

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

REGULAR MEETING

MARCH 23, 2015

1. ROLL CALL
2. INVOCATION - Jake King, Youth Pastor, Grace United Methodist Church
3. PLEDGE OF ALLEGIANCE – Girl Scout Brownie Troop #113
4. APPROVAL of the Motion Summary of the regular meeting of Council held March 9, 2015, as recorded and transcribed.
5. CONSENT AGENDA
 - A. Acceptance of the Motion Summary for the Civil Service Commission meeting held February 4, 2015.
 - B. Acceptance of the Motion Summary for the Board of Zoning Appeals meeting held February 11, 2015.
 - C. Acceptance of the Motion Summary for the Public Works/Public Utilities Committee meeting held January 6, 2015.
 - D. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board meeting held February 17, 2015.
 - E. Resolution No. 15-15, a resolution authorizing the City Manager to participate in the cooperative purchase of road salt through the Ohio Department of Transportation Summer (418-16) and Winter (018-16) Salt Purchase Contracts.
6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS
8. CONSIDERATION of a Liquor Permit Transfer
 - A. From DELSTEAK, LLC, DBA 1808 American Bistro & Patio, 29 E. Winter Street, First Floor and Basement, Delaware, OH 43015, to NOTLAD, LLC, DBA 1808 American Bistro & Patio, 29 E. Winter Street, First Floor and Basement, Delaware, OH 43015. Permit Classes: D1, D2, D3, D3A and D6
9. PRESENTATION
 - A. ODOT US42 Access Management Study – Burton Planning

Services, President/Owner Kimberly Burton, P.E.

10. 7:30 P.M. 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 Street (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres.
11. 7:30 P.M. PUBLIC HEARING AND SECOND READING 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 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).
12. 7:30 P.M. PUBLIC HEARING AND SECOND READING 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 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).
13. SECOND READING 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 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).
14. 7:45 P.M. 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).
15. 8:00 P.M. 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.

16. SECOND READING of Ordinance No. 15-32, an ordinance amending the Employment Agreement with the City Manager.
17. CITY MANAGER'S REPORT
18. COUNCIL COMMENTS
19. ADJOURNMENT

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BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 23

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6:30 EXECUTIVE SESSION: Mrs. Keller moved to enter into Executive Session at 6:30 p.m. This motion was seconded by Mr. Brush and approved by a 7-0 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, Third Ward Joe DiGenova, Fourth Ward Andrew Brush, At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle. Following the discussion at 6:59 p.m., it was moved by Mr. Shafer that Council move into Open session, seconded by Mr. Brush and approved by 7-0 vote.

The regular meeting of March 9, 2015 was called to order at 7:00 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 Rev. Michael Curtis, 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 regular meeting of Council held February 23, 2015, as recorded and transcribed.

Motion: Mr. Brush moved to approve the Motion Summary of the regular meeting of Council held February 23, 2015, as recorded and transcribed, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

ITEM 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

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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.

Mr. Brush requested that the consent agenda reflect the change in item F, from Liberty Road to Liberty Street.

Motion: Mr. Brush motioned to approve the Consent Agenda, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

- Ms. Sheila Fox, 1401 Curve Road, Delaware, Ohio
- Ms. Barbara Tulle, 199 Willow brook Way, Delaware, Ohio

Ms. Fox and Ms. Tulle discussed the mission of Sustainable Delaware Ohio, and the request for the City of Delaware to consider establishing a Delaware Green Plan to identify future goals and develop plans to achieve and maintain a healthy environment for the City of Delaware. Ms. Fox acknowledged the efforts of Bill Ferrigno, Director of Public Works for the installation of bike racks in various downtown locations.

ITEM 7: COMMITTEE REPORTS

Mr. Jones informed Council that the Parks and Recreation Advisory Board will meet on March 17, 2015. Mr. Jones provided a summary of the discussion at the March 3, 2015 Public Works meeting regarding an early detection system.

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Mr. DiGenova provided information on the subcommittee for the Committee Promotions Fund. Mr. DiGenova informed Council of the Board of Zoning Appeals meeting to be held March 11, 2015.

