAIG THOMPSON 614.425.1156  
EMAIL: [CRAIGTHOMPSON@GREENSWELL.COM](mailto:CRAIGTHOMPSON@GREENSWELL.COM) WEBSITE: [WWW.GREENSWELL.COM](http://WWW.GREENSWELL.COM)

COPY OF PERMIT AT: **CITY OF DELWARE, CITY MANAGER'S OFFICE, 1 SANDUSKY ST, DELAWARE, OH  
43015**

**DELAWARE QUARTER MARATHON COURSE – 1 LAP (6.55 mi)**  
**DELAWARE HALF MARATHON COURSE – 2 LAPS (13.1 mi)**



★ = Delaware Special Duty

★ = Course Marshal

A Little Simplicity 53 N. Sandusky St. 43015

Names and addresses of property owners affected by street closing	
Event Name:	NEW MOON HALF & QTR MARATHON
Event Date:	6-30-15
Fidelity Federal 60 N. Sandusky St Del OH 43015	
Howard Hanna Realcom Realty 52 N. Sandusky, Del, OH 43015	
Menos, Martin d Program 50 N. Sandusky St. Del. 43015	
Woodmans Clean 46 N Sandusky Del - 43015	
OneMainfinancial 44 N Sandusky St Delaware OH 43015	
Hilborn Insurance 42 N. Sandusky St, Delaware, OH 43015	
PNC Bank 40 N. Sandusky St Delaware, OH 43015	
Delaware Vision Care 34 N. Sandusky St Delaware OH 43015	
Sandusky St. Antiques Sandusky St. 43015	
Delaware Antiques Mall 18 N. Sandusky St 43015	
Hamburgers Inn 16 N. Sandusky St. 43015	
TOUJOURS 8 N. SANDUSKY ST	
The Base Bowl 6 N. Sandusky St Delaware 43015	
Green Door Salon 4 N. Sandusky St. Del. OH.	
Something Sweet Coffee 2 W. Sandusky St Del 43015	
S.O.T. 5 N. SANDUSKY ST. Del. OH 43015	
J. Gumbo's 9 N. SANDUSKY Pull Up ON	
Delaware Realty Co 11 N Sandusky <i>Steph Calm</i>	
Title First Agency <i>Kim [Signature]</i>	
EDWARD JONES, 15 NORTH SANDUSKY <i>Debra Hottel</i>	
DPS 17 N. SANDUSKY <i>Angela [Signature]</i>	
Delaware County Board of Realtors, <i>Chris [Signature]</i> 53 N. Sandusky St, Del., OH 43015	

Additional names, addresses can be attached to a separate sheet of paper

Global Village Collection 27 N. Sandusky St. Delaware, OH 43015  
 Button Up 29 N Sandusky St. Delaware, OH 43015  
 The Hair Studio 33 N Sandusky St. Del. OH 43015  
 [Signature] DCB 41 N Sandusky St  
 [Signature] Jimmy Johns 47 N. Sandusky St.  
 Delaware Diamonds 49 N Sandusky -  
 Chris Marley Allstate 51 N Sandusky

Please provide the following:

Event Name: \_\_\_\_\_  
Event Time, Date: \_\_\_\_\_  
Event Location: \_\_\_\_\_  
Responsible Organization: \_\_\_\_\_  
Contact's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

## Special Event Permit

**The event organizer has obtained/submitted (✓), the following for the event, or the items are not applicable (NA):**

\_\_\_\_\_ Tent permit and insurance  
\_\_\_\_\_ Liability insurance requirement  
\_\_\_\_\_ Alcohol service and insurance requirements  
\_\_\_\_\_ Route map  
\_\_\_\_\_ Neighborhood/business notification letter distributed  
\_\_\_\_\_ Detailed layout map, including tent locations, vendor sites and logistical needs  
\_\_\_\_\_ City shelter/facility rental contract

This permit is granted on the express condition that the said event shall in all respects, conform to the ordinances of the City of Delaware, all requirements set forth by the Special Events Committee and all the laws of the State of Ohio, and may be revoked at any time upon violation of any provisions of said laws or requirements.

Public Works needs assessment: \_\_\_\_\_  
\_\_\_\_\_  
Director of Public Works or Designee Date

Risk Management assessment: \_\_\_\_\_  
\_\_\_\_\_  
Risk Manager or Designee Date

Law enforcement needs assessment: \_\_\_\_\_  
\_\_\_\_\_  
Police Chief or Designee Date

Fire/EMS needs assessment: \_\_\_\_\_  
\_\_\_\_\_  
Fire Chief or Designee Date

Event Name New Moon Half & Quarter Marathon

Event date: 30-May-15

Name AND Address

Warren Hyes Central Ohio Symphony 24 E Winter Del. OH 43015

Jassandra Converse American Family Ins 42 E. Delaware, OH 43015

Tracy Clensen 44 E. Winter Delaware, Ohio 43015

Julia Blair Chase Bank 161 N Sandusky St Del OH 43015

Whitney Alger Chelley Belly 59 N Sandusky St Delaware OH 43015

Rosa Delphrey DSHO 1 W Winter St Delaware OH 43015

Pedro Arenano m i c e r r i t o

1808 American Bistro 29 E Winter ST Austin Aeller *Althe*

Bun's 14 W Winter St Delaware, OH 43015 Madeline Nial

SEC. 2 S. E., 28 N SANDUSKY, DAY DISTRICT

Typhoon Asian Fusion - *Typhoon*

Brian Harpster - *Brian Harpster* Barley Hopsters



OHIO DEPARTMENT OF COMMERCE, DIVISION OF LIQUOR CONTROL  
 6606 TUSSING ROAD  
 REYNOLDSBURG, OHIO 43068-9005  
 Telephone No. (614) 387-7407  
 Fax No. (614) 644-6965  
<http://www.com.ohio.gov/liqr>

# F PERMIT APPLICATION FILING FEE \$40.00

Five-Day Privilege for Special Functions - Valid for the Sale of BEER ONLY, Until 1:00 a.m.

**APPLICATION MUST BE FILED AT LEAST THIRTY (30) DAYS PRIOR TO THE DATE OF FUNCTION**

**§ 4303.20 F permit.** Permit F may be issued to an association of ten or more persons, a labor union, or a charitable organization, or to an employer of ten or more persons sponsoring a function for the employer's employees, to purchase from the holders of A-1 and B-1 permits and to sell beer for a period lasting not to exceed five days. No more than two such permits may be issued to the same applicant in any thirty-day period. The special function for which the permit is issued shall include a social, recreational, benevolent, charitable, fraternal, political, patriotic, or athletic purpose but shall not include any function the proceeds of which are for the profit or gain of any individual. The fee for this permit is forty dollars.

**CAREFULLY READ THE GENERAL INSTRUCTIONS FOR FILING AN F APPLICATION - ON PAGE 5**

<b>TYPE OR PRINT PLAINLY</b>		<b>ALL QUESTIONS MUST BE ANSWERED</b>		
Name of Non-Profit Organization (Exact Name must be uniform on all documents - please do not abbreviate)				
Delaware YMCA c/o New Moon Half & Quarter Marathon				
Street Address (Where Function Will Be Held - BE SPECIFIC & must be uniform on all documents - For Street Closures see Address Addendum -Page 1(A))				
North Sandusky St from William to Winter				
Township (Only if outside city or village limits)	City	State	Zip Code	County:
	Delaware	OHIO	43015	Delaware
Mail and/or Fax Permit and Correspondence To: Name: <b>Craig E Thompson</b>				
Street Address:	City:	State:	Zip Code:	
8917 S. Old State Rd #198	Lewis Center	OH	43035	
Phone #:	Fax #:			
614-425-1156				
Email Address: <b>craigthompson@greenswell.com</b> (Note: This is for notification purpose only - NOT for emailing correspondence)				
Individual responsible for the compliance with Ohio's liquor laws in conjunction with the sale and consumption of alcoholic beverages:		Name: <b>Craig Thompson</b>		Title: <b>Organizer</b>
		Phone #: <b>614.425.1156</b>		
Date and Time Function Will <b>Begin</b> :	Date Function <b>Begins</b> :	Time Function <b>Begins</b> :		
	<u>05/30/15</u> (Month/ Day/ Year)	<u>6:00</u> <input type="checkbox"/> am <input checked="" type="checkbox"/> pm		
Date and Time Function Will <b>End</b> :	Date Function <b>Ends</b> :	Time Function <b>Ends</b> :		
	<u>05/30/15</u> (Month/ Day/ Year)	<u>9:00</u> <input type="checkbox"/> am <input checked="" type="checkbox"/> pm		
Please check what type of organization:				
<input type="checkbox"/> Association of ten or more persons		<input type="checkbox"/> Employer of ten or more persons sponsoring a function for his employees, except for a manufacturer or wholesale distributor of alcoholic beverages (not open to the public)		<input type="checkbox"/> Labor Union
<input checked="" type="checkbox"/> Charitable Organization				
The Division of Liquor Control does not regulate or advise individuals regarding gambling in conjunction with the issuance of an F permit. Any question regarding gambling should be directed to the Ohio Attorney General's Office, Charitable Gaming Section, 150 East Gay Street, 23rd Floor, Columbus, OH 43215 at (614) 466-3181.				

**FOR OFFICE USE ONLY**

Taxing District	Remarks:	Reviewer Action:
Permit Number		
Receipt #		



1. What is the purpose of the event? Raise funds for YMCA People Helping People Program

(NOTE: The proceeds of the function shall not be used for the profit or gain of any individuals).

2. Will 100% of the proceeds, less expenses, from the applicant's sale of alcoholic beverages either be retained by the applicant or distributed by the applicant for non-profit social, recreational, benevolent, charitable, fraternal, political, patriotic or or athletic purposes?  YES  NO

If "NO", please give detailed explanation: \_\_\_\_\_  
\_\_\_\_\_

3. Will any individual or for profit association, corporation, or other legal entity receive any percentage of the proceeds after expenses from the event for which you are requesting the F permit?  YES  NO

If "YES", please explain, identifying share of profit or gain each person/party will receive:  
\_\_\_\_\_

4. Will the members of the applicant organization coordinate and operate the event and conduct the sale of alcoholic beverages?  YES  NO

If "NO", please submit a detailed explanation of the non member involvement and their financial compensation.

5. Give the name and address of the brewer or distributor from whom beer will be purchased.  
Heidelberg Distributing Co  
3801 Parkwest Drive; Columbus, OH 43228

The Division of Liquor Control does not regulate or advise individuals regarding gambling in conjunction with the issuance of an F permit. Any question regarding gambling should be directed to the **Ohio Attorney General's Office, Charitable Gaming Section, 150 East Gay Street, 23rd Floor, Columbus, OH 43215 at (614) 466-3181.**

**THE FOLLOWING MUST BE COMPLETED BY THE APPLICANT(S):**

STATE OF OHIO, \_\_\_\_\_ COUNTY, ss

I/We \_\_\_\_\_ being first duly sworn, according to law, depose and say that the statements and answers made in the foregoing application are true, and say that I/We are at least twenty-one years of age and the statements and answers made in the foregoing application are true. I hereby acknowledge that I/We are required by law to be responsible for any conduct that violates laws pertaining to the sale of alcoholic beverages.

**FALSIFICATION OF ANY OF THE INFORMATION ON THIS APPLICATION CAN RESULT IN THE DIVISION'S REFUSING TO ISSUE THIS PERMIT AND WILL BE PUNISHABLE TO THE FULLEST EXTENT OF THE LAW**

\_\_\_\_\_  
(Signatures of Officer of Association, Lodge or Corporation) (Title) (Print Name)

\_\_\_\_\_  
(Residence Address) (City) (State) (Zip Code) (Telephone Number)

(This portion to be completed by Notary Public)

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public) (Notary Expiration)

\_\_\_\_\_  
(Notary - Please Print Name and Affix Seal/Stamp)

DLC 4115



OHIO DEPARTMENT OF COMMERCE  
DIVISION OF LIQUOR CONTROL  
6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005  
**TENANCY & POLICE NOTIFICATION FORM FOR TEMPORARY PERMIT**

**Section A. (Completed by Applicant): TEMPORARY PERMIT FUNCTION INFORMATION**

The Delaware YMCA c/o New Moon Half & Quarter Marathon  
*(Full Name of Organization [this must be same as what is listed on Application])*

will be conducting an event at the location of N. Sandusky St from William to Winter  
*(Location or Street address where function held [this must be same as what is listed on Application])*

and has applied for an "F" class temporary liquor permit to allow the sale of beer:

beginning May 30, 2015 at 6:00  am  pm  
*(Date Function Begins - Month/Day/Year) (Time Function Begins)*

and ending May 30, 2015 at 9:00  am  pm  
*(Date Function Ends - Month/Day/Year) (Time Function Ends)*

**Section B. (Completed by Property Owner): CONSENT OF REAL PROPERTY OWNER INFORMATION**

If applicant is owner of real property mark box,  and sign below.

I/We, being the owner of the realty located at the address mentioned in Section A. above, do hereby acknowledge notification that the Organization listed above will hold a special function on the dates specified by signing below.

X \_\_\_\_\_  
*(Signed - Real Property Owner) (Print Name of Real Property Owner) (Date)*

\_\_\_\_\_  
*(Street Address of Real Property Owner) (City, State, and Zip Code) (Telephone Number)*

**Section C. (Completed by Chief Peace Officer): NOTICE TO CHIEF PEACE OFFICER (City/Township Police, OR County Sheriff)**

This portion must be signed by the Chief Peace Officer in the municipality or the township where this function will be held indicating that he/she has been notified of the date, time, place and duration of the event. (If the township does not have a Chief Peace Officer, the County Sheriff's Office must be notified accordingly.)

I, being the Chief Peace Officer of the City, Township or County where the function listed above in Section A will be held, acknowledges that I have received notification that the Organization listed above will hold a special function on the dates specified, by signing below.

X \_\_\_\_\_  
*(Signed) (Title) (Check the box that applies) (Date)*

City Police   
Twp Police   
County Sheriff

*(Print Name)*

In signing this form, the Chief Peace Officer is merely acknowledging receipt of notification of the event and not giving their approval or consent of the event on behalf of the political subdivision.



## DIAGRAM OF PERMIT PREMISES FOR TEMPORARY PERMIT

***THIS DOCUMENT MUST BE COMPLETED IN ORDER TO OBTAIN YOUR TEMPORARY PERMIT***

Section 4301.62 ("open container statute") prohibits anyone from possessing an open container of any alcoholic beverage outside of the area defined as permit premises. Whoever violates this statute is guilty of a MISDEMEANOR of the first degree. Any alcoholic beverage must be both sold and consumed within the defined permit premises.

It is required that every applicant for an F or F2 permit submit with the application a **diagram of the premises where alcoholic beverages will be sold and consumed. If the diagram is not included, the application will be returned to the applicant.** The diagram must be submitted in the space provided below or on a separate sheet, **and must be signed by the person who prepared the diagram or the applicant.**

**FOR EVENTS HELD INDOORS:** Diagram must identify the room(s) and/or building in which the alcoholic beverages will be sold and consumed.

**FOR EVENTS HELD ENTIRELY or PARTIALLY OUTDOORS:** Diagram must show shape and measured dimensions of the area to be used. Location of barriers must be shown, and an explanation of the type of barriers given (e.g. chain link fence, snow fence, brick wall, rope, etc.) which will separate permit premises from other areas which are not permit premises.

**DIAGRAM MUST APPEAR IN THE SPACE BELOW**

SEE ATTACHED

Signature of Person who prepared diagram or applicant

## GENERAL INSTRUCTIONS FOR FILING "F" APPLICATIONS

The "F" permit may be issued to any association of ten or more persons, labor union, charitable organization, or to an employer of ten or more persons sponsoring a function for his employees to sell beer only. An "F" permit is effective for not more than five (5) days for the sale of beer only until 1:00 a.m. No more than two (2) "F" permits may be issued to the same applicant in any thirty (30) day period.

The special function for which the permit is issued shall include a social, recreational, benevolent, charitable, fraternal, political, patriotic, or athletic purpose but shall not include any function the proceeds of which are for the profit or gain of any individual.

### APPLICATION WILL NOT BE ACCEPTED WITHOUT THE FOLLOWING REQUIRED DOCUMENTS

1. Forty (\$40.00) dollar filing fee. Make check payable to the Division of Liquor Control. **Please do not mail cash.**
2. Letter of approval from Fair Board if function is to be held on county fairgrounds.
3. Division of Liquor Control Form 4221, Consent of Real Property Owner/Notification of Chief Peace Officer.
4. Copy of diagram of permit premises, (Form DLC 4221) denoting areas where beer will be consumed.
5. If the event is on the premises of a retail permit holder (liquor license holder) you must have the retail permit holder complete Page 6, a notarized affidavit, signed by an officer/owner of the retail permit, stating they will not utilize their permit privileges at the same time and place as the temporary event.
6. If there will be any type of street/alley, or public sidewalk closure, you must submit an acknowledgement from the legislative or local police authority in control authorizing such closure.

### WARNINGS

- Applicant must be at least twenty-one (21) years of age.
- Section 4301.24 of Ohio Revised Code prohibits any manufacturer or wholesale distributor from aiding or assisting any retail permit holder by gift or loan of any money or property of any description or other valuable thing; and it prohibits any retail permit holder from accepting same. **THIS MEANS A WHOLESALE DISTRIBUTOR MAY NOT AID THE PERMIT HOLDER IN ANY WAY, EITHER FINANCIALLY OR BY ADVERTISING THE FUNCTION COVERED BY THIS APPLICATION; AND THE PERMIT HOLDER MAY NOT ACCEPT SUCH ASSISTANCE FROM THE WHOLESALE DISTRIBUTOR.**
- An "F" permit holder must purchase all alcoholic beverages from a wholesale distributor or brewer.
- It is illegal to allow a patron to remove any alcoholic beverage from or to consume it off the premises designated on your permit.
- It is illegal for any person under the age of twenty-one (21) to purchase or consume alcoholic beverages. It is the permit holder's responsibility to obtain proper identification.



Ohio Department of Commerce  
 Division of Liquor Control  
 6606 Tussing Road, Reynoldsburg, Ohio 43068-9005

**AFFIDAVIT AND MEMORANDUM OF AGREEMENT  
 BETWEEN TEMPORARY PERMIT HOLDER & RETAIL PERMIT HOLDER**

(To be completed by Retail Permit Holder)

The State of Ohio, \_\_\_\_\_ County, ss.

I/We \_\_\_\_\_  
*(Name [not DBA Name] Listed on Issued Retail Permit)*

issued retail permit holder # \_\_\_\_\_ being first duly sworn,  
*(Issued Liquor Permit #)*

according to law, depose and say that I/We agree to not utilize our permit privileges at the same time and place where the temporary permit organization function listed on page 1 of this application will be held,

From: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ To: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
*MONTH DAY YEAR MONTH DAY YEAR*

\_\_\_\_\_  
*(Signature of Officer, Shareholder or LLC Member of Issued Permit on Record with the Division of Liquor Control)* \_\_\_\_\_  
*(Title)*

\_\_\_\_\_  
*(Print Name of Officer, Shareholder of LLC Member of Issued Permit)* \_\_\_\_\_  
*(Day Time Telephone Number)*

\_\_\_\_\_  
*(Residence Address)* \_\_\_\_\_  
*(City)* *(State)* *(Zip Code)*

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

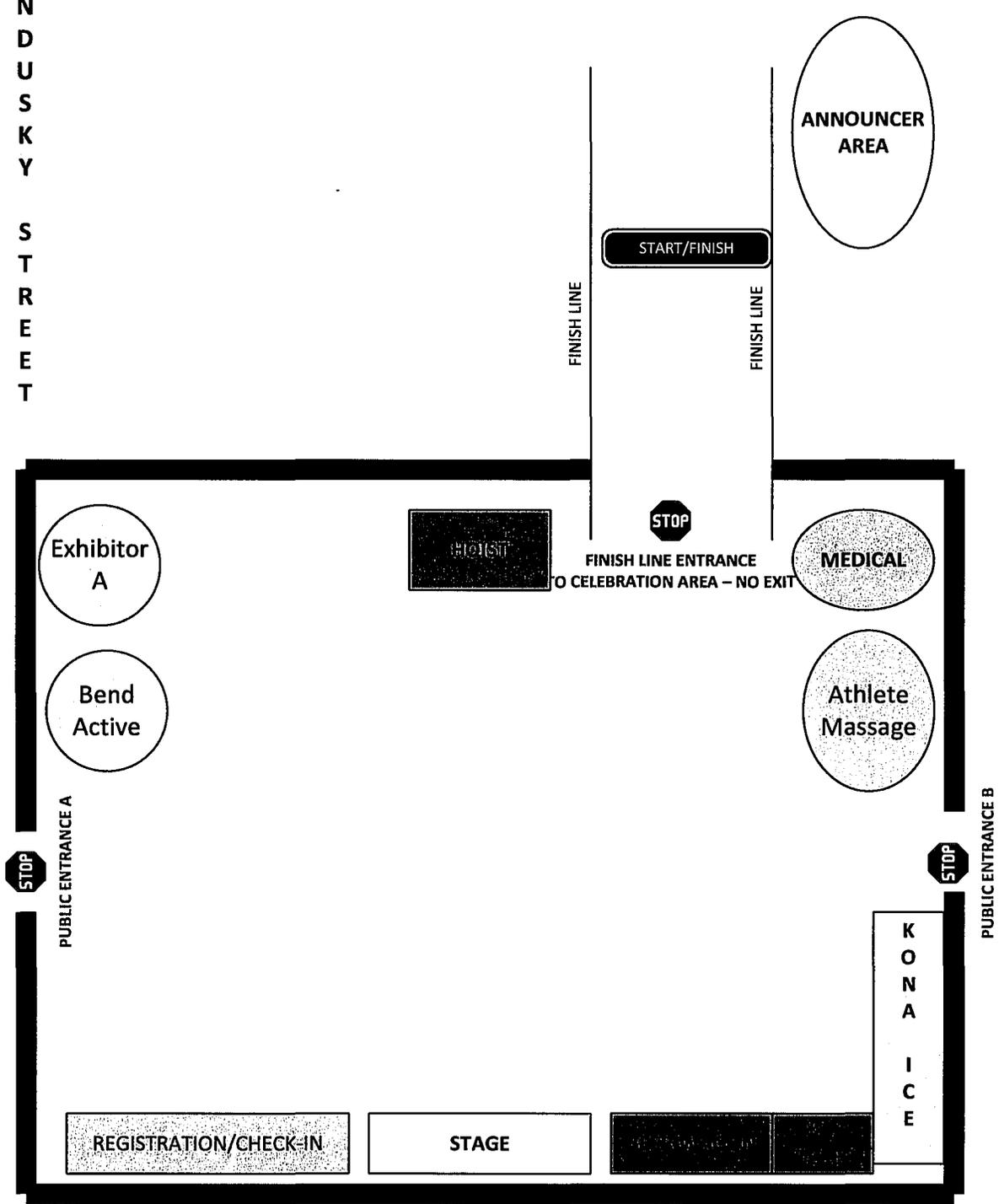
\_\_\_\_\_  
*(Notary Public Signature)* \_\_\_\_\_  
*(Notary Expiration Date)*

\_\_\_\_\_  
*(Notary - Please Print Name or Affix Seal/Stamp)*

WINTER STREET



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WILLIAM STREET





8917 S. Old State Rd #198  
Lewis Center, OH 43035

March 3, 2015

Mr. Tom Holman  
City Manager  
The City of Delaware  
South Sandusky Street  
Delaware, OH 43015

Dear Mr. Holman,

Please accept this written notice for consideration to serve and/or consumer alcohol at the New Moon Half & Quarter Marathon 2015 special event on city property.