Mr. Brush informed Council that he will be attending a meeting along with the Finance Director and the City Manger in the City of New York to discuss the upgrading of the City of Delaware's current bond rating.

Mayor Riggle informed Council of the upcoming annual Health District meeting.

ITEM 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

The ODOT US42 Access Management Study presentation to be rescheduled for a later date.

ITEM 9: ORDINANCE NO. 15-23 [First Reading]

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.

The Clerk read the ordinance for the first time.

APPLICANT:

Mr. Craig Thompson, 8917 South Old State Road, Lewis Center, Ohio, Event Coordinator for the New Moon Half & Quarter Marathon.

Mr. Thompson provided information on the plans for a post marathon celebration to help engage the community and the local businesses. Mr. Thompson provided information on the location for the event.

Motion: Mr. Jones moved to suspend the rules for Ordinance No. 15-23, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones moved to adopt Ordinance No. 15-23, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 15-24 [First Reading]

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.

The Clerk read the ordinance for the first time.

APPLICANT:

Ms. Mary Ann Davis, 138 W. Central Avenue, Delaware Ohio, President of Women's City Club

Ms. Jeri Jenkins, 5141 Byers Road, Ostrander, Ohio, Representative of Delmar Distributing

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Ms. Joanne Meyer, 170 Wagner Way, Delaware, Ohio, Owner of Backstretch Bar

Ms. Davis provided an update on the Art for Your Ears Event that will take place at the end of the Art Festival.

Motion: Mr. Jones moved to suspend the rules for Ordinance No. 15-24, seconded by Mr. Shafer. Motion approved by a 6-0-1(Riggle) vote.

Motion: Mr. Jones moved to adopt Ordinance No. 15-24, seconded by Mr. Shafer. Motion approved by a 6-0-1 (Riggle) vote.

ITEM 11: ORDINANCE NO. 15-25 [First Reading]

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.

The Clerk read the ordinance for the first time.

ITEM 12: ORDINANCE NO. 15-26 [First Reading]

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).

The Clerk read the ordinance for the first time.

ITEM 13: ORDINANCE NO. 15-27 [First Reading]

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).

The Clerk read the ordinance for the first time.

ITEM 14: ORDINANCE NO. 15-28 [First Reading]

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).

The Clerk read the ordinance for the first time.

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ITEM 15: ORDINANCE NO. 15-29 [First Reading] 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).

The Clerk read the ordinance for the first time.

ITEM 16: ORDINANCE NO. 15-30 [First Reading] 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).

The Clerk read the ordinance for the first time.

Mr. Efland provided a presentation on the Final Subdivision Plat for Buehler's Food Market, Inc. Mr. Efland informed Council that the Planning Commission recommended approval.

APPLICANT:

Mr. George Wisener, 800 W. Central Avenue, Delaware, Ohio

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-30, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-30, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

ITEM 17: ORDINANCE NO. 15-31 [First Reading] 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.

The Clerk read the ordinance for the first time.

ITEM 18: ORDINANCE NO. 15-31 [First Reading] AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER.

The Clerk read the ordinance for the first time.

Mr. Shulman reviewed the changes to the employment agreement.

ITEM 19: CITY MANAGER'S REPORT

Mr. Homan provided information on the organizational meeting for the JEDD Board of Directors to take place.

Mr. Homan informed Council that there will be a meeting on March 18, 2015 in the Community Room at the YMCA regarding the homeless situation and the role that the YMCA has taken to assist residents.

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Mr. Homan notified Council that the Council Retreat will take place at a meeting room in Columbus State Community College.

ITEM 20: COUNCIL COMMENTS

Mr. Jones requested information vacancies on the various committees, boards, and/or commissions. Mr. Homan to have a final list of appointed board and commission members distributed to Council.

Mr. Jones voiced a concern that he received from constituents regarding Merrick Parkway, west of Houk Road, and the drainage and flooding issues.

Mr. Shafer informed Council that he will be meeting with Chief Pijanowski and Mr. Shulman to discuss the changes in the parking ordinances.

Mr. Shafer informed Council that he will be meeting with the BIA

Vice-Mayor Hellinger recommended that staff look at unused spaces that are not designated for parking spots as potential parking spaces to be utilized by motorcycles.