I have provided the required State paperwork for all requirements to Mr. Yoakum. Please advise if there is any further documents you need and whether you would like me to do a presentation or if it will just heard as a first and second reading at the next City Council meeting. We have requested to be placed on the agenda at the March 9 meeting.

Thank you for your consideration.

Best regards,

Craig E Thompson  
Event Organizer, New Moon Half & Quarter Marathon  
614.425.1156

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.:** 10

**DATE:** 03/09/15

**PUBLIC HEARING:** NO

**READING:** FIRST

**ORDINANCE NO.:** 15-24

**RESOLUTION NO.:**

**DESCRIPTION:** AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL FOR THE WOMEN'S CITY CLUB ART FOR YOUR EARS EVENT TO BE HELD ON MAY 16, 2015 ON SOUTH SANDUSKY STREET, FROM WILLIAM STREET TO SPRING STREET IN THE CITY OF DELAWARE.

**DEPARTMENT AFFECTED:**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**

**RECOMMENDATION:**

**VOTE:**

**MEETING DATE:**

**STAFF RECOMMENDATION:**

**approval**

**PRESENTER:**

**Darren Shulman, City Attorney**

**SUMMARY OF ITEM:**

This event is to be held Saturday, May 16, 2015. The event includes a beer garden to be located on Sandusky Street and a drawing of its location is included. The event organizers have reviewed and agreed to comply with all of the proposed guidelines regarding serving alcohol on City property.

**ATTACHMENTS:**

**Council Requirements  
Event Application**

**COUNCIL NOTES:**

ORDINANCE NO. 15-24

AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL FOR THE WOMEN'S CITY CLUB ART FOR YOUR EARS EVENT TO BE HELD ON MAY 16, 2015 ON SOUTH SANDUSKY STREET, FROM WILLIAM STREET TO SPRING STREET IN THE CITY OF DELAWARE.

WHEREAS the Women's City Club has requested permission for the sale and consumption of alcohol for their Art for Your Ears Event to be held Saturday, May 16, 2015, and

WHEREAS, the purpose of the Art for Your Ears Event is to raise monies for the Women's City Club through a musical instrument swap meet and music festival, and

WHEREAS, the Art for Your Ears is an event at which alcoholic beverages will be served, and

WHEREAS, City of Delaware Ordinances may prohibit the consumption of upon city streets, and

WHEREAS, City Council desires to support the efforts of the Women's City Club, and

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

SECTION 1. That the provisions of any ordinance or policy of the City of Delaware that would prohibit the sale and consumption of alcohol at the Art for Your Ears event on Saturday, May 16, 2015 between the hours of 1 p.m. and 11 p.m. on South Sandusky Street from William Street to Spring Street, the area set forth in attachment hereto, be waived as they may be applied to the Art for Your Ears event.

SECTION 2. That the Women's City Club will secure all proper permits from the State of Ohio to allow it to serve alcohol during the event.

SECTION 3. That the Women's City Club will secure all proper permits and comply with all guidelines from the City of Delaware for the event and closure of South Sandusky Street from William Street to Spring Street.

SECTION 4. 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.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_

ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015

YEAS\_\_\_ NAYS\_\_\_

ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_

CITY CLERK

\_\_\_\_\_  
MAYOR

**Women's City Club Foundation  
135 N Franklin Street  
Delaware, OH 43015**

**February 24, 2015**

**Mr. Tom Holman  
City Manager  
The City of Delaware  
South Sandusky Street  
Delaware, Ohio 43015**

**Dear Mr. Holman,**

**Please accept this written notice for consideration to serve and/or consume alcohol at Art for your Ears Festival 2015 special event on City Property.**

**Attached is the required State paperwork for all the requirements. Please advise if there is any further documents you need and whether you would like us to do a presentation or if it will be just a heard as a first and second reading at the next City Council meeting. We have requested to be put on the agenda at the March 9 meeting.**

**Thank you for your time and consideration. Please advise if any further information is needed.**

**Sincerely,**

A handwritten signature in black ink, appearing to read 'MaryAnn Davis', with a long horizontal flourish extending to the right.

**MaryAnn Davis  
President, Women's City Club Foundation  
614-975-0962**

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 11**

**DATE: 3/9/15**

**PUBLIC HEARING: YES**  
**March 23, 2015 at 7:30 p.m.**

**READING: FIRST**

**ORDINANCE NO.: 15-25**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE APPROVING A REZONING AMENDMENT FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT FROM R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AT 500 NORTH LIBERTY ROAD (PARCELS 519-423-01-045-000, 519-423-01-046-001 AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES**

**DEPARTMENT AFFECTED:**  
**Planning Department**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**  
**Planning Commission**

**RECOMMENDATION:**  
**Approval**

**VOTE:**  
**6-0**  
**MEETING DATE: March 4,**  
**2015**

**STAFF RECOMMENDATION:**  
**Approval at Second Reading**

**PRESENTER:**  
**Dave Efland, Planning Director**

**SUMMARY OF ITEM:**

Fidelity Federal Savings and Loan is proposing to rezone their subject 14.9 acre property which currently encompasses three parcels (519-423-01-045-000 Sub-Area A and 519-423-01-046-001 & 519-423-01-047-001 Sub-Area B) from R-4 (Medium Density Residential) to R-4 PMU (Planned Mixed Use Overlay District). Turning Point is under contract to purchase the 7.73 acre Sub-Area A (western portion of the site) for a domestic shelter for victims of domestic violence only while Fidelity Federal Savings and Loan will maintain ownership of the 7.17 acre Sub-Area B (eastern portion of the site) for development opportunities.

Within Sub-Area A, Turning Point would renovate the existing two buildings and utilize the existing infrastructure for a domestic shelter. The minimal improvements would include connecting the two existing buildings with a hallway to ensure security within the campus and potentially include accessory facilities like dumpster(s), a security fence and some additional parking spaces. The existing two buildings, outbuilding and infrastructure along with the accessory facilities would be deemed the Final Development Plan as they existing today. Within Sub-Area B, Fidelity Federal Savings and Loan did not submit a plan for the site (currently vacant) but are marketing the site for residential, office and limited commercial uses and any proposed use would require at a minimum Preliminary and Final Development Plan approval by the Planning Commission and City Council. The US 23/North Sandusky Street intersection upgrades would require approximately 1.167 acres of property dedicated for right-of-way to the State leaving a 5.933 acre parcel to be developed in Sub-Area B. In addition, any future development within both Sub-Areas would have to achieve compliance with the tree preservation, landscaping, lighting, signage and building design requirements of the development text.

Turning Point representatives, at Staff's request, held a private neighborhood meeting on March 3, 2015 to answer any questions and receive any comments about the proposal. Police Chief Pijanowski attended the meeting. There were about 10-15 residents in attendance who had some general questions about the use, security, and proposed operation of the use, but who were generally supportive of the proposal. At the Planning Commission meeting the following evening there were no residents who provided comment on the proposal.

Staff and the Planning Commission recommend approval of the Rezoning with the conditions documented in the ordinance.

**ATTACHMENTS:**

Staff Report

**COUNCIL NOTES:**

ORDINANCE NO. 15-25

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT FROM R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AT 500 NORTH LIBERTY STREET (PARCELS 519-423-01-045-000, 519-423-01-046-001 AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES.

WHEREAS, the Planning Commission at its meeting of March 4, 2015 recommended approval of a Rezoning for Fidelity Federal Savings and Loan and Turning Point from R-4 (Medium Density Residential District) to R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District) at 500 North Liberty Street (Parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres (PC 2015-0201) and

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

SECTION 1. That the a Rezoning for Fidelity Federal Savings and Loan and Turning Point from R-4 (Medium Density Residential District) to R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District) at 500 North Liberty Street (Parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres, the same and is hereby confirmed, approved, and accepted with the following conditions that:

1. Any new structure(s) or any change of use of any existing structure or property shall require conformance to all provisions of the Development Text.
2. Any development in Sub-Area B shall require at a minimum Preliminary and Final Development Plan approval by the Planning Commission and City Council.

SECTION 2. 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.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_

PASSED: \_\_\_\_\_, 2015

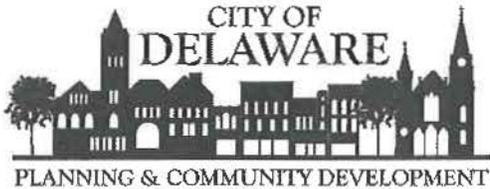
ATTEST: \_\_\_\_\_  
CITY CLERK

ABSTAIN \_\_\_\_

YEAS \_\_\_\_ NAYS \_\_\_\_

ABSTAIN \_\_\_\_

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MAYOR



## PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: 2015-0201,0203-0204 & 0206

REQUEST: Multiple Requests

PROJECT: Fidelity Federal & Turning Point

MEETING DATE: March 4, 2015

### APPLICANT/OWNER

Fidelity Federal Savings & Loan  
60 North Sandusky Street  
Delaware, Ohio 43015

Turning Point  
P.O. Box 875  
Marion, Ohio 43301

### REQUEST

2015-0201: A request by Fidelity Federal Savings and Loan and Turning Point for approval of a Rezoning Amendment from R-4 (Medium Density Residential District) to R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District) at 500 North Liberty Street (parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres.

2015-0203: A request by Fidelity Federal Savings and Loan and Turning Point for approval of a Conditional Use Permit allowing the placement of PMU (Planned Mixed Use Overlay District) to be established at 500 North Liberty Street (parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 (Medium Density Residential District).

2015-0204: A request by Turning Point for approval of a Preliminary and Final Development Plan in Sub-Area A at 500 North Liberty Street (parcel 519-423-01-045-000) on approximately 7.73 acres zoned R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District).

2015-0206: A request by Fidelity Federal Savings and Loan and Turning Point for approval of an Amendment to the Comprehensive Plan on property designated as Institutional and High Density Single Family on the future land use map to Mixed Use at 500 North Liberty Street (parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District).

### PROPERTY LOCATION & DESCRIPTION

The 14.9 acre site encompasses two parcels that are located between North Sandusky Street and North Liberty Street just north of Pennsylvania Avenue and are zoned R-4 (Medium Density Residential District). The properties to the south are zoned R-3 (One-Family Residential District) and R-4 while the properties to the west are zoned R-3. The properties to the north and east are located in the County.

### BACKGROUND/PROPOSAL

Fidelity Federal Savings and Loan is proposing to rezone their subject 14.9 acre property which currently encompasses three parcels (519-423-01-045-000 Sub-Area A and 519-423-01-046-001 & 519-423-01-047-001 Sub-Area B) from R-4 (Medium Density Residential) to R-4 PMU (Planned Mixed Use Overlay District). Turning Point is under contract to purchase the 7.73 acre Sub-Area A for a domestic shelter for victims of domestic violence only while Fidelity Federal Savings and Loan will maintain ownership of the 7.17 acre Sub-Area B for development opportunities.

### STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The subject site is located in the Northwoods Subarea of the City of Delaware Comprehensive Plan and recommends an institutional use on the western portion of the site (Sub-Area A) and High Density Single Family on the eastern portion of the site (Sub-Area B). The owner is requesting a revision to a Mixed Use designation for the entire site to allow the potential uses contemplated in the development text by each entity. Such designation with limited commercial uses (per the PMU development text) for the eastern portion of the site along North Sandusky Street would be sensitive to the adjacent residential zones while being practical with the existing market demands of the site being located in proximity of the revised US 23 and North Sandusky Street intersection.
- **ZONING:** The current R-4 (Medium Density Residential District) zoning does not permit the majority of the proposed uses but the placement of a Planned Mixed Use (PMU) Overlay District zoning with the appropriate development text and land use designations would allow the proposed and future uses.

- **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 Preliminary or Final Development Plan approval.
- **UTILITIES:** Any new or existing utilities to be constructed and/or extended within the development shall comply with the City minimum requirements or as approved by the City Director of Utilities. The engineering drawings for such improvements shall accompany the submittal of the Preliminary and/or Final Development Plans for the subject phase.
- **ROADS AND ACCESS:** The access to the site would remain the same with the existing curb cut on North Liberty Street accessing Sub-Area A and the existing curb cut on North Sandusky Street accessing Sub-Area B. The City emergency forces are requiring the primary access drive shall be connected between Sub-Area A and B when both Sub-Areas are developed to at least allow emergency access between the two Sub-Areas.
- **STREAM PRESERVATION** All State and local rules and regulations regarding the regulation of the lake and water courses within the site shall apply as they are in effect at the time of permitting.
- **SITE CONFIGURATION:** The subject development would be separated into two Sub-Areas (A & B) with Sub-Area A being located on the western portion of the site and Sub-Area B being located on the eastern portion of the site.

*Sub-Area A (7.73 acres)* – Turning Point would renovate the existing two buildings and utilize the existing infrastructure for a domestic shelter. The minimal improvements would include connecting the two existing buildings with a hallway to ensure security within the campus and potentially include accessory facilities like dumpster(s), a security fence and some additional parking spaces. The existing two buildings, outbuilding and infrastructure along with the accessory facilities would be deemed the Final Development Plan as they existing today.

*Sub-Area B (7.17 acres)* – Fidelity Federal Savings and Loan did not submit a plan for the site (currently vacant) but are marketing the site for residential, office and limited commercial uses and any proposed use would require at a minimum Preliminary and Final Development Plan approval by the Planning Commission and City Council. The US 23/North Sandusky Street intersection upgrades would require approximately 1.167 acres of property dedicated for right-of-way to the State leaving a 5.933 acre parcel to be developed.

- **TREE REMOVAL & REPLACEMENT:** Any tree removal and replacement as result of the proposed development shall meet all requirements of Chapter 1168 along with the following replacement schedule as approved in the development text: 1. Trees in poor condition shall not be replaced (dead, damaged or diseased); 2. Trees in fair condition shall be replaced at 50%; 3. Trees in good condition shall be replaced at 100%; 4. Ash trees shall not be counted toward replanting requirements
- **LANDSCAPING & SCREENING:** The existing site has a significant amount of trees, rolling topography and a stream that bisects the site in an east/west orientation which can create natural buffers, while the development text and the zoning code require minimum buffer requirements and additional buffer requirements for any future non-residential use. The Final Development Plan for Turning Point in Sub-Area A achieves compliance with the minimum buffer requirements while any future uses in Sub-Area B would have to comply with the minimum requirements of the development text and the zoning code.
- **LIGHTING:** The Final Development Plan for Turning Points does not identify any additional lighting while Fidelity Federal Savings and Loan has not submitted any plans for review and any subsequent Preliminary and Final Development Plans shall achieve compliance with the zoning code and be approved by the Chief Building Official.
- **SIGNAGE:** The submittal does not include any signage requests and any proposed signage would have to achieve compliance with the minimal signage requirements and the approved Gateways and Corridors Plan.
- **BUILDING DESIGN:** The intent of this regulation is to allow renovations and additions to existing structures which should be constructed of similar building materials or natural materials while all new buildings regardless of use shall consist of brick, stone, cedar planking, cement fiber siding, or similar approved products as the exterior material. To create a cohesive and unified design throughout the entire development, each building shall be consistent in overall design, color, material, and architectural pattern as determined through the Preliminary and/or Final Development Plan review process.

*Sub-Area A* - Because Turning Point is renovating the existing two buildings with minimal exterior revisions (connecting the existing buildings with a hallway for security purposes) with minimal accessory buildings (potential dumpster), the submitted Final Development Plan would achieve compliance with the building design requirements.

*Sub-Area B* - Again because no Preliminary or Final Development Plan were submitted, any future new buildings would have to comply with the above requirements and would be subject to Preliminary and Final Development Plan processes.

- **CONDITIONAL USE PERMIT:** The proposed uses shall achieve compliance with the conditional use permit requirements per the zoning code and of the approved development text.

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**STAFF RECOMMENDATION (2015-0201 – REZONING AMENDMENT)**

Staff recommends approval of a request by Fidelity Federal Savings and Loan and Turning Point of a Rezoning Amendment from R-4 (Medium Density Residential District) to R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District) at 500 North Liberty Street (parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres, with the following conditions that:

1. Any new structure(s) or any change of use of any existing structure or property shall require conformance to all provisions of the Development Text.
2. Any development in Sub-Area B shall require at a minimum Preliminary and Final Development Plan approval by the Planning Commission and City Council.

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**STAFF RECOMMENDATION (2015-0203 – CONDITIONAL USE PERMIT)**

Staff recommends approval of a request by Fidelity Federal Savings and Loan and Turning Point of a Conditional Use Permit allowing the placement of PMU (Planned Mixed Use Overlay District) to be established at 500 North Liberty Street (parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 (Medium Density Residential District).

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**STAFF RECOMMENDATION (2015-0204 – PRELIMINARY AND FINAL DEVELOPMENT PLAN)**

Staff recommends approval of a request Turning Point of a Preliminary and Final Development Plan in Sub-Area A at 500 North Liberty Street (parcel 519-423-01-045-000) on approximately 7.73 acres zoned R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District), 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.
2. Any new or existing utilities to be constructed and/or extended within the development shall comply with the City minimum requirements or as approved by the City Director of Utilities.
3. Any new building shall achieve compliance with the design standards of the approved development text.
4. Any tree removal shall comply with Chapter 1168 Tree Preservation Regulations along with the approved development text.
5. Any new signage shall achieve compliance with the zoning code and the approved Gateways and Corridors Plan.
6. Any landscape plans shall be reviewed and approved by the Shade Tree Commission.
7. Any lighting plan shall be reviewed and approved by the Chief Building Official.
8. Any new buildings or site improvements considered a major modification shall require Preliminary and Final Development Plan approval.

**STAFF RECOMMENDATION (2015-0206 -- CONDITIONAL USE PERMIT)**

Staff recommends approval of a request by Fidelity Federal Savings and Loan and Turning Point of an Amendment to the Comprehensive Plan on property designated as Institutional and High Density Single Family on the future land use map to Mixed Use at 500 North Liberty Street (parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District).

COMMISSION NOTES:

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MOTION: \_\_\_\_\_ 1<sup>st</sup> \_\_\_\_\_ 2<sup>nd</sup> approved denied tabled \_\_\_\_\_

CONDITIONS/MISCELLANEOUS:

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FILE:  
ORIGINAL: 2/25/15  
REVISED:

FIDELITY FEDERAL SAVING AND LOAN AND TURNING POINT  
PLANNED MIXED USE DEVELOPMENT TEXT  
500 NORTH LIBERY STREET  
DELAWARE, OHIO

1. DESCRIPTION OF DEVELOPMENT

Fidelity Federal Saving and Loan is proposing to rezone their subject 14.9 acre property which encompasses two parcels (519-423-01-045-000 Sub-Area A & 519-423-01-046-001 Sub-Area B) from R-4 (Medium Density Residential) to R-4 PMU (Planned Mixed Use Overlay District). Turning Point is under contract to purchase the 7.73 acre Sub-Area A while Fidelity Federal Saving and Loan will maintain the 7.17 acre Sub-Area B for development opportunities.



2. GENERAL DEVELOPMENT STANDARDS

- A. **Purpose and Intent.** It is the intent of this development to provide two separate entities a mixed use development with compatible and common site improvements, architectural design, signage and amenities. 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.** 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 other than those uses specifically listed in this text for Sub-Area A and B.
- (2) Major change in the approved location of land uses or land use sub-areas and building sizes of more than 10% .
- (3) Substantial alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved private street pattern, access points and parking facilities that results in a change in operating characteristics or character.

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 of Sub-Area A and B 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 or land use sub-areas.
- (4) Minor alteration of the basic geometry, including right-of-way width, and/or operation characteristics of any element of the approved private street pattern, access points and parking facilities that results in a change in operating characteristics or character.
- (5) Minor structural alterations that do not alter the overall design intent of the building.

F. **Preliminary & Final Development Plans for Each Sub-Area**

1. Sub-Area A – The existing site conditions would be considered the Preliminary and Final Development Plan which requires approval by the Planning Commission and City Council. Any future changes to the existing conditions that would be considered a major modification would require an Amended Preliminary and Final Development Plan approval.
2. Sub Area B – Because the submission does not include any proposed site plans, a Preliminary and Final Development Plan would need to be submitted and approved by the Planning Commission and City Council.

**G. Stream Preservation.**

- (1) All State and local rules and regulations regarding the water courses within Sub-Area A and B shall apply as they are in effect at the time of permitting.

**H. Tree Removal and Replacement.** Tree removal and replacement shall meet all requirements of Chapter 1168 with the following replacement schedule:

- (1) Trees in poor condition shall not be replaced (dead, damaged or diseased).
- (2) Trees in fair condition shall be replaced at 50%.
- (3) Trees in good condition shall be replaced at 100%
- (4) Ash trees shall not be counted toward replanting requirements.

3. SUB-AREAS

The project is separated into two Sub-Areas to represent the distinct areas of development by two different owners. Sub-Area A is a 7.73 acre parcel located on the western portion of the site that fronts North Liberty Street and is under contract by Turning Point to purchase for their Delaware facility. Turning Point is proposing to utilize the existing building on the site with no or minimal site improvements (they are proposing to connect the buildings with a hallway for security purposes) with the existing conditions considered a Preliminary and Final Development Plan. Sub-Area B is a 7.17 acre parcel located on the eastern portion of the site that fronts North Sandusky Street with Fidelity Federal Savings and Loan retaining ownership and marketing the subject property for office and limited commercial and residential uses which would require future Preliminary and Final Development Plan submittal and approval. The US 23/North Sandusky Street intersection improvements would require approximately 1.167 acres of property dedicated for right-of-way to the State leaving a 5.933 acre parcel to be developed.

4. SUB-AREA A – TURNING POINT

**A. Uses.** The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area A as represented in the chart below by P, C, or L, respectively, and as defined by attached 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.

- (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 signs, fences, 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	Sub-Area A Uses
<b>(a) Residential</b>	
(1) Bed and Breakfast	P
(2) Residential Care Facility – 6 to 8 persons	P
(3) Residential Care Facility – 9 or more persons (per zoning code)	C
(4) Domestic Shelter for victims of domestic violence only	L
<b>(b) Community Facilities</b>	
(1) Place of Worship	P
(2) Day Care Center – child/adult	P
(3) Congregate Care Facility	C
(4) Nursing Home	C
(5) Public safety and service facility	P
<b>(c) Office and Professional Services</b>	
(1) Offices – administrative, business and professional	P
(2) Medical and dental offices, health and allied services	P
<b>(f) Recreation and Entertainment</b>	
(1) Park and Playground (including archery range)	P
<b>(g) Accessory Uses &amp; Structures</b>	
(2) Off Street Parking	A
(3) Storage/Maintenance Buildings	A
(4) Fencing and screening	A
(5) Uses deemed accessory to domestic shelter facilities	A

(1) **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.

A. **Domestic Shelter.** Such use shall meet all requirements of the then current Zoning Code and the following conditions:

1. The shelter is specifically for victims of domestic violence. Any other clients or types of shelters are not permitted.
2. The units shall be limited to a maximum one year stay by each individual (or family).
3. The number of units shall be limited to 16 for the entire facility.
4. The use shall provide 24 hour supervision and security.
5. This use would not include clinics, institutions, hospitals, convalescent or nursing homes, dormitories or similar uses.
6. Any support and ancillary services of the domestic shelter.

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

Lot Standards	
(1) Minimum lot area	7 acres
(2) Minimum lot width and frontage*	300 ft.
(3) Maximum building coverage	40%
(4) Maximum lot coverage**	70%

\*Lot frontage requirement may be met by providing the minimum frontage along cross access easements connecting to public streets.

\*\*Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Sub-Area A, excluding any existing public right-of-way, and converted to a percentage.

C. **Building Setback Standards.** The following standards shall apply for minimum building setbacks, except as otherwise approved on the Final Development Plan. 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	
(1) Setback from North Liberty Street	50 ft.
(2) Perimeter Setback	30 ft.

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, except as otherwise approved on the Final Development Plan.

Minimum Parking Setbacks	
(1) Setback from North Liberty Street	20 ft.
(2) Perimeter setback	20 ft

E. **Maximum Building Height.** The maximum height of any building or structure shall be 40 feet as measured from finished floor elevation to the highest point of the roof.

F. **Building Design.** The intent of this regulation is allow renovations and additions to existing structures to be constructed of similar building materials or natural materials while all new buildings regardless of use shall consist of brick, stone, cedar planking, cement fiber siding, or similar approved products as the exterior material. To create a cohesive and unified design throughout the entire development, each building shall be consistent in overall design, color, material, and architectural pattern as determined through the Final Development Plan review process and substantially similar to the following elevations. Also, all new buildings regardless of use shall consist of brick, stone, cedar planking, cement fiber siding, or similar approved products as the exterior material. To create a cohesive and unified design throughout the entire development, each building shall be consistent in overall design, color, material, and architectural pattern as determined through the Final Development Plan review process.

- (1) Accessory structures such as enclosures for dumpsters and other similar structures shall consist of brick, stone, cedar planking, cement fiber siding, or similar approved products as the exterior material and be designed in a consistent and cohesive manner to the principal building in which it serves.
- (2) Mechanical Equipment shall be screened from public view from all sides of the building through the use of parapets, equipment screens, or other screening measures as deemed appropriate. The height of such screening shall be equivalent to the height of the highest mechanical equipment.

G. **Parking.** The amount of parking shall be as approved the Final Development Plan.

H. **Landscaping and Screening.** All landscaping shall meet the requirements of the Zoning Code and the Gateways & Corridors Plan; except as otherwise approved on the Final Development Plan.

- I. **Lighting.** Building, site, and accent lighting shall be provided in accordance with the current Zoning Code, except that there is no requirement to provide lighting beyond that required by the applicable Building Code.
- k. **Signs.** A comprehensive sign plan shall be provided and approved in conformance with Section 1165.16(c) and will be provided as part of the Final Development Plan. All signage proposed for this Planned Mixed Use Development will comply with the Gateways & Corridors Plan (GCP) and Chapter 1165 of the City of Delaware Zoning Code.
- l. **Roads.** Any new or existing road(s) to be constructed and/or widened within the development shall comply with the City minimum requirements or as approved by the City Engineer. The engineering drawings for such improvements shall accompany the submittal of the Final Development Plans for the subject phase. The primary driveway shall connect Sub-Area A and B allowing at a minimum, City emergency forces public access to both sides of the site when both Sub-Area A and B are developed.
- m. **Utilities.** Any new or existing utilities(s) to be constructed and/or extended within the development shall comply with the City minimum requirements or as approved by the City Director of Utilities. The engineering drawings for such improvements shall accompany the submittal of the Final Development Plans for the subject phase.

5. SUB-AREA B – FIDELITY FEDERAL SAVING AND LOAN (Current Owner)

A. **Uses.** The following uses shall be considered permitted, conditionally permitted, or limited uses in Sub-Area A as represented in the chart below by P, C, or L, respectively, and as defined by attached 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.

- (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 signs, fences, 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	Sub-Area B Uses
<b>(d) Residential</b>	
(1) Bed and Breakfast	P
(2) Single-Family Dwelling	L
(3) Two Family Dwelling	L
(4) Multi-Family (owner occupied units only)	L
<b>(e) Community Facilities</b>	
(1) Place of Worship	P
(2) Day Care Center – child/adult	P
(3) Public safety and service facility	P
<b>(f) Office and Professional Services</b>	
(1) Offices – administrative, business and professional	P
(2) Medical and dental offices, health and allied services	P
(3) Financial institutions, banks	P
<b>(g) Commercial Uses</b>	
(1) Funeral Home	P
(2) Veterinary Office (no outside run or kennel)	P
(3) Veterinary Hospital ( without kennel)	P
(4) Indoor Self-Storage	C
<b>(h) Recreation and Entertainment</b>	
(1) Park and Playground	P
<b>(g) Accessory Uses &amp; Structures</b>	
(1) Off Street Parking	A
(2) Fencing and screening	A

(1) **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.

a. **Single-Family, Two Family and Condominium Dwelling Units.** Such limitations include: 1. Only one single family and two family dwelling shall be allowed on the subject lot. For more than one single family dwelling, two family dwelling or condominium development, 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. 3. All condominium development bulk and density requirements shall be per approved Preliminary and Final Development Plan along with achieving compliance with 1171.08 Residential Development and Design Criteria and Performance Standards.

(5) **Lot Standards.** The following standards shall apply for lot standards and coverage.

Lot Standards	
(1) Minimum lot area	1 acre
(2) Minimum lot width and frontage*	100 ft.
(3) Maximum building coverage	40%
(4) Maximum lot coverage**	70%

\*Lot frontage requirement may be met by providing the minimum frontage along cross access easements connecting to public streets.

\*\*Lot coverage shall be determined by calculating the total area of any impervious surface divided by the area of Sub-Area A, excluding any existing public right-of-way, and converted to a percentage.

(6) **Building Setback Standards.** The following standards shall apply for minimum building setbacks, except as otherwise approved on the Final Development Plan. Decorative architectural elements such as canopies and overhangs shall be permitted to encroach into any setback provided that no encroachment shall exceed 5 feet.

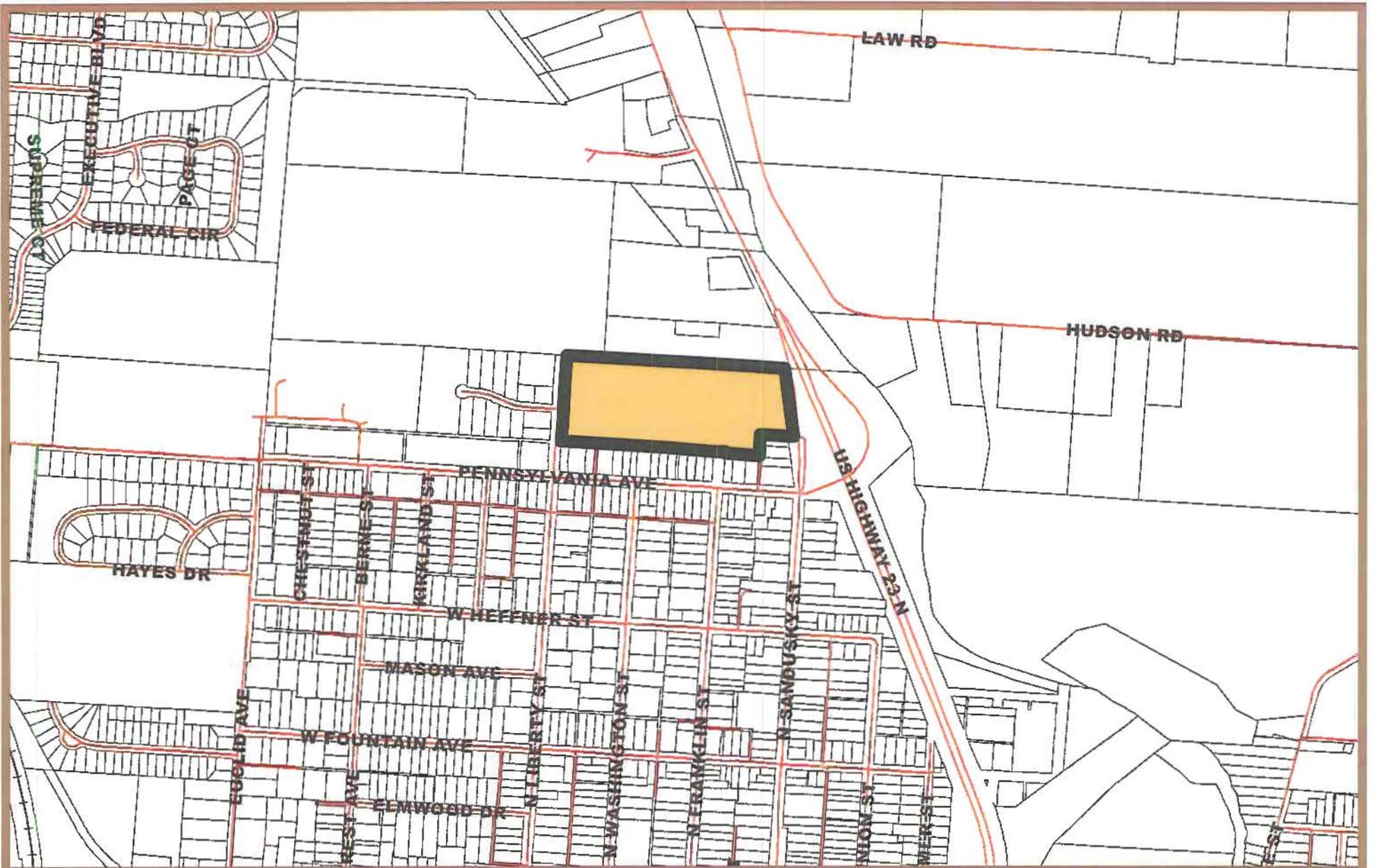
Minimum Building Setbacks	
(1) Setback from North Sandusky Street	50ft.
(2) Perimeter Setback -- -- Commercial Use -- Office Use	50 ft 20 ft
(3) Internal Property Line Side Yard Setbacks	20 ft.

- a. **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, except as otherwise approved on the Final Development Plan.

Minimum Parking Setbacks	
(1) Setback from North Sandusky Street	20 ft.
(2) Perimeter Setback	20 ft
(3) Internal Property Line Side Yard Setbacks	10 ft

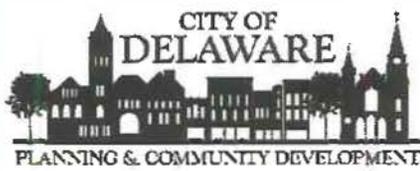
- b. **Maximum Building Height.** The maximum height of any building or structure shall be 40 feet as measured from finished floor elevation to the highest point of the roof.
- c. **Building Design.** All buildings regardless of use shall consist of brick, stone, cedar planking, cement fiber siding, or similar approved products as the exterior material. To create a cohesive and unified design throughout the entire development, each building shall be consistent in overall design, color, material, and architectural pattern as determined through the Final Development Plan review process.
- i. Accessory structures such as enclosures for dumpsters and other similar structures shall consist of brick, stone, cedar planking, cement fiber siding, or similar approved products as the exterior material and be designed in a consistent and cohesive manner to the principal building in which it serves.
  - ii. Mechanical Equipment shall be screened from public view from all sides of the building through the use of parapets, equipment screens, or other screening measures as deemed appropriate. The height of such screening shall be equivalent to the height of the highest mechanical equipment.
- d. **Parking.** The amount of parking provided shall not be more than that shown on the approved Final Development Plan.
- e. **Landscaping and Screening.** All landscaping shall meet the requirements of the Zoning Code and the Gateways & Corridors Plan; except as otherwise approved on the Final Development Plan.

- f. **Lighting.** Building, site, and accent lighting shall be provided in accordance with the current Zoning Code, except that there is no requirement to provide lighting beyond that required by the applicable Building Code.
  
- k. **Signs.** A comprehensive sign plan shall be provided and approved in conformance with Section 1165.16(c) and will be provided as part of the Final Development Plan. All signage proposed for this Planned Mixed Use Development will comply with the Gateways & Corridors Plan (GCP) and Chapter 1165 of the City of Delaware Zoning Code.
  - 1. Only one ground sign shall be permitted for each Sub-Area and it may have tenant panels.
  
- l. **Roads.** Any new or existing road(s) to be constructed and/or widened within the development shall comply with the City minimum requirements or as approved by the City Engineer. The engineering drawings for such improvements shall accompany the submittal of the Final Development Plans for the subject phase.
  
- m. **Utilities.** Any new or existing utilities(s) to be constructed and/or extended within the development shall comply with the City minimum requirements or as approved by the City Director of Utilities. The engineering drawings for such improvements shall accompany the submittal of the Final Development Plans for the subject phase.



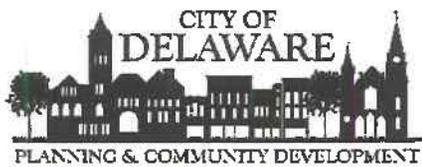
2015-0201, 0203-0204, & 0206  
Conditional Use Permit, Preliminary & Final Development Plan,  
Rezoning & Comprehensive Plan Amendment  
500 North Liberty Street  
Location Map





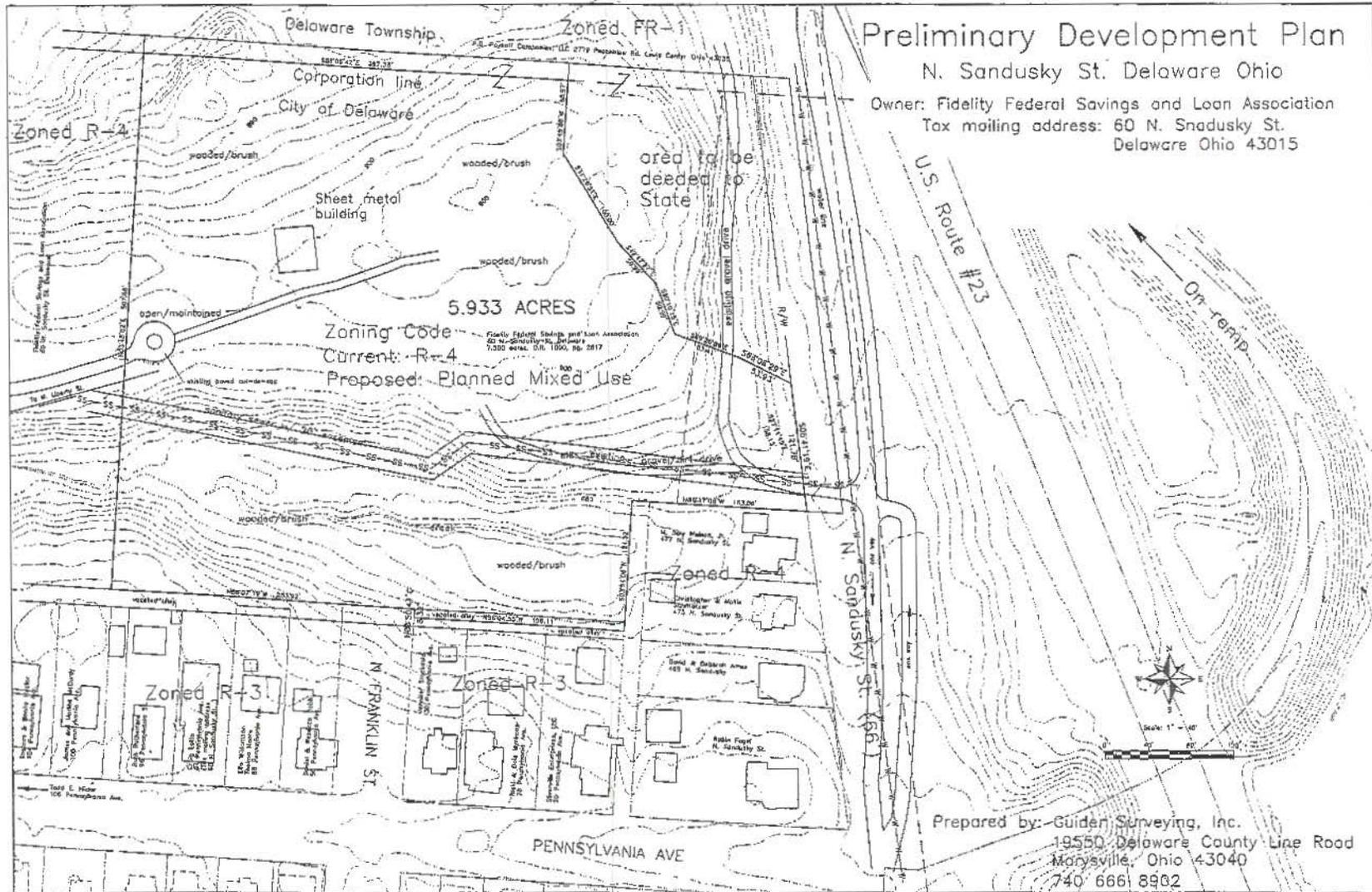
2015-0201, 0203-0204, & 0206  
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500 North Liberty Street  
Zoning Map





2015-0201, 0203-0204, & 0206  
Conditional Use Permit, Preliminary & Final Development Plan,  
Rezoning & Comprehensive Plan Amendment  
500 North Liberty Street  
Aerial (2013)







# Turning Point

Serving domestic violence victims and their families for more than 30 years in Crawford, Delaware, Marion, Morrow, Union and Wyandot Counties

Call 24 hours a day: (800)232-6505 or (740)382-8988

### About Turning Point

- Home
- About Us
- Our Services
- News & Events
- Donations
- Employment
- Volunteers
- Contact Us



### Recent Posts

- #thesehandsdonthurt
- Panera in Sunbury Now Open
- Holiday Wishes Granted by Sponsors
- Comments from the HBO Documentary "Private Violence"

### Domestic Violence

- What is Domestic Violence?
- Safety Planning
- Red Flags
- Frequently Asked Questions
- Support Forum
- Dating Violence
- Links

### Mission Statement

Turning Point has the social responsibility to respond to the needs of domestic violence victims by providing shelter, counseling, advocacy and general support services and to identify and confront the causes of domestic violence.

*Adopted 1977*

### Safety Alert

If you feel you are in immediate danger, please call 911 or our **HOTLINE: (800) 232-6505**. Viewing this page will leave a history on your computer. Learn how to clear your history - [Click Here](#)

[Exit Site](#)

### Purple Ribbon Society

We have created the Purple Ribbon Society to recognize those that support one or more of our families. These partnerships are making a very tangible impact on our community and, most importantly, on a family in need. [Click Here to Learn More](#)



Delaware-Morrow Mental Health & Recovery Services Board

### Online Support Forum

Our online support forum is for victims of domestic violence who are seeking local resources and assistance. Our goal is to make this forum as interactive as possible. We will not endorse any attorneys online and we cannot admit anyone into shelter services through this forum.

If you are seeking shelter or a civil protection order, please call the agency at (740) 382-8988 or 1-800-232-6505.

[Click Here to View the Online Support Forum](#)



Turning Point | PO Box 875 | Marion, OH 43301-0875 | 740-382-8988



# Turning Point

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Delaware-Morrow Mental Health & Recovery Services Board



## About Us

Quick Links: [History of Turning Point](#) | [Brief History of the Battered Women's Movement](#) | [Board of Trustees](#) | [Annual Report](#) | [Funders](#)

## History of Turning Point

In May of 1977, a group of concerned citizens, led by Kay Stout, A.C.S.W., met for the first time to discuss the problem of domestic violence in the Marion community. Immediate goals were developed to provide peer support and to begin educating the community about the issue of domestic violence. A long range goal emerged to establish a shelter facility where survivors of domestic violence could seek refuge.

In August of 1978, a corporation by the name of Concerned Citizens Against Violence Against Women was formed. Through C.C.A.V.A.W.'s efforts, funding was obtained and, in April of 1979, the dream of a shelter became a reality. Women and children now have a safe place to turn when challenged with domestic violence – a Turning Point that enables survivors of domestic violence to live a life free of violence.

Since 1986, 6,458 women and 227 men have benefited from our outreach services, over 3,113 men have attended batterers' treatment programs, 2,693 speeches have been presented and 45,286 volunteer hours have been logged.

While these numbers might be disheartening on the one hand, on the other hand they confirm the need for the many ways in which Turning Point has provided support for survivors of domestic violence. In an ideal world there would be no horror stories to tell of events that happen behind closed doors. In an ideal world the home would stand for a place of peace and comfort. For now, there is no ideal world. Until that world emerges, Turning Point will continue to extend its services to those people seeking the serenity of safety.

## Brief History of the Battered Women's Movement

Prior to the 1970's, partner abuse remained a horror that was housed behind closed doors. It was not until women gathered in the late 1960's to share their stories that violence in the home became a public issue. With this emergence of women's voices came what is known as the Modern Women's Movement.

The Modern Women's Movement challenged the existing conditions of women and served as a catalyst for the Battered Women's Movement that emerged in the 1970's. In the following years, the battered women's movement dramatically changed society's response to domestic violence.

In the early 1970's, there were no battered women's shelters in existence. Today, there are more than 1,500 shelters serving women, children and men who are victims of domestic violence.

## Turning Point Board of Trustees

Officers	
President: Gary Pendleton	Marion County
Vice President: Brenda Harden	Morrow County
Secretary: Holly Quaine	Delaware County
Treasurer: Chris King	Delaware County
Members	
Deputy Chris Burden	Delaware County
Eric Fuller	Union County
Lynn Clay	Wyandot County
Christa Steiger	Crawford County
Linda Hall	Marion County
Detective Scott Sterling	Marion County

## Annual Report

Click on [this link](#) for our 2014 annual report.

## Funders

*Thank you to our supporters!* Turning point relies on the generosity of our funders and communities to achieve its mission of providing support, counseling and shelter to victims of domestic violence and their families.

Turning Point is funded by the Delaware/Morrow Mental Health and Recovery Services Board; the county commissioners in Crawford, Delaware, Marion, Morrow, Union, and Wyandot Counties; the United Ways in Crawford, Delaware, Marion, Morrow, and Union Counties; Crawford County Job and Family Services; the Ohio State Office of the Attorney General; the Office of Criminal Justice Services; Marion Municipal Court; the Ohio Department of Education; and donations from individuals, corporations, foundations and organizations.

Turning Point | PO Box 875 | Marion, OH 43301-0875 | 740-382-8988

# **TURNING POINT**



**Serving domestic violence victims  
and their families since 1979**

## **Annual Report FY 2014**



## From our Director...

This annual report marks 35 years of sheltering families. We have seen many changes over the years. Programs have come and gone, the shelter program grew with the new building, and funding increased and was then lost in the "great recession".

The families have changed as has our society: the violence is more violent, injuries are more severe and there is more poverty and drug and alcohol abuse.

But one thing has not changed and that is the dedication of the staff and volunteers of Turning Point. It is a privilege to work with our families and we marvel at their strength and courage against so many odds.

In the end we would not be able to do this important work without the support of our communities...it does take a village! So please know how much your support and kindness means to our staff, volunteers and families.

We cannot say it enough...thank you for sharing our commitment to safe peaceful families in our communities!

*Paula Miller*

*"Turning Point has the social responsibility to respond to the needs of victims of domestic violence by providing shelter, counseling, advocacy and general support services and to identify and confront the causes of domestic violence."*

-Mission Statement adopted in 1977

## History of Turning Point

In May of 1977, a group of concerned citizens led by Kay Stout, A.C.S.W., met for the first time to discuss the problem of domestic violence in the Marion community. Representing many disciplines, yet united in their concern for battered women, they began to explore what could be done to aid such individuals and their children. In August 1978, a corporation was formed entitled ***Concerned Citizens Against Violence Against Women, Inc.*** Through their efforts funding was obtained and, in April of 1979, the dream of a shelter became a reality.

**Families now had a place to stay - a *Turning Point.***

The shelter housed its first client before Ohio's domestic violence statutes took effect. In the years since, the program has developed to include individual and group support, 24-hour crisis lines, victims' rights advocacy, batterers' intervention and community education presentations. The agency's service area covers Crawford, Delaware, Marion, Morrow, Union and Wyandot Counties, giving Turning Point the largest territory of any domestic violence program in Ohio.



CHILDREN ARE GIVEN THE OPPORTUNITY FOR CREATIVE PLAY IN THEIR VERY OWN PLAYROOM.