Mayor Riggle provided an update on the Central Ohio Symphony concert that she attended.

Mayor Riggle also provided information on the Lion's Club Fundraiser.

ITEM 21: ADJOURNMENT

Motion: Mr. Shafer moved to adjourn the meeting, seconded by Mr. Brush. The meeting adjourned at 7:56 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

**MOTION SUMMARY
CIVIL SERVICE COMMISSION
FEBRUARY 4, 2015**

1. ROLL CALL

Julie Williams called roll.

Members Present: Jack Hilborn, April Nelson and Michael Robinson
Jack Hilborn called the meeting to order at 3:05 pm.

Staff Present: Civil Service Commission Secretary Julie Williams, City Attorney Darren Shulman, Assistant City Manager Jackie Walker, Police Chief Bruce Pijanowski, Human Resource Manager Jessica Feller, Fire Chief John Donahue

2. APPROVAL OF THE MOTION SUMMARIES OF THE REGULAR MEETINGS OF CIVIL SERVICE COMMISSION HELD JANUARY 7, 2015, AS RECORDED AND TRANSCRIBED.

MOTION: On a motion made by Michael and seconded by April the approval of the motion summaries as presented was unanimously approved by a 3-0 vote.

3. POLICE OFFICER APPLICATION FOR RE-INSTATEMENT.

Former Police Officer Jared Wood resigned from his position on good standing with the City of Delaware last year to accept a position with the City of Columbus. Jared has submitted a letter of application for consideration of reinstatement to the City of Delaware. Lisa Keller submitted a letter of support for reinstatement.

MOTION: On a motion made by April and seconded by Michael the approval of the reinstatement of officer Jared Wood was unanimously approved by a 3-0 vote.

4. REMOVALS FROM AND UPDATE OF, THE POLICE OFFICER LIST.

2 officers have been hired from the list. 4 are to be removed. Of those 4 to be removed, 2 have declined to continue in the hiring process and 2 are being removed due to background information.

MOTION: On a motion made by April and seconded by Michael the approval of the Police Officer List as presented was unanimously approved by a 3-0 vote.

5. REMOVAL AND UPDATE OF THE FIRE FIGHTER LIST.

One candidate has requested to be removed.

MOTION: On a motion made by Michael and seconded by April the approval of the removal and update of the firefighter list as presented was unanimously approved by a 3-0 vote.

5. PUBLIC COMMENT

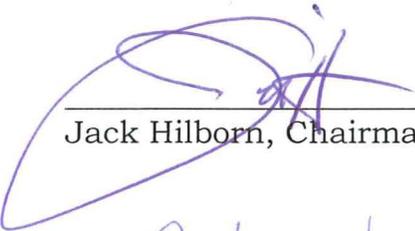
Chief John Donahue provided the Commission Members information about the part time Fire Fighter program, and the challenges administration faces with the lack of support from current fire personnel. The challenges will continue to be addressed proactively.

6. COMMISSION MEMBERS COMMENT

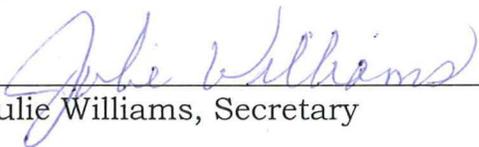
There were no additional comments by the Commission Members.

7. MEETING ADJOURNMENT

Chairman Hilborn adjourned the meeting at 3:35 p.m.



Jack Hilborn, Chairman



Julie Williams, Secretary

BOARD OF ZONING APPEALS
February 11, 2015
MOTION SUMMARY

ITEM 1. Roll Call

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

Members Present: Robert Badger, Adam Vaughn, Councilman Joe DiGenova, Vice-Chairman Paul Junk and Chairman Matt Dick

Members Absent: Holly Quaine

Staff Present: Lance Schultz, Zoning Administrator

Motion: Mr. Badger moved to excuse Ms. Quaine from the February 11, 2015, Board of Zoning Appeals meeting, seconded by Vice-Chairman Junk. Motion approved by a 5-0 vote.

ITEM 2. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on November 12, 2014, as recorded and transcribed.