*Reflecting on the past,  
Staying in the present,  
Looking toward the future*

*Turning Point  
Since 1979*



THE MAIN OFFICE SERVES AS A STAFF CONGREGATION AREA TO DISCUSS THE CASES, MAINTAIN COVERAGE AND TO SHARE CONCERNS.



THE KITCHEN IS KEPT STOCKED WITH FOOD FOR RUTHLESSLY PLANNED MEALS EACH WEEK.



ON A GREAT DAY, CHILDREN AND THEIR FATHERS CAN ENJOY THE OUTDOOR BY PLAYING POINT-A-REBELLION PLAY BALL.



IN THE UPSTAIRS LIVING ROOM, CLIENTS GATHER TO WATCH TELEVISION, SHARE CONCERNS AND HELP EACH OTHER GAIN SUCCESS.

# BOARD OF DIRECTORS

Board of Directors as of June 30, 2014

**Gary E. Pendleton, President**  
Retired

**Brenda Harden, Vice President**  
Case Manager, Child Support Enforcement Agency

**Holly Quaine, Secretary**  
President, Delaware Area Chamber of Commerce

**Chris King, Treasurer**  
IT Director, Marion General Hospital

**Linda Hall**  
Gunder/Hall and Folk Funeral Directors

**Eric Fuller**  
Information Systems Security, Marion General Hospital

**Christa Steiger**  
RN, Bucyrus Community Hospital

## ADMINISTRATIVE STAFF

**Paula Roller**  
Executive Director  
proller@turningpoint6.org

**Paula Burnside**  
Program Director  
pburnside@turningpoint6.org

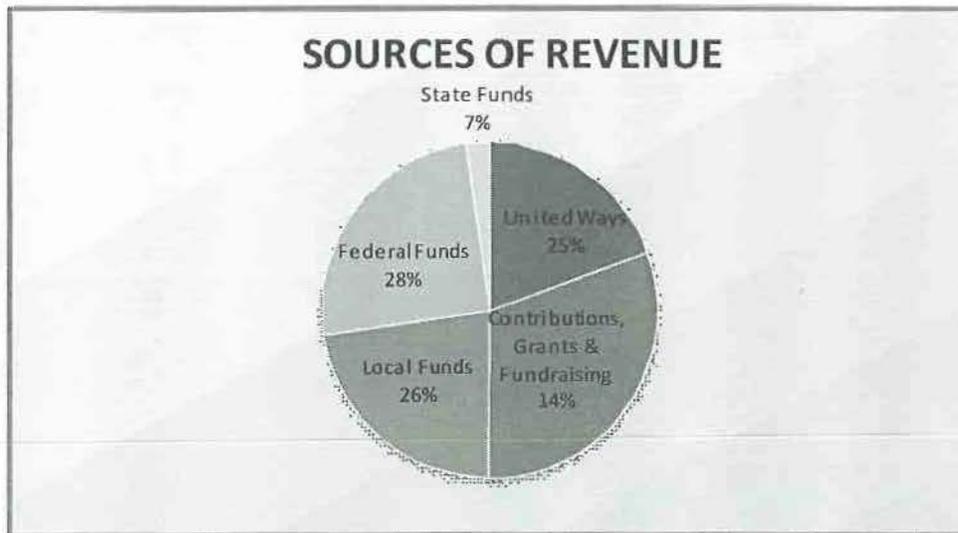
**Kristi Butler**  
Community Education Coordinator  
kbutler@turningpoint6.org

**Amy Cooperider**  
Finance Director  
acooperider@turningpoint6.org

## FUNDING SOURCES

Turning Point is funded by the Delaware/Morrow Mental Health and Recovery Services Board; the county commissioners in Crawford, Delaware, Marion, Morrow, Union and Wyandot Counties; the United Ways in Delaware, Marion, Morrow, Crawford, and Union Counties; Crawford County Job and Family Services; the Ohio State Office of the Attorney General; the Office of Criminal Justice Services; and donations from individuals, corporations, foundations and organizations.

# FY 2014 Revenue and Expenses



<b>SUPPORT AND REVENUE</b>	
United Way Organizations	192,405
Mental Health Boards	114,438
Marriage License Fees	72,000
Title XX Funds	20,364
Victims of Crime Assistance Grant	126,511
Contributions	40,942
Justice Assistance Grant	15,484
VAWA Grant	46,771
Family Violence Grant	23,134
Department of Education	5,546
Core Shelter Services Grant	44,982
Transitional Housing	30,488
Miscellaneous Grants & Fundraising	63,852
Interest	41
<b>TOTAL SUPPORT AND REVENUE</b>	<b>796,958</b>

<b>OPERATING EXPENSES</b>	
Salary and Wages**	457,324
Payroll Taxes and Benefits	96,286
Community Outreach	10,209
Occupancy	119,879
Office/Postage/Photocopying	8,627
Program Expenses	39,635
Professional Expenses	12,265
Insurance	14,446
Mileage	11,575
Training/Conferences	5,426
Telephone	8,833
Transitional Housing	12,483
Miscellaneous	56,283
<b>TOTAL OPERATING EXPENSES</b>	<b>853,271</b>

\*\*Turning Point provides services to six north central Ohio counties 24 hours a day, 7 days a week. Our salaries include 9 full-time, 2 part-time, and 8 program aide employees.



## SHELTER SERVICES

*Turning Point believes that providing the basic needs of shelter, food, and clothing is essential in helping victims of domestic violence regain control of their lives.*

Shelter Admissions  
Women: 105  
Children: 113  
Men: 6

Average  
Length of Stay  
67 days

Family Days  
of Stay  
8,143

**TRANSPORTATION**

**SUPPORT  
GROUPS**

**FOOD**

**VICTIM  
ADVOCACY**

**CLOTHING**

**INDIVIDUAL  
SUPPORT**

**94%** of sheltered clients reported satisfaction with our services.

Creating an Individualized Safety Plan is the best way to improve a victim's safety situation.

**95%** of clients who were either shelter residents or attended our support groups completed safety plans.

# TRANSITIONAL HOUSING SERVICES

**14 families were served in the Transitional Housing Program.**

**Average Length of Stay  
6 months**

**TH Family Days of Stay  
2,441**



*Transitional Housing is a bridge between clients in the shelter and living independently. Clients in the Transitional Housing Program stay for an extended length of time in the shelter. Through a collaboration with the Marion County Continuum of Care and the City of Marion, Turning Point owns three homes to be used for this purpose. This will give clients the opportunity to rent a home while still receiving case management from the agency.*



**75% of families participating in our Transitional Housing Program reported living violence-free nine months after leaving the program.**

**Currently there are 3 shelter bedrooms and 3 single family homes for Transitional Housing.**

## CRISIS LINE CALLS



In an effort to make services more readily available, Turning Point provides a telephone crisis line, staffed 24 hours a day/7 days a week.

**(800) 232-6505 (740) 382-8988**

During FY 2014, there were **945** calls taken on the agency's crisis line.

We are also online at [www.turningpoint6.org](http://www.turningpoint6.org) and on Facebook and Twitter.

## IN- SCHOOL PREVENTION



During FY 2014, our In-School Prevention Coordinator gave presentations in all six counties to middle and high school students. Almost 3,500 students participated in the Healthy Teen Relationship workshops with 45% being middle school students and 55% high school students. Pretests and posttests were given and showed 23% increase of knowledge gained from the information given. Teachers enjoyed the workshops as well and request the presentation for the next school year.

## NON-RESIDENT SERVICES

**Turning Point's  
Victims' Rights  
Advocacy Program  
served 249 new clients  
and 417 total clients.**

**Turning Point's  
Outreach Programs include  
our Victims' Rights  
Advocates who assist  
clients through the legal  
process.**

**Victims' Rights Advocacy, Children's Programming and  
Peer Support Groups are available to those in shelter as well  
as those who reside in the community.**

## ADOPT-A-FAMILY CHRISTMAS PROGRAM



The Adopt-a-Family Program provided Christmas for **240** women, men and children—a total of **88** families.

**45** area businesses, churches and individuals sponsored families in 2013.



## VOLUNTEER PROGRAM

Turning Point's volunteer pool includes adult and youth volunteers, college students earning credit for practicum courses and members of the agency's Board of Directors.

Our **Volunteers** donated **549.25** hours to Turning Point.

Our **Board of Directors** donated **274.0** hours of service to Turning Point.  
**Interns** from various area colleges provided **845.0** volunteer hours.

**Total Volunteer Hours - 1,668.25**

### Interested in being a volunteer? Call us today!

### *Meet Ella!*

Ella is our Comfort Care dog and she earned this certification through the America Kennel Club. She went through an intensive course and passed with flying colors! Ella is here to lend a paw to anyone in the shelter who might need her on a tough day.

Ella loves kids and often spends time in the Children's Coordinator's office. Staff members are known to have treats for her throughout the building and she may wander around the shelter looking to give companionship or perhaps simply to get more treats!

Ella's human parents are Paul and Paula Burnside (our Program Director) and she has 2 brothers and a feline sister, Snickers. Next year, Ella will also add a sister-in-law to her loving family.



# CLIENT SATISFACTION

92% of clients reported increased knowledge of available resources.

94% of sheltered clients reported satisfaction with Turning Point services.

100% of our community partners reported satisfaction with Turning Point's services.



*Safe*

Turning Point changed my life. I felt I was nothing. Now I know I am good.

You made me feel safe and feel like no one was going to get me and made me feel like I can work on myself.

To all of you,

This is a wonderful place. I hope that anyone who is a victim of such crimes has a chance like I got.

*Peaceful*

*Families*

This place is such a blessing to all that come in here.

Thank you again for listening, caring and helping so many people. You truly are angels.

Turning Point provides services to victims of domestic violence and their families in six central Ohio counties.

**Crawford  
Delaware  
Marion**



**Morrow  
Union  
Wyandot**

## FY 2014 SERVICE STATISTICS

	CRAWFORD	DELAWARE	MARION	MORROW	UNION	WYANDOT	OTHER	TOTAL
<b>CRISIS CALLS</b>	76 (9%)	83 (10%)	566 (65%)	39 (5%)	33 (4%)	11 (1%)	137 (6%)	<b>945</b>
<b>SHELTER</b>								
<b>Women</b>	8 (8%)	13 (12%)	61 (58%)	5 (5%)	6 (6%)	1 (1%)	11 (10%)	<b>105</b>
<b>Children</b>	1 (1%)	15 (13%)	76 (68%)	6 (5%)	2 (2%)	0	13 (11%)	<b>113</b>
<b>Men</b>	0	0	2 (33%)	0	0	0	4 (67%)	<b>6</b>
<b>TRANSITIONAL HOUSING</b>								
<b>In-Shelter TH Families</b>	3 (27%)	0	5 (46%)	1 (9%)	0	0	2 (18%)	<b>11</b>
<b>Stand Alone TH Families</b>	1 (25%)	0	3 (100%)	0	0	0	0	<b>3</b>
<b>NEW OUTREACH</b>								
<b>Women</b>	2 (1%)	101 (46%)	89 (40%)	15 (7%)	9 (4%)	1 (1%)	5 (1%)	<b>222</b>
<b>Men</b>	0	20 (74%)	4 (15%)	0	0	0	3 (11%)	<b>27</b>
<b>TOTAL OUTREACH</b>								
<b>Women</b>	7 (2%)	126 (33%)	206 (53%)	21 (5%)	15 (4%)	1 (1%)	12 (2%)	<b>388</b>
<b>Men</b>	0	20 (69%)	6 (21%)	0	0	0	3 (10%)	<b>29</b>



# PICNIC ON THE PORCH

We hold Picnic on the Porch each year on the first Friday in October, kicking off Domestic Violence Awareness Month.

# BAGUETTE RUN



# TURNING HEADS

FOR

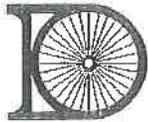
# TURNING POINT

**Style Show and Luncheon**  
 Saturday, May 10th  
 11:00 to 1:00  
 Charleston Place  
 187 West Center Street  
 Marion

1 entry for Grand Prize from Carroll's

Ticket Price - \$30  
 purchase at Charleston Place  
 or call *Pat Quinn* 387-2128

*Sponsored by*  
 Cummins Facility Services  
 Kohls



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



Project # \_\_\_\_\_

Case # 2015-0201 BEE 2015-0203 - COP 500 2060 (15.4)

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 - 206 \$500
- 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 500 N. Liberty Street

Acreeage 15.5 \* Square Footage \_\_\_\_\_ Number of Lots \_\_\_\_\_ Number of Units \_\_\_\_\_

Zoning District/Land Use R-4 Proposed Zoning/Land Use PMU Parcel # 519-423-01-045-000  
519-423-01-046-001

Applicant Name Fidelity Federal Savings & Loan Contact Person Paula Roller

Turning Point/ Concerned Citizens Against Violence Against Women, Inc.)

Applicant Address P.O. Box 875, Marion, OH 43301-0875

Phone 1-800-232-6505 Fax 740-382-6554 E-mail proller@turningpoint6.org

Owner Name Fidelity Federal Savings & Loan Contact Person Edward F. Flahive

Attorney at Law

Owner Address 60 N. Sandusky Street, Delaware, OH 43015 P.O. Box 1040, Delaware, OH 43015

Phone 740-369-4388 Fax 740-363-1443 E-mail effahive@rrcol.com

Engineer/Architect/Attorney Michael R. Shade Contact Person Michael R. Shade

Address P.O. Box 438, Delaware, OH 43015

Phone 740-363-9232 Fax 740-363-0146 E-mail mrs@ss-dta.com

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.

Fidelity Federal Savings & Loan

By: [Signature]  
Owner Signature

Ana M. Babiasz President/CEO  
Owner Printed Name

[Signature]  
Agent Signature

Michael R. Shade  
Agent Printed Name



Subscribed before me and subscribed in my presence this 29<sup>th</sup> day of January, 2015.

EDWARD F. FLAHIVE

Attorney at Law

Notary Public, State of Ohio

My Commission Expires No Expiration  
See 147.03 R.C.

[Signature]  
Notary Public

\* 8.0 acres TP      0.388 acres is in  
7.1 acres FF      Delaware Township  
PIN 519-423-01-047-001

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 12**

**DATE: 3/9/15**

**PUBLIC HEARING: YES**  
**March 23, 2015 at 7:30 p.m.**

**READING: FIRST**

**ORDINANCE NO.: 15-26**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT TO ALLOW THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED AT 500 NORTH LIBERTY ROAD (PARCELS 519-423-01-045-000, 519-423-01-046-001 AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES ZONED R-4 (MEDIUM DENSITY RESIDENTIAL).**

**DEPARTMENT AFFECTED:**  
**Planning Department**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**  
**Planning Commission**

**RECOMMENDATION:**  
**Approval**

**VOTE:**  
**6-0**  
**MEETING DATE: March 4,**  
**2015**

**STAFF RECOMMENDATION:**  
**Approval at Second Reading**

**PRESENTER:**  
**Dave Efland, Planning Director**

**SUMMARY OF ITEM:**

**Fidelity Federal Savings and Loan is proposing to rezone their subject 14.9 acre property which currently encompasses three parcels (519-423-01-045-000 Sub-Area A and 519-423-01-046-001 & 519-423-01-047-001 Sub-Area B) from R-4 (Medium Density Residential) to R-4 PMU (Planned Mixed Use Overlay District). Turning Point is under contract to purchase the 7.73 acre Sub-Area A (western portion of the site) for a domestic shelter for victims of domestic violence only while Fidelity Federal Savings and Loan will maintain ownership of the 7.17 acre Sub-Area B (eastern portion of the site) for development opportunities.**

**Within Sub-Area A, Turning Point would renovate the existing two buildings and utilize the existing infrastructure for a domestic shelter. The minimal improvements would include connecting the two existing buildings with a hallway to ensure security within the campus and potentially include accessory facilities like dumpster(s), a security fence and some additional parking spaces. The existing two buildings, outbuilding and infrastructure along with the accessory facilities would be deemed the Final Development Plan as they existing today. Within Sub-Area B, Fidelity Federal Savings and Loan did not submit a plan for the site (currently vacant) but are marketing the site for residential, office and limited commercial uses and any proposed use would require at a minimum Preliminary and Final Development Plan approval by the Planning Commission and City Council. The US 23/North Sandusky Street intersection upgrades would require approximately 1.167 acres of property dedicated for right-of-way to the State leaving a 5.933 acre parcel to be developed in Sub-Area B. In addition, any future development within both Sub-Areas would have to achieve compliance with the tree preservation, landscaping, lighting, signage and building design requirements of the development text.**

**Staff and the Planning Commission recommended approval of the Conditional Use Permit.**

**ATTACHMENTS:**

**COUNCIL NOTES:**

ORDINANCE NO. 15-26

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT TO ALLOW THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED AT 500 NORTH LIBERTY STREET (PARCELS 519-423-01-045-000,519-423-01-046-001 AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES ZONED R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT).

WHEREAS, the Planning Commission at its meeting of March 4, 2015 recommended approval of a Conditional Use Permit allowing the placement of PMU (Planned Mixed Use District) to be established at 500 North Liberty Street (Parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 (Medium Density Residential District) (PC 2015-0203) and

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

SECTION 1. That the Conditional Use Permit allowing the placement of PMU (Planned Mixed Use District) to be established at 500 North Liberty Street (Parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 (Medium Density Residential District), the same and is hereby confirmed, approved, and accepted.

SECTION 2. 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.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 13**

**DATE: 3/9/15**

**PUBLIC HEARING: YES**  
**March 23, 2015 at 7:30 p.m.**

**READING: FIRST**

**ORDINANCE NO.: 15-27**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT ON PROPERTY DESIGNATED AS INSTITUTIONAL AND HIGH DENISTY SINGLE FAMILY ON THE FUTURE LAND USE MAP TO MIXED USE AT 500 NORTH LIBERTY ROAD (PARCELS 519-423-01-045-000, 519-423-01-046-001 AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES ZONED R-4 PMU (MEDIUM DENSITY RESIDENTIAL WITH A PLANNED MIXED USE OVERLAY DISTRICT).**

**DEPARTMENT AFFECTED:**  
**Planning Department**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**  
**Planning Commission**

**RECOMMENDATION:**  
**Approval**

**VOTE:**  
**6-0**  
**MEETING DATE: March 4,**  
**2015**

**STAFF RECOMMENDATION:**  
**Approval at Second Reading**

**PRESENTER:**  
**Dave Efland, Planning Director**

**SUMMARY OF ITEM:**

**Fidelity Federal Savings and Loan is proposing to rezone their subject 14.9 acre property which currently encompasses three parcels (519-423-01-045-000 Sub-Area A and 519-423-01-046-001 & 519-423-01-047-001 Sub-Area B) from R-4 (Medium Density Residential) to R-4 PMU (Planned Mixed Use Overlay District). Turning Point is under contract to purchase the 7.73 acre Sub-Area A (western portion of the site) for a domestic shelter for victims of domestic violence only while Fidelity Federal Savings and Loan will maintain ownership of the 7.17 acre Sub-Area B (eastern portion of the site) for development opportunities. Within Sub-Area A, Turning Point would renovate the existing two buildings and utilize the existing infrastructure for a domestic shelter. The minimal improvements would include connecting the two existing buildings with a hallway to ensure security within the campus and potentially include accessory facilities like dumpster(s), a security fence and some additional parking spaces. The existing two buildings, outbuilding and infrastructure along with the accessory facilities would be deemed the Final Development Plan as they existing today. Within Sub-Area B, Fidelity Federal Savings and Loan did not submit a plan for the site (currently vacant) but are marketing the site for residential, office and limited commercial uses and any proposed use would require at a minimum Preliminary and Final Development Plan approval by the Planning Commission and City Council. The US 23/North Sandusky Street intersection upgrades would require approximately 1.167 acres of property dedicated for right-of-way to the State leaving a 5.933 acre parcel to be developed in Sub-Area B. In addition, any future development within both Sub-Areas would have to achieve compliance with the tree preservation, landscaping, lighting, signage and building design requirements of the development text.**

**Staff and the Planning Commission recommended approval of the Amendment to the Comprehensive Plan.**

**ATTACHMENTS:**

**COUNCIL NOTES:**

ORDINANCE NO. 15-27

AN ORDINANCE APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT ON PROPERTY DESIGNATED AS INSTITUTIONAL AND HIGH DENSITY SINGLE FAMILY ON THE FUTURE LAND USE MAP TO MIXED USE AT 500 NORTH LIBERTY STREET (PARCELS 519-423-01-045-000,519-423-01-046-001 AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES ZONED R-4 PMU (MEDIUM DENSITY RESIDENTIAL WITH A PLANNED MIXED USE OVERLAY DISTRICT).

WHEREAS, the Planning Commission at its meeting of March 4, 2015 recommended approval of an Amendment to the Comprehensive Plan for Fidelity Federal Savings and Loan and Turning Point on property designated as Institutional and High Density Single Family on the future land use map to Mixed Use at 500 North Liberty Street (Parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District) (PC 2015-0206) and

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

SECTION 1. That the an Amendment to the Comprehensive Plan for Fidelity Federal Savings and Loan and Turning Point on property designated as Institutional and High Density Single Family on the future land use map to Mixed Use at 500 North Liberty Street (Parcels 519-423-01-045-000, 519-423-01-046-001 and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District), the same and is hereby confirmed, approved, and accepted.

SECTION 2. 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.

VOTE ON RULE SUSPENSION: YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015 YEAS \_\_\_ NAYS \_\_\_

ATTEST:

\_\_\_\_\_

CITY CLERK

ABSTAIN \_\_\_\_

\_\_\_\_\_

MAYOR

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 14**

**DATE: 3/9/15**

**PUBLIC HEARING: NO**

**READING: FIRST**

**ORDINANCE NO.: 15-28**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR TURNING POINT IN SUB-AREA A AT 500 NORTH LIBERTY ROAD (PARCEL 519-423-01-045-000) ON APPROXIMATELY 7.73 ACRES ZONED R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT)**

**DEPARTMENT AFFECTED:  
Planning Department**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:  
Planning Commission**

**RECOMMENDATION:  
Approval**

**VOTE:  
6-0  
MEETING DATE: March 4,  
2015**

**STAFF RECOMMENDATION:  
Approval at Second Reading**

**PRESENTER:  
Dave Efland, Planning Director**

**SUMMARY OF ITEM:**

**Fidelity Federal Savings and Loan is proposing to rezone their subject 14.9 acre property which currently encompasses three parcels (519-423-01-045-000 Sub-Area A and 519-423-01-046-001 & 519-423-01-047-001 Sub-Area B) from R-4 (Medium Density Residential) to R-4 PMU (Planned Mixed Use Overlay District). Turning Point is under contract to purchase the 7.73 acre Sub-Area A (western portion of the site) for a domestic shelter for victims of domestic violence only while Fidelity Federal Savings and Loan will maintain ownership of the 7.17 acre Sub-Area B (eastern portion of the site) for development opportunities.**

**Within Sub-Area A, Turning Point would renovate the existing two buildings and utilize the existing infrastructure for a domestic shelter. The minimal improvements would include connecting the two existing buildings with a hallway to ensure security within the campus and potentially include accessory facilities like dumpster(s), a security fence and some additional parking spaces. The existing two buildings, outbuilding and infrastructure along with the accessory facilities would be deemed the Final Development Plan as they existing today. Within Sub-Area B, Fidelity Federal Savings and Loan did not submit a plan for the site (currently vacant) but are marketing the site for residential, office and limited commercial uses and any proposed use would require at a minimum Preliminary and Final Development Plan approval by the Planning Commission and City Council. The US 23/North Sandusky Street intersection upgrades would require approximately 1.167 acres of property dedicated for right-of-way to the State leaving a 5.933 acre parcel to be developed in Sub-Area B. In addition, any future development within both Sub-Areas would have to achieve compliance with the tree preservation, landscaping, lighting, signage and building design requirements of the development text.**

**Staff and the Planning Commission recommended approval of the Combined Preliminary and Final Development Plan with the conditions documented in the ordinance.**

**ATTACHMENTS:**

**COUNCIL NOTES:**

ORDINANCE NO. 15-28

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR TURNING POINT IN SUB-AREA A AT 500 NORTH LIBERTY ROAD (PARCEL 519-423-01-045-000) ON APPROXIMATELY 7.73 ACRES ZONED R-4 PMU (MEDIUM DENSITY RESIDENTIAL WITH A PLANNED MIXED USE OVERLAY DISTRICT).

WHEREAS, the Planning Commission at its meeting of March 4, 2015 recommended approval of Combined Preliminary and Final Development for Turning Point in Sub-Area A at 500 North Liberty Road (Parcel 519-423-01-045-000) on approximately 7.73 acres zoned R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District) (PC 2015-0204) and

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

SECTION 1. That the Combined Preliminary and Final Development for Turning Point in Sub-Area A at 500 North Liberty Road (Parcel 519-423-01-045-000) on approximately 7.73 acres zoned R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District), the same and is hereby confirmed, approved, and accepted with the following conditions:

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.
2. Any new or existing utilities to be constructed and/or extended within the development shall comply with the City minimum requirements or as approved by the City Director of Utilities.
3. Any new building shall achieve compliance with the design standards of the approved development text.
4. Any tree removal shall comply with Chapter 1168 Tree Preservation Regulations along with the approved development text.
5. Any new signage shall achieve compliance with the zoning code and the approved Gateways and Corridors Plan.
6. Any landscape plans shall be reviewed and approved by the Shade Tree Commission.
7. Any lighting plan shall be reviewed and approved by the Chief Building Official.

8. Any new buildings or site improvements considered a major modification shall require Preliminary and Final Development Plan approval.

SECTION 2. 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.

VOTE ON RULE SUSPENSION:

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 15**

**DATE: 03/9/15**

**PUBLIC HEARING: YES**  
**March 23, 2015 at 7:45 p.m.**

**READING: FIRST**

**ORDINANCE NO.: 15-29**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR WRD REAL ESTATE LLC TO ALLOW AN INDOOR SELF STORAGE FACILITY AT 35 SOUTH FRANKLIN STREET ON APPROXIMATELY 0.50 ACRES ZONED B-3 (COMMUNITY BUSINESS DISTRICT)**

**DEPARTMENT AFFECTED:**  
**Planning Department**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**  
**Planning Commission**

**RECOMMENDATION:**  
**Approval**

**VOTE:**  
**6-0**  
**MEETING DATE: 3/4/15**

**STAFF RECOMMENDATION:**  
**Approval at the second reading**

**PRESENTER:**  
**Dave Efland, Planning Director**

**SUMMARY OF ITEM:**

In April 2014, the Planning Commission and City Council approved a Conditional Use Permit for an automotive restoration facility at this location but the use never materialized. Now the owner is proposing to convert the building into a self-storage facility. B&L Packrat would supervise the construction and manage the indoor self-storage facility. They currently operate a self-storage business at the corner of Troy and Hill-Miller Roads.

The tenant would utilize the site and building as currently constructed. The site has frontage and a curb cut from South Franklin Street that accesses the existing unstriped parking lot which serves as the primary access location. A secondary access point is from East William Street through a City alley. The existing building would be divided into three distinct sections based on storage size with a likely maximum of 25 storage units. The northern section of the building would be divided into 10 smaller units which would contain approximately 50 square feet each and be accessed through the smaller garage door on the west side of the building via a security pad. The middle section could be divided into one or multiple units based on the market demands and would be accessed by a small garage door on the west side of the building. The southern section would be divided into one or two units based on market demands and would be accessed by the large garage door(s) on the southern portion of the building. Also, any exterior changes would require compliance with the Downtown Historic District regulations and must follow those approval processes. In the past the subject site was an automotive repair garage, auto dealership and the home of a cab company.

Both Staff and the Planning Commission recommend approval.

**ATTACHMENTS:**

Staff Report  
Site Maps  
Application

**COUNCIL NOTES:**

ORDINANCE NO. 15-29

AN ORDINANCE APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR BROWN JUG STORAGE TO ALLOW A STORAGE BUILDING EXPANSION (PHASE 3) ON APPROXIMATELY 1.48 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) LOCATED AT 224 EAST WILLIAM STREET.

WHEREAS, the Planning Commission at its meeting of March 4, 2015, recommended approval of an Amended Conditional Use Permit for Brown Jug Storage to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street (PC 2015-0208), and

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

SECTION 1. That the Amended Conditional Use Permit for Brown Jug Storage to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street, the same and is hereby confirmed, approved, and accepted.

SECTION 2. 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.

VOTE ON RULE SUSPENSION: YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015 YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK MAYOR



CASE NUMBERS: 2015-0175  
REQUEST: Conditional Use Permit  
PROJECT: 35 South Franklin  
MEETING DATE: March 4, 2015

**APPLICANT/OWNER**

Mike Dickey  
WRD Real Estate  
38 South Franklin Street  
Delaware, Ohio 43016

**REQUESTS**

2015-0175: A request by WRD Real Estate LLC, for approval of a Conditional Use Permit for an Indoor Self Storage Facility at 35 South Franklin Street on approximately 0.50 acres on property zoned B-3 (Community Business District).

**PROPERTY LOCATION & DESCRIPTION**

The subject 0.50 acre site is located on the east side of South Franklin Street just north of the Delaware Run. The subject site is zoned B-3 (Community Business District) as are the properties to the north, south and west while the properties to the east are zoned B-2 (Central Business District). Also, the subject site is located with the Transitional Sub-District of the Downtown Historic Overlay. The current surrounding uses consist of a retail and office uses.

**BACKGROUND/PROPOSAL**

In April 2014, the Planning Commission and City Council approved a Conditional Use Permit for an automotive restoration facility at this location but the use never materialized. Now the owner is proposing to convert the building into a self-storage facility. B&L Packrat would supervise the construction and manage the indoor self-storage facility. They currently operate a self-storage business at the corner of Troy and Hill-Miller Roads. The existing building would be divided into three distinct sections based on storage size with a likely maximum of 25 storage units. The northern section of the building would be divided into 10 smaller units which would contain approximately 50 square feet each and be accessed through the smaller garage door on the west side of the building via a security pad. The middle section could be divided into one or multiple units based on the market demands and would be accessed by a small garage door on the west side of the building. The southern section would be divided into one or two units based on market demands and would be accessed by the large garage door(s) on the southern portion of the building. In the past the subject site was an automotive repair garage, auto dealership and home of a cab company.

**STAFF ANALYSIS**

- **COMPREHENSIVE PLAN:** The subject site is located in the southwestern portion of the Downtown Core of the City of Delaware Comprehensive Plan and recommends mixed use as the future land use. The subject site is surrounded by mixed use future land uses. A low intensity self-storage facility with a sensitive site plan would likely meet the intent of the land use plan with minimal impact to the adjacent businesses.
- **ZONING:** As noted above, the current zoning on the property is B-3 (Community Business District) which permits a self-storage facility use as a conditional use. Compliance with the general and specific conditional use criteria along with Planning Commission and City Council approval would be required for the proposed self-storage facility.
- **GENERAL ENGINEERING:** Due to the fact that the owner is not proposing any site plan revisions and the use will be entirely within the building, detailed construction drawings are not required.
- **SITE CONFIGURATION:** The tenant would utilize the site and building as currently constructed. The site has frontage and a curb cut from South Franklin Street that accesses the existing unstriped parking lot which serves as the primary access location. A secondary access point is from East William Street through a City alley. A 37 space parking lot is located just east of the site that is the property of the owner of the building. The maximum 25 unit storage facility would require one parking space which could be located on-site or shared with the adjacent 37 space parking lot. Staff recommends that the tenant stripe the parking space(s) on the subject site. Furthermore, staff recommends that all the proposed business activities occur within the building and no outdoor storage would be permitted. If the tenant proposes a dumpster it should comply with

the minimum zoning code requirements. Also, any exterior changes will require compliance with the Downtown Historic District regulations and must follow those approval processes.

- **LANDSCAPING & SCREENING:** No landscaping or screening is proposed.
  - **LIGHTING:** No outdoor lighting is proposed.
  - **SIGNS:** The building is located within the Downtown Historic Overlay District and any proposed signage would have to achieve compliance with the signage requirements of the district. No signage is proposed in this submittal.
  - **CONDITIONAL USE PERMIT:** Staff has reviewed the criteria for a Conditional Use Permit and finds that all applicable criteria are achieved for approval.
- 

**GENERAL REVIEW CRITERIA FOR ALL CONDITIONAL USE PERMITS**

1. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area.
2. Will not be detrimental to property values in the immediate vicinity.
3. Will not restrict or adversely affect the existing use of the adjacent property owners.
4. Will be designed and constructed so that all access drives, access points to public streets, driveways, parking and service areas shall be in compliance with the regulations set forth in Chapter 1161.
5. Will be properly landscaped in accordance with Chapter 1166.
6. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.
7. That the establishment of the conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
9. That adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety.
10. That the establishment of the conditional use will not be detrimental to the economic welfare of the community by creating excessive additional requirements or public cost for public facilities such as police, fire and schools.
11. That there is minimal potential for future hardship on the conditional uses that could result from the proposed use being surrounded by uses permitted by right that may be incompatible.

*Each of these General Review criteria appears to be met or are not applicable.*

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**STAFF RECOMMENDATION – CONDITIONAL USE PERMIT (2015-0175)**

Staff recommends approval of a request by WRD Real Estate LLC, for approval of a Conditional Use Permit for a Self-Storage Facility at 35 South Franklin Street on approximately 0.50 acres on property zoned B-3 (Community Business District), with the following conditions:

1. No outdoor storage shall be permitted on the subject parcel.
2. The parking lot shall be striped for at least one space.
3. Any proposed exterior change or signage shall achieve compliance with the requirements of the Historic Downtown Overlay District.



### Statement of Usage Intent

We intend to subdivide and rent the building space at 35 South Franklin Street as an indoor self-storage business. We plan to us B&L Packrat to supervise construction and manage the self-storage business. B&L Packrat currently operates a self-storage business at the corner of Troy and Hills-Miller Roads.

We plan to have the self-storage tenants access the building through the smaller garage door on the west side of the building via a security keypad. We do not expect to need any parking as the only vehicle traffic will be during access to the storage units. The property has up to two parking spaces available on the west side of the building.

Our plan for subdividing the space will depend on the demand, but our initial dividers will allow for some 5' by 10' units and some 10' by 10' units (see preliminary layout). Each unit will have adequate lighting and the access halls will have adequate lighting. The dividers will be steel to reduce the maintenance and keep the units secure. We will be sure to obtain a commercial building zone permit prior to commencing construction of the dividers and doors.

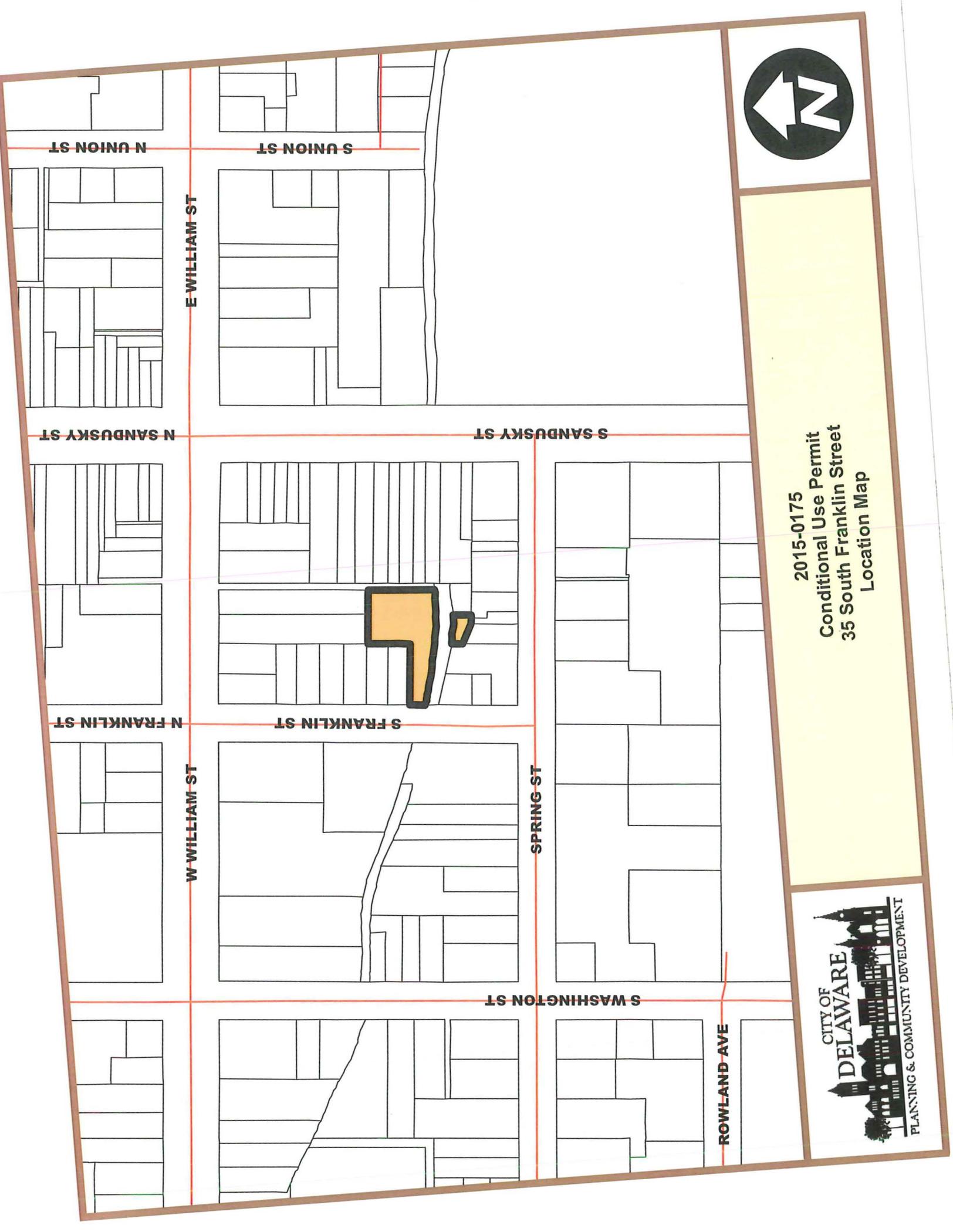
G. Michael Dickey, Partner

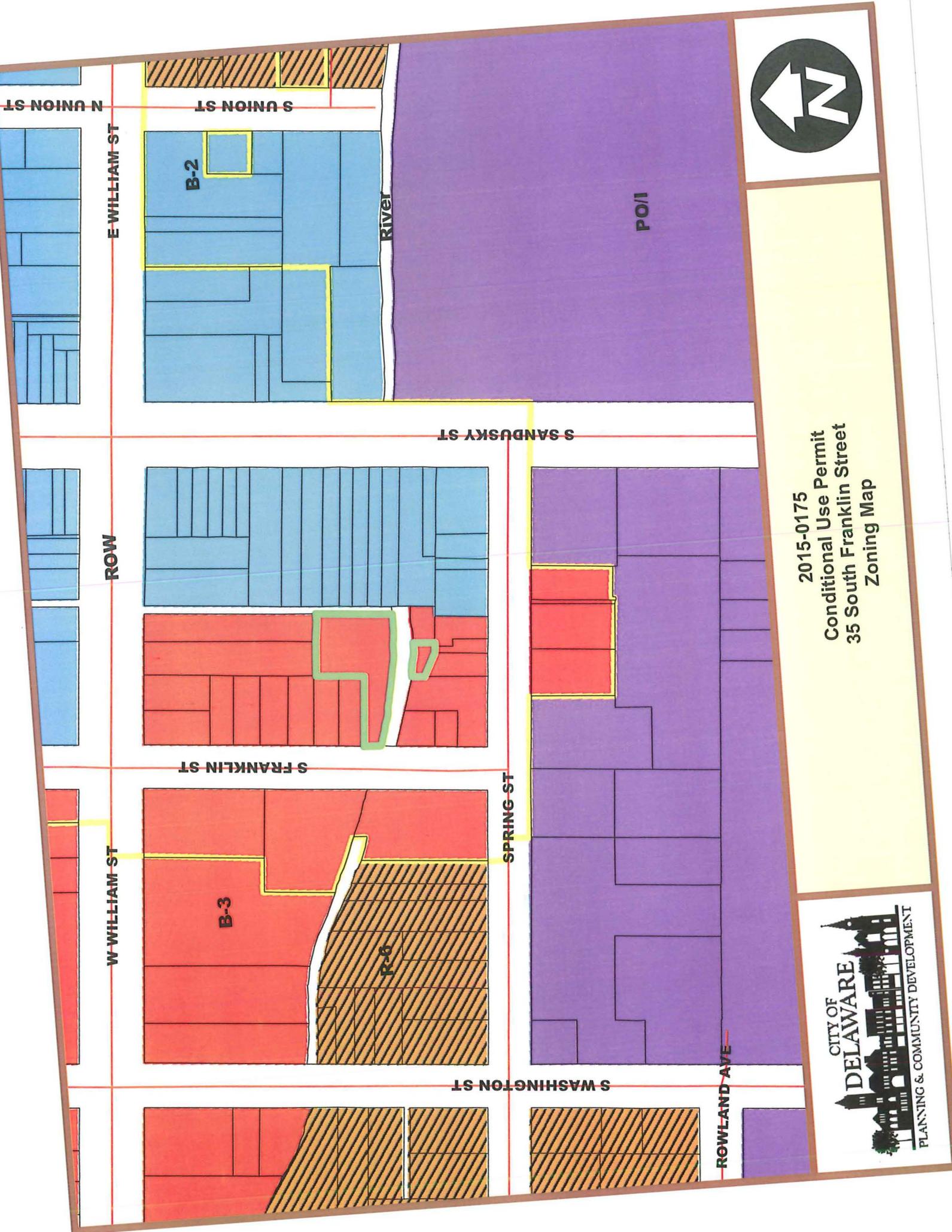
WRD Real Estate, LLC

January 30, 2015



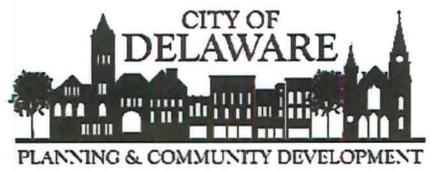
2015-0175  
Conditional Use Permit  
35 South Franklin Street  
Location Map





2015-0175  
 Conditional Use Permit  
 35 South Franklin Street  
 Zoning Map





2015-0175  
Conditional Use Permit  
35 South Franklin Street  
Aerial (2013)



<----- South Franklin Street ----->

### 35 South Franklin Street

North  
→

RV garage door

RV garage door

large garage door

small garage door

bathroom

Entrance

#1

#7

#2

#8

#3

#9

#4

#10

#5

#6

paint booth

shelf

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**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 16**

**DATE: 3/9/15**

**PUBLIC HEARING: NO**

**READING: FIRST**

**ORDINANCE NO.: 15-30**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR BUEHLER'S FOOD MARKETS, INC., AT 800 CENTRAL AVENUE ON APPROXIMATELY 16.59 ACRES ZONED B-3 PUD (COMMUNITY BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT DISTRICT)**

**DEPARTMENT AFFECTED:  
Planning Department**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:  
Planning Commission**

**RECOMMENDATION:  
Approval**

**VOTE:  
6-0  
MEETING DATE: March 4,  
2015**

**STAFF RECOMMENDATION:  
Approval at First Reading**

**PRESENTER:  
Dave Efland, Planning Director**

**SUMMARY OF ITEM:**

**Buehler's Food Markets Inc., is proposing to subdivide the existing 16.59 acre parent parcel into three out parcels with the eastern most lot containing 1.404 acres, the middle out lot containing 1.205 acres and the westernmost out lot containing 1.142 acres while Buehler's Food Market would encompass the remaining 12.839 acres. In Phase 1, Panera Bread is currently being constructed on the 1.404 acre easternmost out lot while the other two out lots are zoned commercial and would be marketed for such uses by the owner. Phase 2 begins with the first development proposed on either of the two other lots. Each out lot building would require Preliminary and Final Development Plan approval by the Planning Commission and City Council that would have to comply with the amended PUD development text and the minimum zoning requirements.**

**Staff and the Planning Commission recommended approval of the Final Subdivision Plat with conditions documented in the ordinance.**

**ATTACHMENTS:**

**Staff Report**

**COUNCIL NOTES:**

ORDINANCE NO. 15-30

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR BUEHLER'S FOOD MARKETS, INC., AT 800 CENTRAL AVENUE ON APPROXIMATELY 16.59 ACRES ZONED B-3 PUD (COMMUNITY BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT DISTRICT).

WHEREAS, the Planning Commission at its meeting of March 4, 2015 recommended approval of a Final Subdivision Plat for Buehler's Food Markets Inc., at 800 Central Avenue on approximately 16.59 acres zoned B-3 PUD (Community Business District with a Planned Unit Development District) (PC 2015-0177), and

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

SECTION 1. That the Final Subdivision Plat for Buehler's Food Markets Inc., at 800 Central Avenue on approximately 16.59 acres zoned B-3 PUD (Community Business District with a Planned Unit Development District), the same and is hereby confirmed, approved, and accepted with the following conditions that:

1. The construction of Phase 2, which is the construction of a second building on any of proposed out lots, shall require all of the following improvements to be completed concurrent with any construction:
  - a. West Central Avenue shall be widened to include an eastbound left hand turn lane into the relocated entrance drive on West Central Avenue in addition to any other intersection and traffic improvements at the time of the proposed development per the City Engineers requirements.
  - b. The existing southern service road (located just north of the proposed out lots) that intersects with Buehler's Drive shall be limited to right-in/right-out movements only.
2. Any new out lot building shall require Preliminary and Final Development Plan approval that complies with the amended PUD development text and the minimum zoning code requirements.
3. The final subdivision plat shall achieve compliance with the approved PUD development text.

SECTION 2. 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.

VOTE ON RULE SUSPENSION:

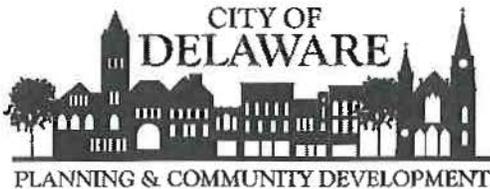
YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## PLANNING COMMISSION / STAFF REPORT

CASE NUMBER: 2015-0177

REQUEST: Final Subdivision Plat

PROJECT: Buehler's Food Market Inc.

MEETING DATE: March 4, 2015

### APPLICANT/OWNER

Buehler Food Markets Inc.  
1401 Old Mansfield Road  
Wooster, Ohio 44691

### REQUEST

2015-0177: A request by Buehler's Food Markets Inc. for approval of a Final Subdivision Plat at 800 West Central Avenue on approximately 16.59 acres zoned B-3 PUD (Community Business District with Planned Unit Development District).

### PROPERTY LOCATION & DESCRIPTION

The property is located on the north side of West Central Avenue between Buehlers Drive and Crestview Drive. The subject site is zoned B-3 (Community Business District) with a Planned Unit Development (PUD) Overlay. The properties to the north and east are zoned R-3 (One-Family Residential District) while the property to the south across West Central Avenue is zoned R-6 (Multi-Family Residential District). The single-family residentially zoned properties to the west are in Delaware Township.