Motion: Vice-Chairman Junk moved to approve the Motion Summary for the November 12, 2014 meeting, seconded by Mr. Badger. Motion approved by a 5-0 vote.

ITEM 3. REGULAR BUSINESS

(A) 2015-0113: A request by Delaware City Schools for approval of a variance to Schedule 1148.04 Lot Requirements for Conditional Uses in All Districts for minimum building setbacks for Delaware Hayes High School on approximately 29.4 acres zoned R-3 (One-Family Residential District) and located at 289 Euclid Avenue.

Chairman Dick swore in the following individuals for public comment:

Mr. Larry Davis, 149 Westwood Avenue, Delaware, Ohio.

Mr. Walter Gibson, 86 Hayes Drives, Delaware, Ohio.

Mr. Schultz provided background information on the previous Phase 1 project and the proposed Phase 2 project. Mr. Schultz provided a presentation that included the location and zoning map, the proposed plan, and the proposed academic wind expansion plan. Mr. Schultz reviewed the requirements to determine if a variance is appropriate.

APPLICANT:

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

Mr. DiGenova reviewed the conditions with Mr. Davis for approval, in which Mr. Davis voiced his agreement of all conditions.

PUBLIC PARTICIPATION:

Mr. Walter Gibson, 86 Hayes Drive, Delaware, Ohio.

Mr. Gibson voiced a concern on if Delaware City Schools had intentions to purchase homes along Hayes Drive.

Mr. Davis explained to Mr. Gibson that there are no homes in consideration for purchase.

Motion: Councilman DiGenova moved to approve 2015-0113, finding beyond a reasonable doubt that the decision factors necessary for approval of a Variance according to Chapter 1128 of the Planning and Zoning Code are met, including all staff recommendations, seconded by Mr. Vaughn. Motion approved by a 5-0 vote.

ITEM 4. BOARD MEMBER COMMENTS AND DISCUSSION

ITEM 5. NEXT REGULAR MEETING: March 11, 2015

ITEM 6. ADJOURNMENT

Motion: Mr. Badger moved to adjourn the Board of Zoning Appeals meeting, seconded by Vice-Chairman Junk. Meeting was adjourned at 7:11 p.m.



Matt Dick, Chairman

VICE CHAIR



Elaine McCloskey, Clerk

**PUBLIC WORKS/PUBLIC UTILITIES COMMITTEE
MOTION SUMMARY
JANUARY 6, 2015**

1. ROLL CALL

Meeting was called to order at 7:00 p.m. by Chairman Chris Jones.

Members Present: Chairman Chris Jones, Vice-Chairman Kent Shafer, and Mayor Carolyn Riggle

Staff Present: Tom Homan, City Manager, Dan Whited, Public Service Director, Bill Ferrigno, Public Works Director/City Engineer, Brad Stanton, Public Utilities Director, Perry Mickley, Utility Maintenance and Project Manager, Dean Stelzer, Finance Director, Jeff Coleman, Project Manager, Marion Stephen, Engineering Technician, Kim Johnson Utility Office Supervisor, and Linda Mathews, Customer Service Liaison

OTHERS PRESENT: City Council Member Lisa Keller

2. APPROVAL of the Motion Summary of the Public Works/Public Utilities Committee meeting held November 4, 2014, as recorded and transcribed.

Vice-Chairman Shafer moved to approve the motion summary for the meeting held on November 4, 2014, as recorded and transcribed. Mayor Riggle seconded the motion. Motion was approved by a 3-0 vote.

3. PUBLIC COMMENTS

There were no public comments presented.

4. ELECTION of Chairperson

Mayor Riggle moved that Mr. Jones continue to serve as chairman. Mr. Shafer seconded the motion. Mr. Jones was elected to continue serving as Chairman.

5. ELECTION of Vice-Chairperson

Mayor Riggle moved that Mr. Shafer continue to serve as Vice-Chairman. Chairman Jones seconded the motion. Mr. Shafer was elected to continue serving as Vice-Chairman.

6. PRESENTATION of SafeWalk Appeals

Engineering Technician Marion Stephen outlined the process for the three SafeWalk appeals that were presented.