### BACKGROUND

Buehler's Food Markets Inc., is proposing to subdivide the existing 16.59 acre parent parcel into three out parcels ranging in size from 1.142 acres to 1.404 acres that front West Central Avenue. Panera Bread is currently being constructed on the eastern most out lot (1.404 acres) while the other two out lots are zoned commercial and would be marketed for such uses by the owner. A three legged access drive (prohibiting left turns in from West Central Avenue) would divide the middle (1.205 acres) and westernmost (1.142 acres) out lots. The development is divided into two phases. Panera Bread is currently being constructed in Phase 1 on the easternmost lot. Phase 2 begins with the first development proposed on either of the two other lots.

### STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The subject site is located in the Delaware Run Subarea of the Comprehensive Plan with a land use designation of "Commercial." The proposed restaurant and any commercial out lots would be consistent with the land use plan and zoning for the site.
- **ZONING:** As previously mentioned, the zoning for the subject site is B-3 PUD. Under the current zoning, the development of any of the out lots would require a minimum Preliminary and Final Development Plan review. The subject property has an extensive zoning history with the following approvals:
  - Ordinance 85-21 – April 8, 1985 – City Council approved the current Buehler Retail Shopping Center rezoning of B-3 General Business and a Commercial Planned Unit Development with two conditions:
    - That a fence be erected and maintained between said 3.5 acres and Carlisle Elementary School to the east.
    - That sidewalks be constructed and maintained within said Planned Unit Development along the north side of West Central Avenue and both sides of the street which is to be constructed within said development.
      - Although no specific conditions were approved in the ordinance, the following pertinent development requirements were documented on the public record:
        - The plan calls for 2 acres of green space with 4.5 foot high mounding in front of the development.
        - The building is setback 260 feet.
        - The building will be 85,000 square feet.
        - The building will be entirely brick and landscaped.
        - The house and barn in front will remain.
        - The parking lot will be depressed and will not show from the street.
        - A 90 seat restaurant will be included.

- Buehler's will install the traffic signal on Central Avenue at a cost of \$40,000 to \$45,000 and additional lanes on West Central at a cost of \$20,000.
- Ordinance 86-23 – March 10, 1986 – City Council accepted the Preliminary-Final Plat of Buehler's Subdivision and declaring an emergency with the following conditions:
  - Meeting the specifications with regard to traffic signal.
  - Conforming to the intersection design as recommend by the Department of Public Works.
- Ordinance 90-53 – July 23, 1990 – City Council approved an ordinance amending the Planned Unit Development (PUD) for Buehler's Food Market on West Central Avenue to allow the expansion of the restaurant and banking facilities at this location.
- Ordinance 01-39 – May 14, 2001 – City Council approved a Conditional Use Permit for an outdoor display area for Buehler's Food Market located at 800 West Central Avenue.
- PC 05-039 – June 15, 2005 - The Planning Commission approved an Administrative Review with conditions of a 5,385 square foot addition and 9 new parking spaces for a new Ace Hardware.
- PC 06-120 – November 15, 2006 – The Planning Commission approved a Development Plan Exemption with conditions for the construction of a detached barn for Ace Hardware at 800 West Central Avenue.
- PC 09-031 – July 15, 2009 – The Planning Commission approved a Development Plan Exemption with conditions for exterior alterations associated with a new customer Click, Load & Go vehicular loading zone at 800 West Central Avenue.
- Ordinance 11-100 – December 12, 2011 – City Council approved a Final Development Plan Amendment for Buehler Foods allowing the demolition of the residential house located at 800 West Central Avenue.
- Ordinance 13-50 & 13-51 – August 26, 2013 – City Council approved a Rezoning Amendment and Amended Final Development Plan for the retail center at 800 West Central Avenue.
- Ordinance 14-54 – June 9, 2014 – City Council approved a Preliminary and Final Development Plan for Panera Bread on 1.404 acres at 800 West Central Avenue.
- **DEVELOPMENT TEXT:** Being an amended PUD Overlay, the Development Text sets forth the development standards and requirements for this site and out lots. It should be noted that this text allows for a higher quality development from both a site planning and architectural design standpoint than that which would be permitted or required under a base zoning district or the original PUD. Additionally, this text allows a great deal of flexibility in the location of uses and certain limitations aimed at protecting the existing adjacent single-family residential uses.
- **GENERAL ENGINEERING/UTILITIES:** The owner has relocated sanitary sewer, the water and the storm sewer lines and easements to maximize the development potential of the proposed out lots fronting West Central Avenue. In addition, the storm water detention basin located on the western portion of the site was enlarged to accommodate the future development of the out lots.
- **TRAFFIC IMPACT, ROAD AND ACCESS:** The applicant has submitted a traffic impact study in 2013 that was reviewed and approved by the City. The results of the study yielded turning movement modifications and improvements based on the future build out of the property in a phased approach. Phase I, which is the construction of Panera Bread, required the following traffic improvements. 1). There are two curb cuts from West Central Avenue accessing the site with the easternmost new curb cut being a right-in only; 2).The relocation and expansion of the existing western curb cut to allow a three legged intersection movement prohibiting left in turn movements from West Central Avenue; 3). The southernmost service road that intersects with Buehler's Drive would remain full movement at this time. Phase II, which is the construction of a second building on any of the out lots fronting West Central Avenue, would require the widening of West Central Avenue to include a left hand turn lane into the relocated and expanded westernmost entrance drive on West Central Avenue per the City Engineer. In addition, the southern service road that intersects with Buehler's Drive would be limited to right-in/right-out movements only.

- **SITE CONFIGURATION:** Buehler's Food Markets Inc., is proposing to subdivide the existing 16.59 acre parent parcel into three out parcels with the eastern most lot containing 1.404 acres, the middle out lot containing 1.205 acre and the westernmost out lot containing 1.142 acres while Buehler's would encompass the remaining 12.839 acres. As mentioned above, Panera Bread is currently being constructed on the 1.404 acre easternmost out lot. Each out lot building would require Preliminary and Final Development Plan approval by the Planning Commission and City Council that would have to comply with the amended PUD development text and the minimum zoning requirements.
- **PEDESTRAIN CONNECTIVITY:** An existing sidewalk currently extends the length of frontage of the proposed out lots along West Central Avenue. The property west of the site is in the township and there are not any sidewalks in this area. .
- **BUILDING DESIGN:** Each out lot building would require Preliminary and Final Development Plan approval by the Planning Commission and City Council that would have to comply with the amended PUD development text and the minimum zoning requirements;.
- **TREE REMOVAL & REPLACEMENT:** The owner has agreed in principal to achieve compliance with the tree replacement requirements in Chapter 1168 which required replacement of 236 caliper inches as a result of the constructed site improvements. The owner is currently preparing the appropriate tree replacement drawings to be reviewed by the City.
- **LANDSCAPING & SCREENING:** Buehler's is in the process of installing the landscaping and screening per the approved Amended Final Development Plan (Ordinance13-51). In addition, each out lot building would have to achieve compliance with the minimum landscaping requires and receive Preliminary and Final Development Plan approval by the Planning Commission and City Council.
- **SIGNAGE:** The signage for any future out lot building shall also comply with the requirements of the approved development text of the amended PUD and minimum zoning requirements. Out lot buildings would not be allowed any freestanding individual signs but would be allowed building signage. The center has a comprehensive sign plan which shall be adhered to by all tenants/uses. The plan allows for up to 2 center ground signs with tenant panels.

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**STAFF RECOMMENDATION (2015-0177 FINAL SUBDIVISION PLAT)**

Staff recommends approval of a request Buehler's Food Markets Inc. for approval of a Final Subdivision Plat at 800 West Central Avenue on approximately 16.59 acres zoned B-3 PUD (Community Business District with Planned Unit Development District) with the following conditions that:

1. The construction of Phase 2, which is the construction of a second building on any of proposed out lots, shall require all of the following improvements to be completed concurrent with any construction:
  - a. West Central Avenue shall be widened to include an eastbound left hand turn lane into the relocated entrance drive on West Central Avenue in addition to any other intersection and traffic improvements at the time of the proposed development per the City Engineers requirements.
  - b. The existing southern service road (located just north of the proposed out lots) that intersects with Buehler's Drive shall be limited to right-in/right-out movements only.
2. Any new out lot building shall require Preliminary and Final Development Plan approval that complies with the amended PUD development text and the minimum zoning code requirements.
3. The final subdivision plat shall achieve compliance with the approved PUD development text.

COMMISSION NOTES:

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MOTION: \_\_\_\_\_ 1<sup>st</sup> \_\_\_\_\_ 2<sup>nd</sup> *approved* *denied* *tabled* \_\_\_\_\_

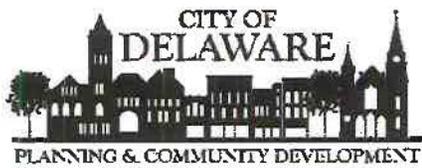
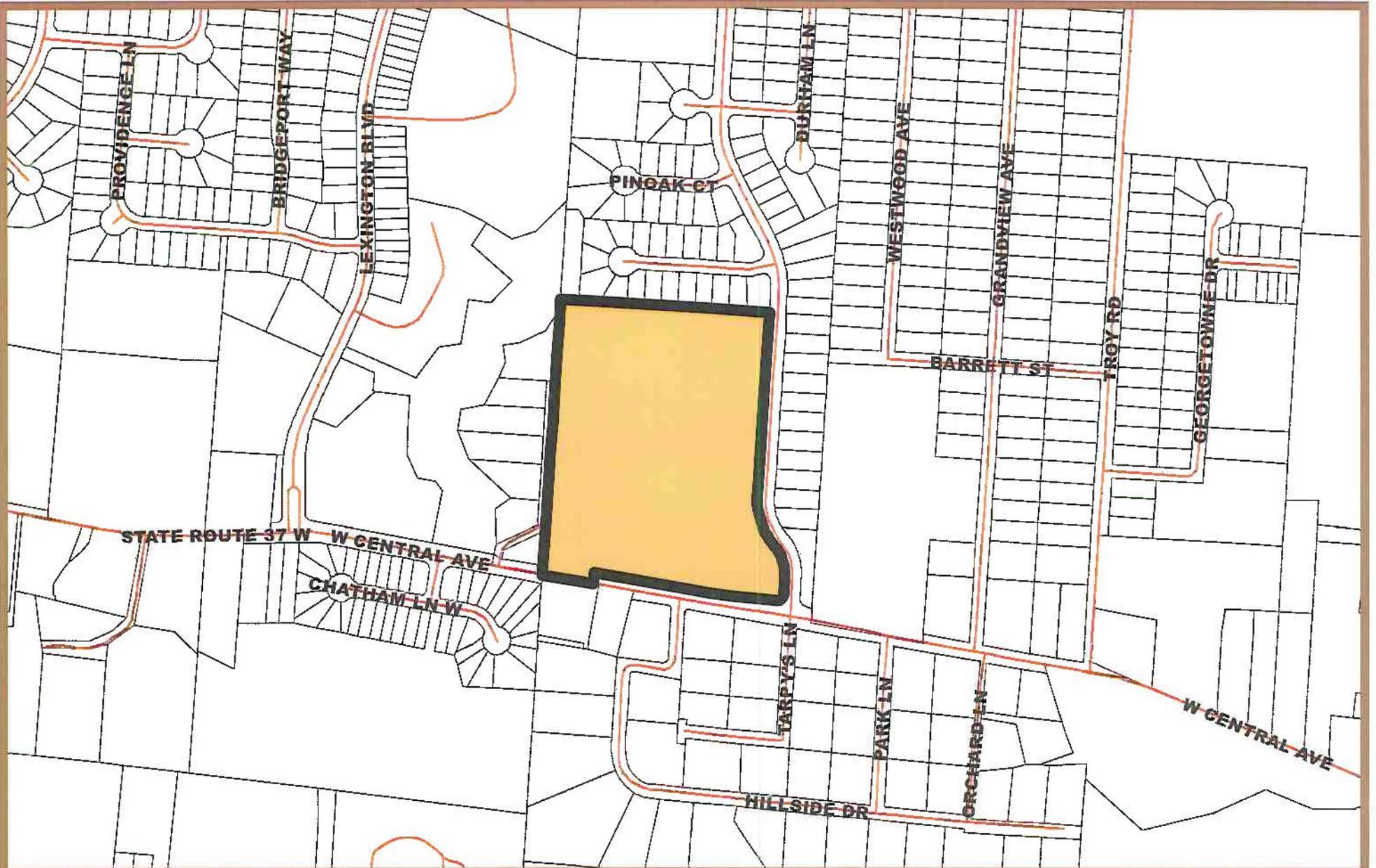
CONDITIONS/MISCELLANEOUS:

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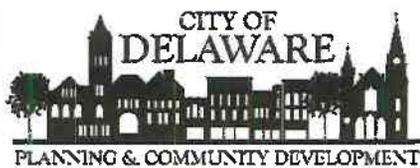
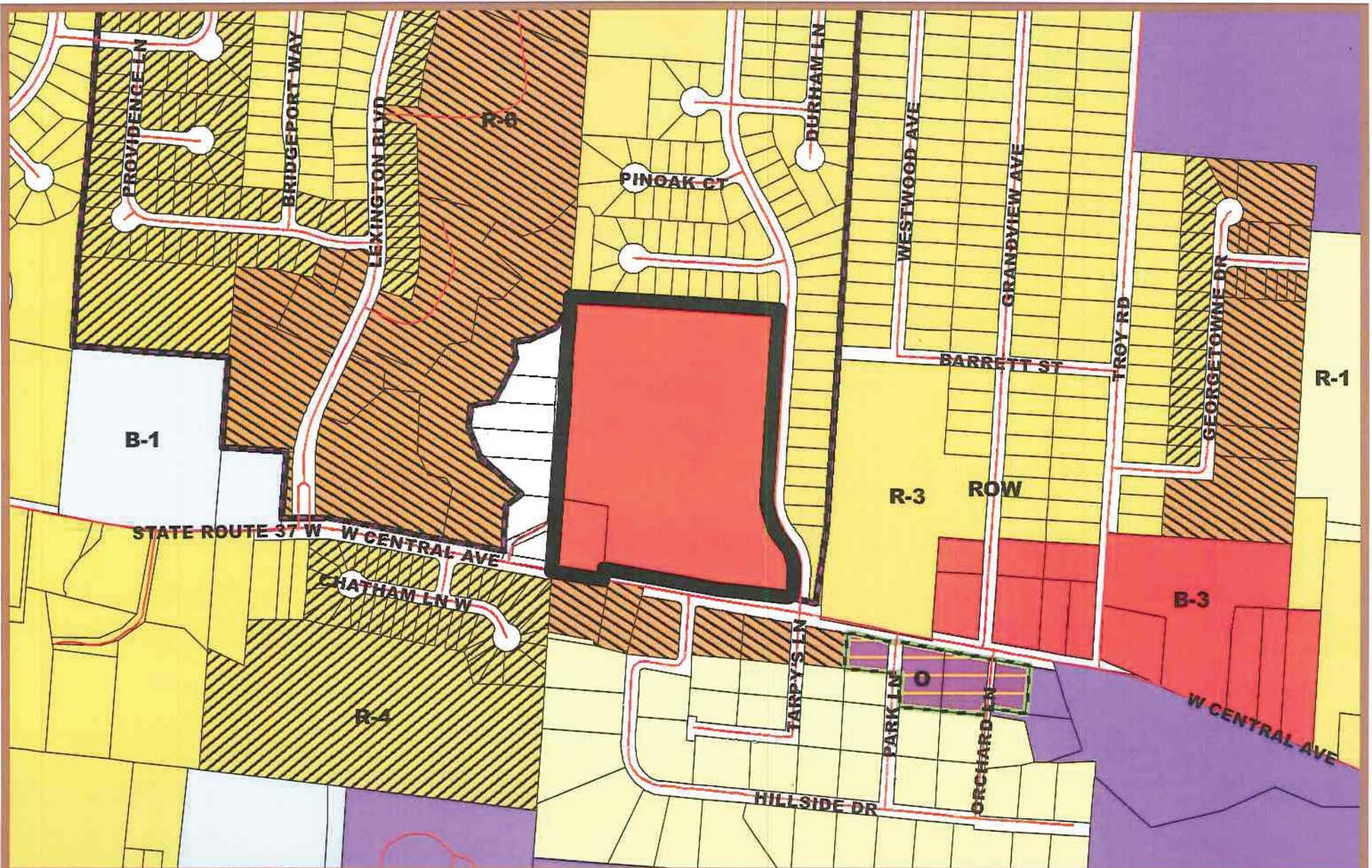
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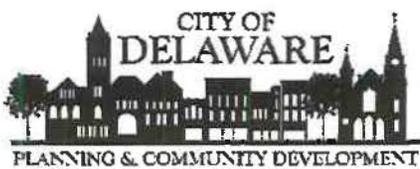
2015-0177  
Final Subdivision Plat  
Buehlers Food Markets - 800 West Central Avenue  
Location Map





2015-0177  
Final Subdivision Plat  
Buehlers Food Markets - 800 West Central Avenue  
Zoning Map

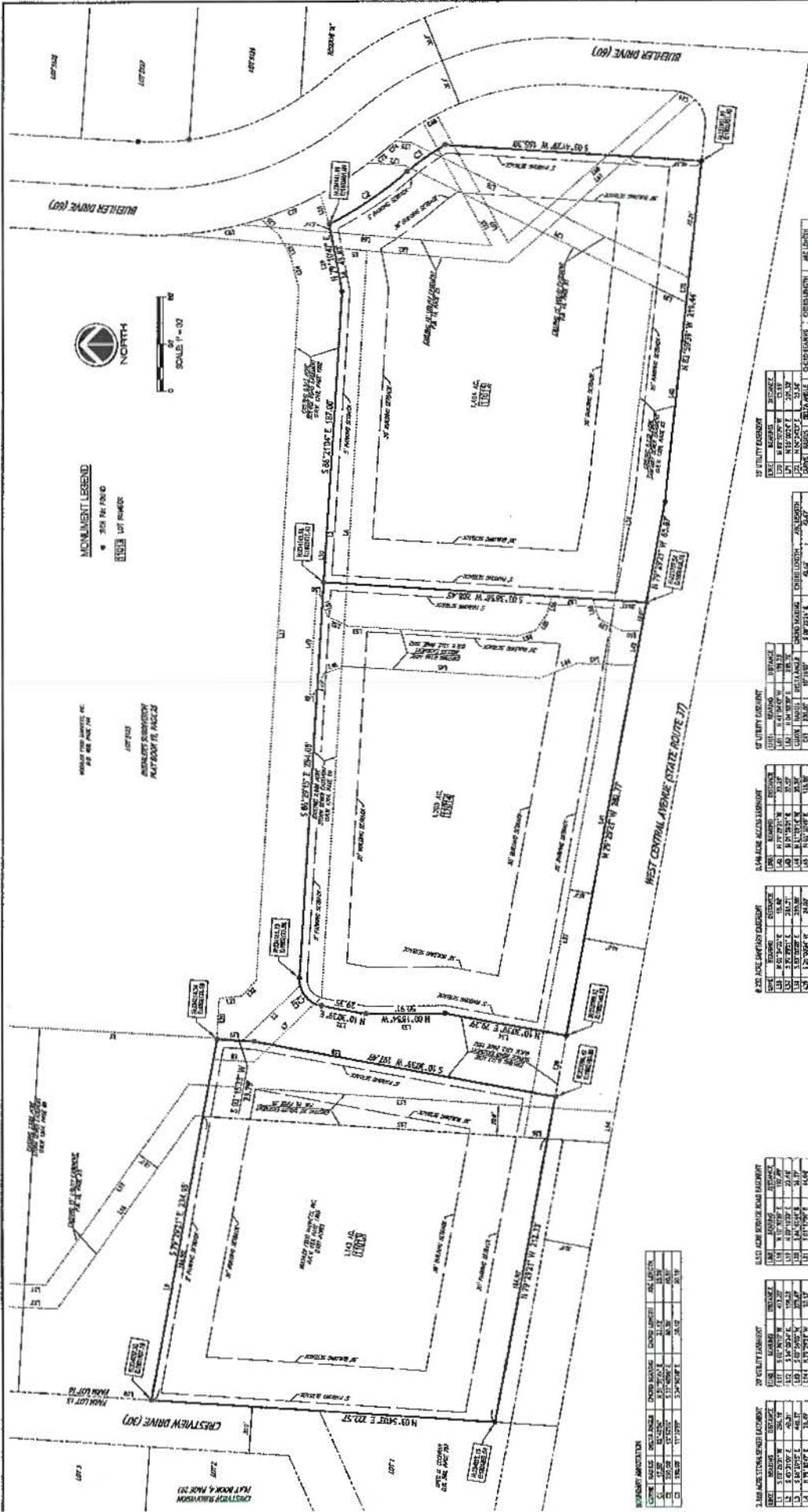




2015-0177  
Final Subdivision Plat  
Buehlers Food Markets - 800 West Central Avenue  
Aerial (2013)







**MONUMENT LEGEND**  
 • 250' IRON PIN  
 [Symbol] LOT NUMBER

**SCALE 1" = 50'**  
 NORTH

MONUMENTS SET BY THE SURVEYOR  
 AND THE SUBDIVISION PLANNER  
 AND THE CITY OF DELAWARE, OHIO

**GENERAL INFORMATION**

ITEM	DESCRIPTION	DATE	BY
1	CONVEYANCE	11/15/2017	CT CONSULTANTS
2	REVISION	11/15/2017	CT CONSULTANTS
3	REVISION	11/15/2017	CT CONSULTANTS
4	REVISION	11/15/2017	CT CONSULTANTS
5	REVISION	11/15/2017	CT CONSULTANTS

**2. 100' WIDE TYPICAL EASEMENT**

LINE	BEARING	DISTANCE	AREA
101	S 89° 54' 00" E	100.00	100.00
102	S 89° 54' 00" E	100.00	100.00
103	S 89° 54' 00" E	100.00	100.00
104	S 89° 54' 00" E	100.00	100.00
105	S 89° 54' 00" E	100.00	100.00
106	S 89° 54' 00" E	100.00	100.00
107	S 89° 54' 00" E	100.00	100.00
108	S 89° 54' 00" E	100.00	100.00
109	S 89° 54' 00" E	100.00	100.00
110	S 89° 54' 00" E	100.00	100.00

**20' UTILITY EASEMENT**

LINE	BEARING	DISTANCE	AREA
111	S 89° 54' 00" E	20.00	20.00
112	S 89° 54' 00" E	20.00	20.00
113	S 89° 54' 00" E	20.00	20.00
114	S 89° 54' 00" E	20.00	20.00
115	S 89° 54' 00" E	20.00	20.00
116	S 89° 54' 00" E	20.00	20.00
117	S 89° 54' 00" E	20.00	20.00
118	S 89° 54' 00" E	20.00	20.00
119	S 89° 54' 00" E	20.00	20.00
120	S 89° 54' 00" E	20.00	20.00

**150' WIDE SERVICE ROAD EASEMENT**

LINE	BEARING	DISTANCE	AREA
121	S 89° 54' 00" E	150.00	150.00
122	S 89° 54' 00" E	150.00	150.00
123	S 89° 54' 00" E	150.00	150.00
124	S 89° 54' 00" E	150.00	150.00
125	S 89° 54' 00" E	150.00	150.00
126	S 89° 54' 00" E	150.00	150.00
127	S 89° 54' 00" E	150.00	150.00
128	S 89° 54' 00" E	150.00	150.00
129	S 89° 54' 00" E	150.00	150.00
130	S 89° 54' 00" E	150.00	150.00