The first appeal: 257 London Road with property owner Jason Murfield (resides at 4091 Township Road 21, Marengo) being present. Mr. Murfield assumed ownership of the property in 2011 and a relative resides at this location presently. Mr. Murfield does not feel he was properly notified of the needed repairs prior to them being completed as well as the cost being too high.

Vice-Chairman Shafer moved to reduce the amount owed by Mr. Murfield to \$495.23 (50% of the invoiced amount). Mayor Riggle seconded the motion. Motion passed by a 3-0 vote.

The second appeal: 178 S. Sandusky Street There was no one present to represent the property. Mr. Stephen provided background information and history on the property and repairs that were made.

Mayor Riggle stated based on the information presented, moved to reduce the amount owed by Mrs. Mary Wilson (property owner) to \$348.75 (50% of the invoiced amount). Vice-Chairman Shafer seconded. Motion was approved by a 3-0 vote.

The third appeal: 253 S. Franklin Street with property owner Larry Mitchell (address is P O Box 426, Sunbury). Mr Mitchell is appealing on the lack of proper notification that repairs were needed for this property as he would have made the repairs himself as he did with other properties that he received notification.

Vice Chairman Shafer moved to reduce the amount owed by Mr. Mitchell to \$260.40 (50% of the invoiced amount). Mayor Riggle seconded the amount. Motion was approved by a 3-0 vote.

Mr Sui Chen (252 Indigo Blue Street) approached the Committee with regard to the lack of notification on the exact timing of the contracted repair prohibiting him from coordinating a down spout issue repair at the same time, which will result in the need to have the same sidewalk section replaced a second time when the down spout line is repaired.

Chairman Jones thanked Mr. Chen for appearing, but he agreed that the City's contractor would make the repair, there was nothing that the Committee would be able to assist him with; it was unfortunate that he did not have an exact timing notification for the repair coordination.

7. DISCUSSION/PRESENTATION of AMR/AMI Systems

Chairman Shafer invited Councilwoman Keller to join Committee members at their council seats for the upcoming presentation and discussion.

Public Service Director Dan Whited introduced the topic and the individuals that will be presenting information. The individuals included, from the City of Marysville Ohio, City Administrator Terry Emery, Public Service Director Michael Andrako, and Water Superintendent Scott Shepard. CH2MHill was represented by Principal Project Manager Gary R. Long and Principal Strategy and Business Intelligence Jaason Englesmith

City of Marysville Ohio representatives presented their experience with the implementation of an AMR system and all of the positives and negatives that they encountered. They addressed questions that Committee members and staff had with various aspects of the overall system and specifically with the system they are utilizing. A handout with AMI/AMR Talking Points was also distributed.

CH2MHill representatives distributed a handout of the PowerPoint presentation that was shown. The use of the system overall and the differences with systems from various vendors was included in the power point presentation. The representatives also address all staff and Committee questions relative to the systems.

Following the presentations and discussions, Vice-Chairman Shafer inquired on how the City and City Council should proceed now that they have some additional information and some concerns have been addressed.

8. DISCUSSION of Snow and Ice Removal Policies and Procedures

Public Works Director/City Engineer Bill Ferrigno highlighted the changes that had been incorporated into the 2014-2015 Snow and Ice Removal Policies and Procedures from the previously used policy.

9. UPDATE on Public Works Facilities Improvements

During the discussion for Item 8, the new salt/snow upgrades were mentioned- this included the salt storage barn and the brine producing equipment.

10. STAFF COMMENTS

Director of Public Utilities Brad Stanton provided an update on the Water

Treatment improvements.

11. MEMBER COMMENTS

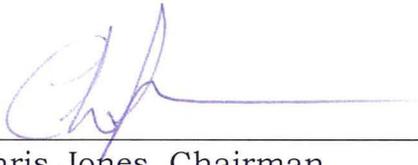
Vice-Chairman Shafer commented on the street clearing activities as the "best job around".

Councilwoman Keller agreed with Vice-Chairman Shafer's assessment on the street clearing activities.

Chairman Jones inquired on the possibility and cost of illuminating the water tower's City of Delaware wording at the "point".