**6' SIDE DRIVEWAY EASEMENT**

LINE	BEARING	DISTANCE	AREA
131	S 89° 54' 00" E	6.00	6.00
132	S 89° 54' 00" E	6.00	6.00
133	S 89° 54' 00" E	6.00	6.00
134	S 89° 54' 00" E	6.00	6.00
135	S 89° 54' 00" E	6.00	6.00
136	S 89° 54' 00" E	6.00	6.00
137	S 89° 54' 00" E	6.00	6.00
138	S 89° 54' 00" E	6.00	6.00
139	S 89° 54' 00" E	6.00	6.00
140	S 89° 54' 00" E	6.00	6.00

**15' SIDE WALK EASEMENT**

LINE	BEARING	DISTANCE	AREA
141	S 89° 54' 00" E	15.00	15.00
142	S 89° 54' 00" E	15.00	15.00
143	S 89° 54' 00" E	15.00	15.00
144	S 89° 54' 00" E	15.00	15.00
145	S 89° 54' 00" E	15.00	15.00
146	S 89° 54' 00" E	15.00	15.00
147	S 89° 54' 00" E	15.00	15.00
148	S 89° 54' 00" E	15.00	15.00
149	S 89° 54' 00" E	15.00	15.00
150	S 89° 54' 00" E	15.00	15.00

**4' UTILITY EASEMENT**

LINE	BEARING	DISTANCE	AREA
151	S 89° 54' 00" E	4.00	4.00
152	S 89° 54' 00" E	4.00	4.00
153	S 89° 54' 00" E	4.00	4.00
154	S 89° 54' 00" E	4.00	4.00
155	S 89° 54' 00" E	4.00	4.00
156	S 89° 54' 00" E	4.00	4.00
157	S 89° 54' 00" E	4.00	4.00
158	S 89° 54' 00" E	4.00	4.00
159	S 89° 54' 00" E	4.00	4.00
160	S 89° 54' 00" E	4.00	4.00

**10' SIDE WALK EASEMENT**

LINE	BEARING	DISTANCE	AREA
161	S 89° 54' 00" E	10.00	10.00
162	S 89° 54' 00" E	10.00	10.00
163	S 89° 54' 00" E	10.00	10.00
164	S 89° 54' 00" E	10.00	10.00
165	S 89° 54' 00" E	10.00	10.00
166	S 89° 54' 00" E	10.00	10.00
167	S 89° 54' 00" E	10.00	10.00
168	S 89° 54' 00" E	10.00	10.00
169	S 89° 54' 00" E	10.00	10.00
170	S 89° 54' 00" E	10.00	10.00

**10' UTILITY EASEMENT**

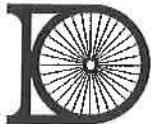
LINE	BEARING	DISTANCE	AREA
171	S 89° 54' 00" E	10.00	10.00
172	S 89° 54' 00" E	10.00	10.00
173	S 89° 54' 00" E	10.00	10.00
174	S 89° 54' 00" E	10.00	10.00
175	S 89° 54' 00" E	10.00	10.00
176	S 89° 54' 00" E	10.00	10.00
177	S 89° 54' 00" E	10.00	10.00
178	S 89° 54' 00" E	10.00	10.00
179	S 89° 54' 00" E	10.00	10.00
180	S 89° 54' 00" E	10.00	10.00

**CT Consultants**  
 Surveyors and Planners  
 2100 S. DELAWARE AVE., SUITE 100  
 DELAWARE, OHIO 43015

**SUBDIVISION PLAT**  
 RESUBDIVISION OF PART OF LOT 5125  
 BUEHLER'S SUBDIVISION  
 CITY OF DELAWARE, OHIO

DATE: 11/15/2017  
 TIME: 10:00 AM  
 BY: [Signature]

STATE OF OHIO  
 DEPARTMENT OF REVENUE  
 DIVISION OF LANDS



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



Project # \_\_\_\_\_ Case # \_\_\_\_\_

**Planning Commission**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Amended Final Development Plan                | <input type="checkbox"/> Final Development Plan Extension  | <input type="checkbox"/> Substitution of a Non-Conforming Use             |
| <input type="checkbox"/> Amended Final Subdivision Plat                | <input checked="" type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley                                   |
| <input type="checkbox"/> Amended Preliminary Development Plan          | <input type="checkbox"/> Final Subdivision Plat Extension  | <input type="checkbox"/> Vacation-Easement                                |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat          | <input type="checkbox"/> Floodplain Permit                 | <input type="checkbox"/> Vacation-Street                                  |
| <input type="checkbox"/> Annexation Review                             | <input type="checkbox"/> Lot Split                         | <b>Board of Zoning Appeals</b>  |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement          | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment                  | <input type="checkbox"/> Preliminary Development Plan      | <input type="checkbox"/> Conditional Use Permit                           |
| <input type="checkbox"/> Concept Plan                                  | <input type="checkbox"/> Preliminary Dev Plan Extension    | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit                        | <input type="checkbox"/> Preliminary Sub Plat              | <input type="checkbox"/> Variance   |
| <input type="checkbox"/> Determination of Similar Use                  | <input type="checkbox"/> Preliminary Sub Plat Extension    |   |
| <input type="checkbox"/> Development Plan Exemption                    | <input type="checkbox"/> Rezoning                          |   |
| <input type="checkbox"/> Final Development Plan                        | <input type="checkbox"/> Subdivision Variance              |   |

Subdivision/Project Name RESUBDIVISION OF PART OF LOT 5125 BUEHLER'S SUBD. Address 750 W. CENTRAL AVENUE DELAWARE, OHIO

Acreage 3.751 Square Footage 163392 Number of Lots 3 Number of Units \_\_\_\_\_

Zoning District/Land Use B-3 Proposed Zoning/Land Use B-3 Parcel # 51934203019000

Applicant Name CT CONSULTANTS Contact Person JAMES BARRY

Applicant Address 7965 N. HIGH STREET SUITE 340 COLUMBUS, OHIO 43235

Phone 614-779-0044 Fax 614-885-1701 E-mail jbarry@ctconsultants.com

Owner Name BUEHLER FOOD MARKETS, INC. Contact Person BECKY FOSTER

Owner Address 1401 OLD MANSFIELD ROAD WOOSTER, OHIO 44691

Phone 330-264-4355 Fax \_\_\_\_\_ E-mail bfooster@buehlers.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.

Scott C. Buehler  
Owner Signature

Scott C. Buehler, VP Buehler Food Markets, Inc.  
Owner Printed Name

Agent Signature

Agent Printed Name

Sworn to before me and subscribed in my presence this 6<sup>th</sup> day of February, 2015



Notary CHRISTA L. STURGEON  
Notary Public, State of Ohio  
My Commission Expires June 14 2015

Christa L. Sturgeon  
Notary Public

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 17**

**DATE: 03/9/15**

**PUBLIC HEARING: YES**  
**March 23, 2015 at 8:00 p.m.**

**READING: FIRST**

**ORDINANCE NO.: 15-31**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR BROWN JUG STORAGE TO ALLOW A STORAGE BUILDING EXPANSION (PHASE 3) ON APPROXIMATELY 1.48 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) LOCATED AT 224 EAST WILLIAM STREET.**

**DEPARTMENT AFFECTED:**  
**Planning Department**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**  
**Planning Commission**

**RECOMMENDATION:**  
**Approval**

**VOTE:**  
**6-0**  
**MEETING DATE: 3/4/15**

**STAFF RECOMMENDATION:**  
**Approval at the second reading**

**PRESENTER:**  
**Dave Efland, Planning Director**

**SUMMARY OF ITEM:**

The proposed expansion would be located on the east side of the existing entrance access drive adjacent to the residential homes to the east and the railroad tracks to the south. The structure would be a 80 foot long by 10-20 foot wide pre-manufactured storage building that would be approximately 11 feet high to the match the existing storage buildings and located approximately 10 feet from the eastern and southern property lines. The building elevation would match the existing buildings which are comprised of metal panels with koko brown metal doors with a metal roof that would pitch from back to the front (2:12). This case is on the March 11, 2015 Board of Zoning Appeals agenda for a building setback variance request for the eastern and southern side and rear yards respectively.

From a historical perspective, City Council approved a Conditional Use Permit in November 2012 and Combined Preliminary and Final Development Plan in February 2013 to allow the storage facility at this location. In addition, in February 2014 the Board of Zoning Appeals (BZA) approved a side yard setback variance to allow the construction of the proposed storage building expansion (Phase 2) within the eastern side yard setback. Also, the City Council approved an Amended Conditional Use Permit and the Planning Commission approved a Development Plan Exemption in April 2014 respectively for the subject building expansion (Phase 2).

Both Staff and the Planning Commission recommend approval.

**ATTACHMENTS:**

Staff Report  
Site Maps  
Application

**COUNCIL NOTES:**

ORDINANCE NO. 15-31

AN ORDINANCE APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR BROWN JUG STORAGE TO ALLOW A STORAGE BUILDING EXPANSION (PHASE 3) ON APPROXIMATELY 1.48 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) LOCATED AT 224 EAST WILLIAM STREET.

WHEREAS, the Planning Commission at its meeting of March 4, 2015, recommended approval of an Amended Conditional Use Permit for Brown Jug Storage to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street (PC 2015-0208), and

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

SECTION 1. That the Amended Conditional Use Permit for Brown Jug Storage to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street, the same and is hereby confirmed, approved, and accepted.

SECTION 2. 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.

VOTE ON RULE SUSPENSION: YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2015 YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_ CITY CLERK  
\_\_\_\_\_ MAYOR



## PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2015-0208 & 0209

REQUEST: Multiple Request

PROJECT: Brown Jug Storage - 224 East William Street

MEETING DATE: March 4, 2015

### APPLICANT/OWNER

Jim Manos  
973 Macewen Court  
Dublin, Ohio 43017

### REQUESTS

2015-0208 A request by Brown Jug Storage for approval of an Amended Conditional Use Permit to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street.

2015-0209: A request by Brown Jug Storage for approval of a Development Plan Exemption to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street.

### PROPERTY LOCATION & DESCRIPTION

The subject parcel encompasses 1.48 acres and is located on the south side of East Williams Street approximately 120 feet west of Cheshire Street. The vacant site is zoned B-3 (Community Business District). The properties to the south, east and west are zoned B-3 (Community Business District) while the property to the north is zoned R-4 (Medium Density Residential District). The rear portion of the subject site would be adjacent to R-4 (Medium Density Residential Property). The current surrounding uses consist of a retail use to the west and single family houses to the north and east while to the south are railroad tracks.

### BACKGROUND

In the past the subject site contained above ground storage tanks until they were removed and the storage buildings were constructed in late 2013. The Planning Commission and City Council approved a Conditional Use Permit in November 2012 and Combined Preliminary and Final Development Plan in February 2013 to allow the storage facility at this location. In addition, in February 2014 the Board of Zoning Appeals (BZA) approved a side yard setback variance to allow the construction of the proposed storage building expansion within the eastern side yard setback while in April 2014 City Council approved the amended Conditional Use Permit and Development Plan Exemption for the expansion. Now the owner is proposing to expand to the southeast by installing 8 more storage units in Phase 3.

### STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The subject site is located in the eastern portion of the Downtown Sub-Area of the City of Delaware Comprehensive Plan and recommends mixed use as the future land use. The site is surrounded by mixed use to the east and residential land uses to the north, south and east. A low intensity storage facility type of use with a sensitive site plan with appropriate landscaping and screening to the adjacent residents may provide an appropriate transition along East William Street. The current zoning would allow high intensity retail uses like fast food restaurants and automotive uses like gas stations. Since the storage buildings were constructed in late 2013 and expanded in 2014, there have not been any significant concerns from the adjacent residents pertaining to the use except for some light spillage issues that have since been addressed.
- **ZONING:** The expansion of the storage building requires an Amended Conditional Use Permit approved by the Planning Commission and City Council and a Development Plan Exemption approved by the Planning Commission.
- **GENERAL ENGINEERING:** Per the Engineering Department, the proposed minor addition would not require any additional engineering approvals from what was originally approved.
- **SITE CONFIGURATION:** The proposed expansion would be located on the east side of the existing entrance access drive just south of the 2014 expanded storage units adjacent to the residential homes to the east. The structure would be approximately 80 feet long by 10-20 feet wide pre-manufactured storage building that would be approximately 11 feet high to match the existing storage buildings. The building would be located approximately 10 feet from the eastern and southern property lines while the code requires a 50 foot

building setback. The BZA would review the proposed building setback variances at the March 11, 2015 public hearing.

- **ARCHITECTURE** As mentioned above the new storage building would match the existing buildings which are comprised of metal panels with koko brown metal doors with a metal roof that would pitch from back to the front (2:12).
- **LANDSCAPING & SCREENING.** Staff recommends extending the fence along the eastern property line further south to buffer the buildings from the adjacent residents to the east and to be consistent with the newly installed fence section. In addition, staff recommends installing trees between the fence and residential homes to enhance the buffering.
- **SIGNS:** No additional signage is requested in this proposal.
- **LIGHTING:** Any new lights including wall packs shall be shielded away from the adjacent residents and would need to achieve compliance with the zoning code and be approved by the Chief Building Official. The building will actually help screen neighbors from the lights and noise of this use and itself will provide some additional screening.
- **CONDITIONAL USE PERMIT:** Staff has reviewed the criteria for a Conditional Use Permit and finds that all applicable criteria are achieved and approved.
- **DEVELOPMENT PLAN EXEMPTION:** Section 1129.06(k) of the Zoning Code authorizes the Director of Planning and Community Development to exempt small incidental construction, which does not result in an adverse impact to the site or surroundings, from the development plan review process. Should the Director make such a determination, the Planning Commission shall confirm or overturn the determination.

Section 1129.06(k) Development Plan Exemption. When a minor alteration is proposed to an existing building, structure, use or site arrangement the Director of Planning and Community Development may make a preliminary determination that such a proposal is not contrary to the Zoning Ordinance and will not result in any material adverse impact to the site or surrounding areas. In such case, the Director may further determine that such proposal is not subject to development plan review. Such determination shall primarily apply to small incidental construction on large zoning lots and when the proposed construction is substantially distant and screened from the adjacent roadways and property lines.

If the Director makes a determination that such a proposal is not a minor alteration, the proposal shall fully comply with the development plan review procedures in Chapter 1129.

- (1) When the Director of Planning and Community Development makes such preliminary determination of administrative approval, the proposal shall be placed on the agenda of the next regularly scheduled Planning Commission meeting. At such meeting, the Planning Commission shall, by motion and majority vote, either:
  - A. Confirm the Director of Planning and Community Development's preliminary determination, in which case, the Director may issue a certificate of zoning compliance; or
  - B. Overturn the Director of Planning and Community Development's determination and, in so doing, require that the proposal fully comply with the development plan review procedures in Section 1129.06.

The Director finds, preliminarily, that this proposal with the conditions noted, is a minor alteration, with no adverse impacts to the site or surroundings, and is not contrary to the Zoning Code.

#### GENERAL REVIEW CRITERIA FOR ALL CONDITIONAL USE PERMITS

1. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area.
2. Will not be detrimental to property values in the immediate vicinity.
3. Will not restrict or adversely affect the existing use of the adjacent property owners.
4. Will be designed and constructed so that all access drives, access points to public streets, driveways, parking and service areas shall be in compliance with the regulations set forth in Chapter 1161.

5. Will be properly landscaped in accordance with Chapter 1166.
6. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.
7. That the establishment of the conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
9. That adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety.
10. That the establishment of the conditional use will not be detrimental to the economic welfare of the community by creating excessive additional requirements or public cost for public facilities such as police, fire and schools.
11. That there is minimal potential for future hardship on the conditional uses that could result from the proposed use being surrounded by uses permitted by right that may be incompatible.

*Each of these General Review criteria appears to be met or are not applicable.*

#### **SPECIFIC REVIEW CRITERIA -SECTION 1143.10**

##### **OUTDOOR DISPLAY AND STORAGE REGULATIONS.**

Outdoor display of merchandise for sale, including outdoor dining, and outdoor storage of goods and materials, other than for automotive sales, shall comply with the following.

(a) General Requirements.

(1) Location.

- A. Areas devoted to outdoor display or outdoor storage shall comply with all building setbacks and yard regulations for the district in which they are located as set forth in this Chapter.
- B. All outdoor display and storage areas must be contiguous to the principal building; however, such areas shall be spaced a sufficient distance from the building, as dictated by the City Fire Chief, to satisfy all fire safety requirements.
- C. No outdoor display or storage area shall be permitted to occupy or interfere with traffic circulation, required parking areas, public sidewalks or pedestrian access.

(2) Area. The area of the lot devoted to outdoor display or outdoor storage shall not exceed twenty-five percent (25%) of the ground floor area of the principal building. This limitation shall not apply when outdoor display is listed as a permitted use in Schedule 1143.02.

(3) Surfacing. Areas devoted to outdoor display and storage shall be paved with asphalt or concrete and free of dust.

(4) Height.

- A. Outdoor display areas located in front of a principal building shall not exceed a height of six (6) feet.
- B. The height of outdoor display or outdoor storage areas which are located to the side or rear of the building shall be determined by the Planning Commission during the Development Plan Review process. Such determination will take into account such issues as proposed fencing and/or walls, roofing materials, if any, and landscaping and screening.

(5) Signs.

- A. No signs shall be permitted in conjunction with outdoor display or outdoor storage areas except those otherwise in compliance with the sign regulations in Chapter 1165 or as regulated in (B) and (C) below.
- B. Within an enclosed outdoor storage or outdoor display area, pricing signs may be used as long as signs are related to the product being sold and are incorporated into the product display. Pricing signs shall not be permitted on a wall or fence used to demarcate the outdoor display or storage area unless in compliance with the sign regulations in Chapter 1165.

- C. Within an unenclosed outdoor storage or outdoor display area, pricing signs which are related to the product being sold and which are incorporated into the product display shall be permitted. The total area of such signs shall not exceed two (2) square feet.
- (b) Supplemental Regulations for Outdoor Display. The outdoor display area must be defined by or contained within an appropriate architectural or decorative demarcation as approved by the Planning Commission during the Development Plan Review process. This may include the use of landscaping elements, fencing, walls or other appropriate materials. If building materials are utilized, these materials shall be consistent with the architectural design of the principal structure as approved by the Planning Commission.
- (c) Supplemental Regulations for Outdoor Storage.
  - (1) Outdoor storage of materials shall include the storage of goods, materials, or products, or waste materials in containers associated with the principal use when such materials or products are customarily incidental to the permitted use of the property. The bulk storage of material such as mulch, wood chips, sand, etc. shall be permitted only if the material is effectively prevented from spreading and effectively screened pursuant to this Section.
  - (2) Areas devoted to outdoor storage shall be located in a side or rear yard only and shall comply with the building setbacks set forth in Schedule 1143.04.
  - (3) All outdoor storage areas shall be effectively screened from all adjacent residential districts, public parking areas and public streets according to the screening requirements set forth in Section 1166.08(c). The Planning Commission may increase the minimum height of required screening when it is determined that additional height is needed to effectively conceal all materials from view of any observer standing at grade level of an abutting residential district line or public street.
  - (4) All materials shall be stored in such a manner as to be accessible to firefighting equipment at all times.
- (d) Temporary Outdoor Sales and Displays. Permits may be granted for temporary outdoor sales and displays according to the provisions set forth in Chapter 1149.

*Each of these Specific Review criteria appears to be met or are not applicable.*

**STAFF RECOMMENDATION – CONDITIONAL USE PERMIT 2015-0208)**

Staff recommends approval of a request by Brown Jug Storage for approval of an amended Conditional Use Permit to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street property zoned B-3 (Community Business District).

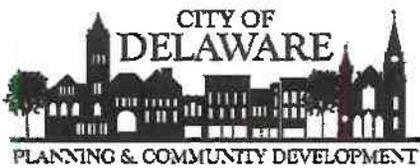
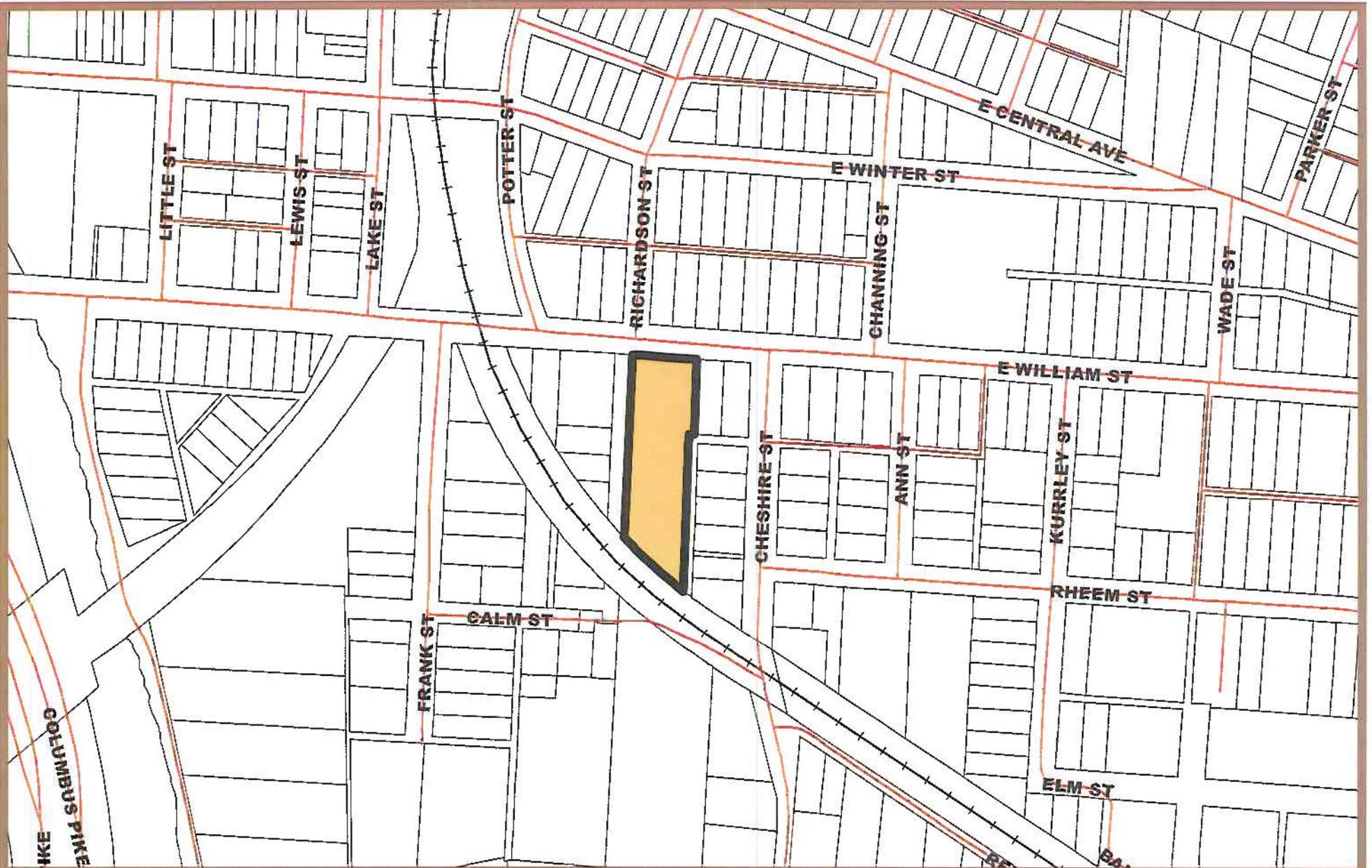
**STAFF RECOMMENDATION – DEVELOPMENT PLAN EXEMPTION 2015-0209)**

Staff recommends approval of a request by Brown Jug Storage for approval of a Development Plan Exemption to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street, with the following conditions that:

- 1. The existing privacy fence shall be extended further south to buffer the proposed storage building and trees shall be installed between the fence and the residential houses to the east.
- 2. The proposed building shall match the existing building in construction materials, design and color.
- 3. The wall pack fixtures and illumination shall be reviewed and approved by Chief Building Official and shall be shielded not to directly illuminate on adjacent residential properties.
- 4. The mechanical entrance gate shall be installed and operational prior to building occupancy approval of this addition.
- 5. Any outdoor storage shall be prohibited on the site.
- 6. A building setback variance request shall be reviewed and approved by the Board of Zoning Appeals for the expansion or the subject plan shall be revised for the expansion to achieve compliance with the minimum building setback requirements.
- 7. No outdoor advertisement of items for sale shall be allowed.
- 8. No temporary signage shall be allowed.

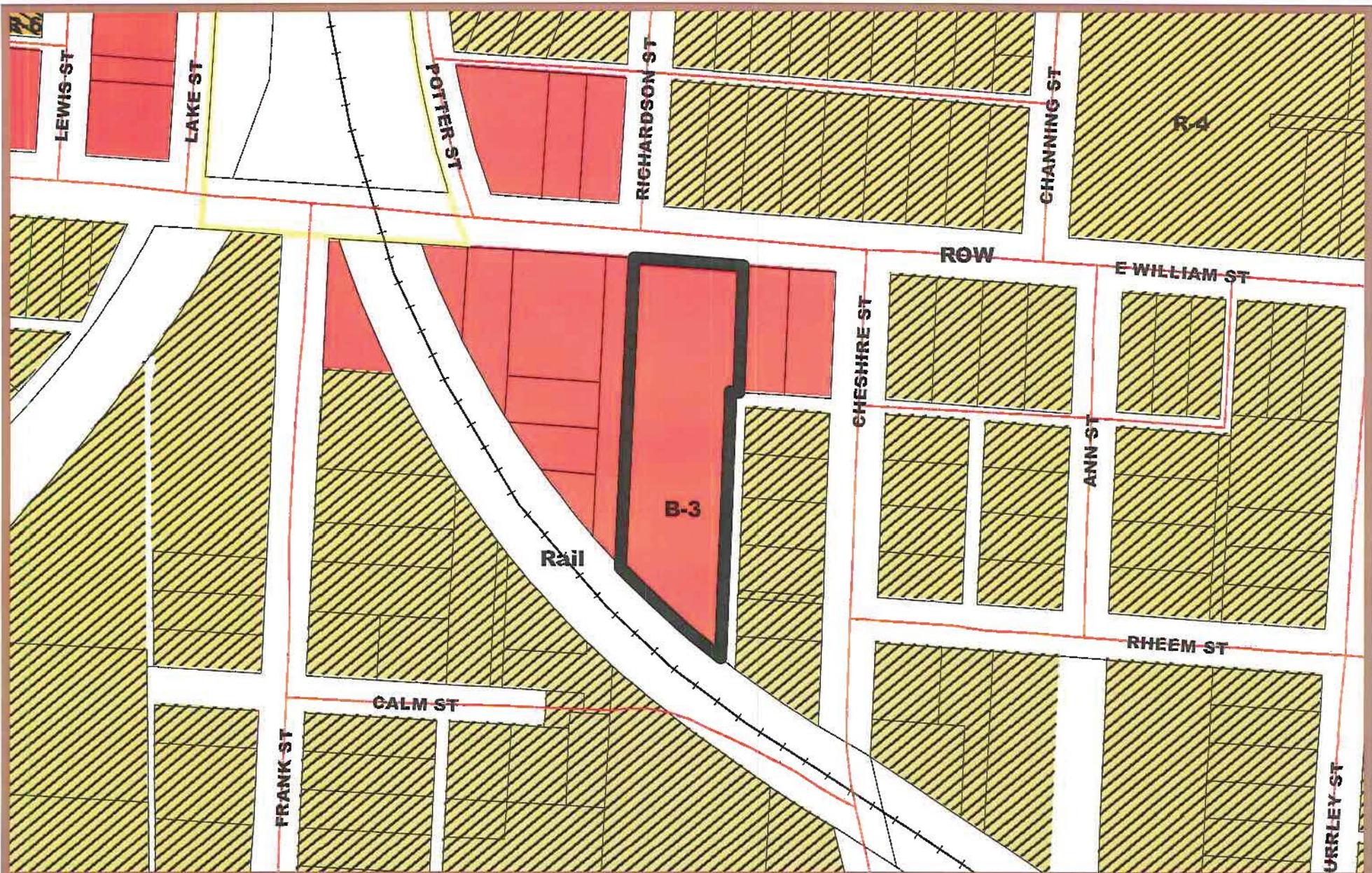






2015-0208 & 0209  
Amended Conditional Use Permit & Development Plan Exemption  
Brown Jug Storage - 224 East William Street  
Location Map





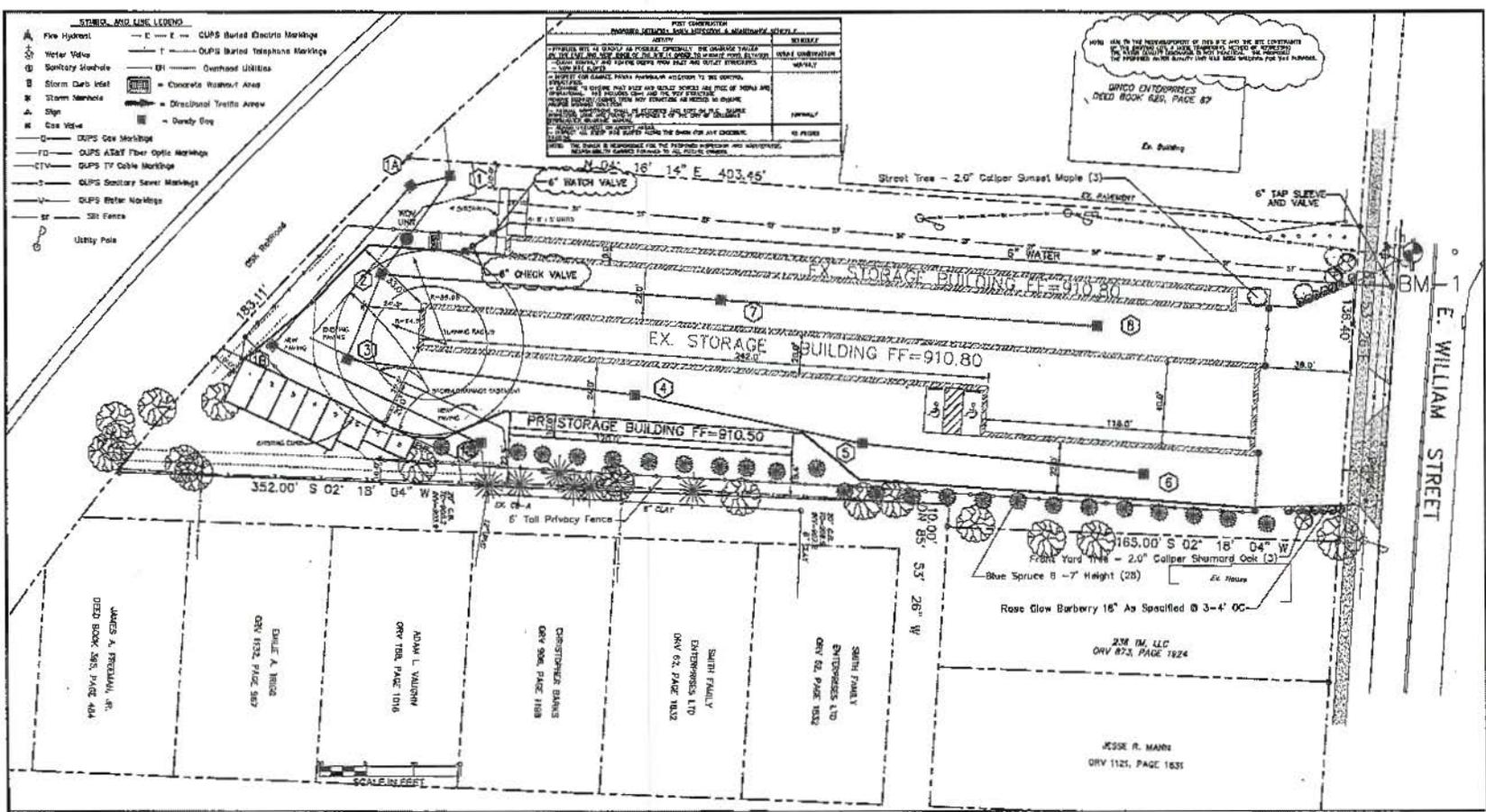
2015-0208 & 0209  
Amended Conditional Use Permit & Development Plan Exemption  
Brown Jug Storage - 224 East William Street  
Zoning Map





2015-0208 & 0209  
Amended Conditional Use Permit & Development Plan Exemption  
Brown Jug Storage - 224 East William Street  
Aerial (2013)





POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE	POST DATE
1	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
2	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
3	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
4	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
5	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
6	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
7	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
8	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
9	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE
10	POST IDENTIFICATION	POST DESCRIPTION	POST MATERIALS	POST SIZE

THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

UNICO ENTERPRISES  
DEED BOOK 428, PAGE 87

REVISIONS		
NO.	DESCRIPTION	APPROVAL DATE
1	ADD WATER QUANTITY NOTE	6-6-11
2	REVISE WATER VALVING	4-6-11
3	REVISE CONCRETE FOOTING DIMENSIONS AND LANDSCAPING FOR APPROACH REDUCTION	4-1-10

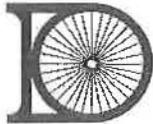
Engineering and Planning Co.  
Civil Design and Consulting Engineers  
1000 N. 10th Street, Suite 100  
Columbus, Ohio 43212  
Tel: (614) 461-1111

CITY OF DELAWARE, OHIO

BROWN JUG STORAGE	
PROJECT TITLE:	SWP, LANDSCAPING AND FIRELINE PLAN
SCALE:	1"=20'
DATE:	6 OF 7
CONTRACT DRAWING NO.:	N/A
ENGINEERING NO.:	2012-

Site Development Plan Overlay  
SP-1





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



Project # \_\_\_\_\_

Case # 2015-0208 - CUP  
295-0209 - DPE

**Planning Commission**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Amended Final Development Plan                 | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use             |
| <input type="checkbox"/> Amended Final Subdivision Plat                 | <input type="checkbox"/> Final Subdivision Plat           | <input type="checkbox"/> Vacation-Alley                                   |
| <input type="checkbox"/> Amended Preliminary Development Plan           | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement                                |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat           | <input type="checkbox"/> Floodplain Permit                | <input type="checkbox"/> Vacation-Street                                  |
| <input type="checkbox"/> Annexation Review                              | <input type="checkbox"/> Lot Split                        | <b>Board of Zoning Appeals</b>  |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan  | <input type="checkbox"/> Pre-annexation Agreement         | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment                   | <input type="checkbox"/> Preliminary Development Plan     | <input type="checkbox"/> Conditional Use Permit                           |
| <input type="checkbox"/> Concept Plan                                   | <input type="checkbox"/> Preliminary Dev Plan Extension   | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input checked="" type="checkbox"/> Conditional Use Permit \$500.00     | <input type="checkbox"/> Preliminary Sub Plat             | <input checked="" type="checkbox"/> Variance \$300.00                     |
| <input type="checkbox"/> Determination of Similar Use \$500.00          | <input type="checkbox"/> Preliminary Sub Plat Extension   |   |
| <input checked="" type="checkbox"/> Development Plan Exemption \$500.00 | <input type="checkbox"/> Rezoning                         |   |
| <input type="checkbox"/> Final Development Plan                         | <input type="checkbox"/> Subdivision Variance             |   |

Subdivision/Project Name Brown Jug Storage (Phase 3) Address 224 E. Williams St.

Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_ Number of Lots \_\_\_\_\_ Number of Units \_\_\_\_\_

Zoning District/Land Use \_\_\_\_\_ Proposed Zoning/Land Use \_\_\_\_\_ Parcel # \_\_\_\_\_

Applicant Name Brown Jug Storage Contact Person Jim MANOS

Applicant Address 224 E. Williams St. Delaware, Oh 43015

Phone (614) 562-2421 Fax (877) 326-1262 E-mail JMANOS@columbus.rr.com

Owner Name Jim MANOS Contact Person Jim MANOS

Owner Address 5973 Macewen Ct. Dublin, Oh 43017

Phone (614) 562-2421 Fax (877) 326-1262 E-mail JMANOS@columbus.rr.com

Engineer/Architect/Attorney Pat Mawley Contact Person Pat Mawley

Address 3820 North High St, Columbus, Oh 43214

Phone (614) 496-9096 Fax N/A E-mail patm@manleyarchitects.us

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.

[Signature]  
Owner Signature

JAMES P. MANOS  
Owner Printed Name

\_\_\_\_\_  
Agent Signature

\_\_\_\_\_  
Agent Printed Name

Sworn to before me and subscribed in my presence this 9<sup>th</sup> day of February, 2015.



**Thomas Jagels**  
Notary Public, State of Ohio  
My Commission Expires 09/20/2016

[Signature]  
Notary Public

**DELAWARE CITY COUNCIL FACT SHEET**

**ITEM NO.: 18**

**DATE: 03/09/15**

**PUBLIC HEARING: NO**

**READING: FIRST**

**ORDINANCE NO.: 15-32**

**RESOLUTION NO.:**

**DESCRIPTION: AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER.**

**DEPARTMENT AFFECTED:**

**GROUP AFFECTED:**

**FINANCIAL INFORMATION**

**COST:**

**FUND SOURCES:**

**BUDGETED:**

**RECOMMENDATIONS**

**COMMITTEE:**

**RECOMMENDATION:**

**VOTE:**

**MEETING DATE:**

**STAFF RECOMMENDATION:**

**PRESENTER: Darren Shulman, City Attorney**

**SUMMARY OF ITEM:**

**ATTACHMENTS:  
draft agreement**

**COUNCIL NOTES:**



## EMPLOYMENT AGREEMENT

The Council of the City of Delaware, Ohio, hereinafter referred to as "City" or "City Council" has offered the position of City Manager to R. Thomas Homan, and Mr. Homan, hereinafter referred to as "Manager" or "Mr. Homan" has accepted the offer of employment under the following terms agreeable to both parties.

1. Beginning with the date of employment, the City will compensated Mr. Homan as City Manager of Delaware and Mr. Homan will execute all the duties and responsibilities of City Manager set forth in the Delaware City Charter, Code of Ordinances and requirements of the City Council.
2. The Manager's salary will be at the hourly rate of \$~~63.04~~64.93 effective February 2, 2015~~4~~. This represents ~~an cost-of-living-adjustment-increase~~ of approximately 32~~43~~% over the 2014~~3~~ salary.
3. The Council and Mr. Homan will establish annual performance goals and objectives. Any pay increases during Mr. Homan's tenure with the City will be based upon performance evaluations. Evaluations are anticipated every six months following Mr. Homan's date of employment. One six-month evaluation may be primarily for discussion of the City Manager's past performance and performance planning, while the alternate evaluation may be concerned primarily with matters of compensation for the City Manager. The method of evaluation will be formulated by the Council and Mr. Homan and conducted by the Council.
4. Mr. Homan will serve as City Manager at the will of the City Council and nothing herein will be taken to suggest or imply guaranteed tenure.
5. In the event the City terminates the services of Mr. Homan or requests his resignation at any time without cause, the City will pay to Mr. Homan a lump sum severance payment equal to ninety (90) days base salary and benefits, payable not later than the next regular pay date. No such lump sum severance payment will be paid upon a termination for cause. All accrued vacation, holiday, compensatory time, one-half the value of sick leave, other accrued benefits, retirement and group health insurance benefits will be paid to Mr. Homan at the same time, calculated at the rate of pay or benefit in effect upon notice of termination. The Manager will provide the City not less than 30 days written notice of his intent to resign his position wholly voluntarily, whereupon the Manager understands that he will not receive the lump sum severance payment equal to ninety (90) days base salary and benefits described above. All accrued vacation, holiday, compensatory time, one-half the value of sick leave, other accrued benefits, retirement and group health insurance

benefits will be paid to the date of termination and calculated at the rate of pay or benefit in effect upon notice of termination.

6. The Manager will remain a resident of the City during employment.
7. The City will pay to the Manager an automobile allowance of \$600.00 per month for the use of the Manager's personal vehicle for City business, without requiring mileage records or expense receipts. In the event the City Manager uses a city vehicle for travel on five or more days in a month, the automobile allowance for the following month will be prorated based on the number of days a city vehicle is used. It is the City Manager's responsibility to track this information. The allowance will be paid on the same schedule as payroll for other City employees. Mileage may be reimbursed to the Manager for travel on behalf of the City beyond a 100-mile radius of Delaware. The City manager may elect to convert the automobile allowance into the base pay in a cost neutral manner.
8. The City will pay the expense of a mobile telephone for the Manager.
9. The City will provide the Manager paid coverage for health, dental and prescription benefits in terms and amounts provided other employees of the City generally, effective upon the first day of the month following his date of employment.
10. The City will provide the Manager paid annual vacation earned at the rate of 25 working days per year. Any use of vacation leave credits by the Manager will be following written notice to the Council. The City will pay for all accrued and unused vacation days to Mr. Homan upon separation from the City employment, for any reason, at his then current rate of pay.
11. The Manager will be permitted to engage in occasional teaching, writing, speaking or consulting performed on his time off, even if outside compensation is provided for such services, provided that, in no case, is any activity permitted which would present a conflict of interest with the City of Delaware. In the event that over night travel is required for such non-City business, the City Council will be notified in advance.
12. The City will provide Mr. Homan four (4) personal days per anniversary year for personal business, credited at the beginning of each subsequent year. Upon termination from the City for any reason, accrued personal days will not be compensated.
13. The City will provide Mr. Homan paid sick leave in the amounts earned at a rate of 4.6 hours for each completed 80 hours of service. The City will pay for one-half the value of unused sick leave to Mr. Homan upon

separation from the City employment for any reason, at his then current rate of pay.

14. The City will provide fully paid coverage for Mr. Homan of workers compensation and unemployment compensation insurance from his first date of employment.
15. The City will afford Mr. Homan paid funeral leave in the amounts provided for all other City employees generally, upon his attendance at the funeral or memorial observance of any member of his family in the first degree of sanguinity, and of his spouse and parents-in-law.
16. The City will provide Mr. Homan group life insurance from his date of employment in the amount of \$125,000 with double indemnity for accidental death or dismemberment.
17. The City will pay Mr. Homan the monthly amount of \$131.67 toward the premium expense for long term disability insurance.
18. The City will provide Mr. Homan paid holiday leave on the same annual schedule as that provided for other City employees generally.
19. The City will pay the expense of Mr. Homan's membership in ICMA and OCMA and for his attendance at national and state conferences, within an amount budgeted each year.
20. The City will anticipate a recommendation from Mr. Homan for inclusion in each annual budget amounts to be used at Mr. Homan's discretion for:
  - a. Educational courses, conferences and workshops directly related to Mr. Homan's work as City Manager, including expenses directly related to his attendance at such educational programs.
  - b. Membership dues and subscriptions for Mr. Homan's involvement in professional organizations that are directly in the interest of the City and Mr. Homan's performance on behalf of the City.
  - c. Routine business expenses of the City Manager directly related to his performance of official duties. The City Manager's membership in Rotary requires him to purchase lunches at meetings, and his salary has been increased (already reflected in wages) to reflect that expense.
21. ~~The City will pay the City's and Mr. Homan's share of the premium in the defined benefit retirement program of the Public Employees Retirement System, according to all the rules of PERS and the City's participation applying to all administrative employees.~~ Effective December 21, 2011,

the City increased Mr. Homan's base salary by 7.3% to reflect the fact that the City no longer pays the City Manager's share of the PERS premium.

22. ~~On the pay period that includes February 2, 2014, the City will contribute the sum of 5.5% of Mr. Homan's base salary earned during the prior year (February 2, 2013 to February 2, 2014) to the ICMA RC investment program.~~ On the pay period that includes February 2, 2015, the City will contribute the sum of 5.5% of the base salary earned from February 2, 2014 to February 2, 2015. On the pay period that includes February 2, 2016, the City will contribute the sum of 5.5% of Mr. Homan's base salary earned during the prior year (February 2, 2015 to February 2, 2016) to the ICMA-RC investment program. In the event the City Manager separates from service before the year is complete, this contribution will be prorated to reflect the period of employment of the City Manager and made upon separation.
23. The City will indemnify and hold harmless Mr. Homan from liability for any claims, demands or judgments arising out of an act or omission occurring in the lawful performance of his duties as City Manager. The City will pay the cost of any fidelity or other bonds required of Mr. Homan by the City Charter, City Ordinances or Ohio statutes.
24. All other provisions of City ordinances, regulations or rules relating to personnel matters of non-union employees of the City and terms of the Management Pay Plan, not contrary to the terms listed in this memorandum or to the City Charter, will also apply to Mr. Homan during his employment as City Manager.
25. Mr. Homan's initial date of employment is February 2, 1999.
26. Any portion of this memorandum in conflict with the City Charter or any State, or Federal law, will be considered null and void. The remaining provisions of this agreement will remain in full force and effect. The law of the State of Ohio will govern the interpretation of this agreement.
27. The City and Mr. Homan agree that this Agreement accurately reflects the terms of employment for the City Manager position offered by the City and accepted by Mr. Homan.
28. Unless otherwise stated, the terms of this Agreement shall be retroactive to February 2, 2013.

The parties have evidenced their agreement by affixing their signatures below this \_\_\_\_\_ day of June, 2014.

Council of the City of Delaware, Ohio

City Manager

---

Carolyn Kay Riggle, Mayor

---

R. Thomas Homan

Approved as to form:

---

Darren Shulman  
City Attorney

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: March 5, 2015

---

1. **Calendars**

See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**

See Attached

3. **Bi-Weekly Meetings**

February 20

- \* Business Before Hours – Sarah Moore Health Care

February 23

- \* Rotary
- \* Council

February 24

- \* Main Street Annual meeting

February 25

- \* Police Officer Swearing In
- \* OWU Marketing Students

February 26-27

- \* OCMA Winter Conference and Panel Member

March 2

- \* Rotary
- \* OWU Edith Vogel Lecture Where the River Burned: Carl Stokes and the Struggle to Save Cleveland

March 5

- \* Police Department Awards Banquet

**CONTRACT APPROVAL - MARCH 9, 2015**

<b>VENDOR</b>	<b>EXPLANATION OF AGREEMENT</b>	<b>2015 AMOUNT</b>	<b>DEPARTMENT</b>
Delaware County Homeland Security	Equipment and Training Agreement	\$0	Fire
Burgess & Niple	Curve Rd Landfill Monitoring	\$61,590	Public Works
Burgess & Niple	Cherry St Landfill Monitoring	\$10,500	Public Works
Zenner	Meter Reading RouteStar MVP Software	\$500	Public Utilities
Stantec	Update to City-wide Multi-purpose Trail Master Plan	\$41,790	CMO
DYAA	Use of City Fields	\$0	CMO
MORPC	Transportation Plan	\$25,000	Engineering

# March

2015

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2</b>	<b>3</b> Public Works 7	<b>4</b> Civil Service Commission 3 Planning Commission 7	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b> Council 7	<b>10</b>	<b>11</b> BZA 7	<b>12</b>	<b>13</b>	<b>14</b>
<b>15</b>	<b>16</b>	<b>17</b> Parks and Rec Ad Bd 7	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b> Council 7	<b>24</b> Shade Tree Commission 7	<b>25</b> HPC 7	<b>26</b>	<b>27</b>	<b>28</b> Council Retreat 8- 2 location Columbus State Community College
<b>29</b>	<b>30</b>	<b>31</b>				