12. ADJOURNMENT

Mayor Riggle moved to adjourn the meeting. The meeting was adjourned at 9:17 p.m.



Chris Jones, Chairman



Linda Mathews, Clerk

3-9-15

Date

PARKS AND RECREATION ADVISORY BOARD
February 17, 2015
MOTION SUMMARY

ITEM 1. Roll Call

Staff Liaison Linda Mathews called the meeting to order at 7:02 p.m.

Members Present: Matt Polites, Julie German, Nicole LaMar-Nelson, Allyson Lash, Joshua Bricker, and Lucas Ratliff

Members Absent: Gretchen Bowling, Councilmember Jones, and Vice-Chairwoman Jennifer Davis

City Staff Present: Stacy Davenport, Parks Superintendent, Dan Whited, Public Service Group Director, Linda Mathews, Customer Service Liaison, Tom Homan, City Manager, and Mayor Carolyn Riggle

YMCA Staff Present: Matthew Bruns, Executive Director

MOTION TO EXCUSE

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

ITEM 2. APPROVAL of the Motion Summary for the meeting held November 18, 2014 as recorded and transcribed.

Motion: Mr. Polites moved to approve the motion summary for the meeting held November 18, 2014, seconded by Ms. German. Motion passed by a vote 3-0-3 (Lash, Bricker, Ratliff).

ITEM 3. INTRODUCTION of New Board Members

Ms. Mathews introduced new board members, and informed of the recent resignation of Ms. Kathy Shelton.

Mr. Homan welcomed the new members and provided a history of the Parks and Recreation Department, and the past role of the Parks and Recreation Board. Mr. Homan discussed the role that the YMCA has in the Parks and Recreation activities and organization.

ITEM 4. PUBLIC COMMENTS

Ms. Dianna Hibinger, 154 Cambridge Road, Delaware, Ohio

Ms. Hibinger was introduced as a potential future Parks and Recreation Board Member by Mayor Riggle. Ms. Hibinger discussed her experience with the Board as a tennis pro, and assistant instructor for Ohio Wesleyan University. She discussed her goal to bring an interest and increase involvement of tennis to children.

ITEM 5. UPDATE on YMCA Recreation Services

Mr. Matthew Bruns, 316 Seatrain Dr., Delaware Ohio, Executive Director of YMCA

Mr. Bruns discussed with the Board the new introduction to soccer program. He also provided information on the Live Strong program and fundraiser to take place in October. Mr. Bruns informed the Board of the upcoming Daddy-Daughter Dance to be held February 20, 2015, and that in March there will be the Mother-Son Super Hero Party. Mr. Bruns also informed the Board of the scheduled Easter Egg Hunt to be held, April 4, 2015. Mr. Bruns discussed with the Board the use of the YMCA as a warming shelter for those in need during inclement weather.

ITEM 6. UPDATES of Parks Improvements

Ms. Mathews provided to the new Board members information on the Parks and Recreation Levy.

Mr. Whited discussed the various parks that are part of and maintained by the City of Delaware. He provided an update on the Veteran's Park project, including information on the amenities that the park will provide to the community. Mr. Whited also discussed the progress of the connection of the bike paths in the City of Delaware. Mr. Whited updated the Board on the progression of the Dog Park at the Wetlands Park.

ITEM 7. STAFF COMMENTS

Mr. Whited provided an update on the recent grants that were acquired for canoeing and kayaking, as well as, the grant that was recently applied for the installation of recycling bins in the park areas.

ITEM 8. MEMBER COMMENTS

Mr. Polites inquired on the status of introducing pickle ball as a recreational sport and activity. Ms. Hibinger discussed the difference of pickle ball compared to tennis, and informed the board that there are various grants that can be applied for the construction of courts.

Mr. Ratliff questioned the decrease in the Capital Improvement Plan. Mr. Davenport explained the rotation schedule for improvements and how it affects this plan.

Ms. LaMar-Nelson discussed the need to sponsor an activity during National Parks and Recreation Month, and provide different activities at various parks.

Ms. German discussed the need to increase marketing and advertise activities that are available.

Mr. Bricker requested information on the previously discussed set open and close dates for the Hidden Valley Golf Course. Mr. Davenport explained that this item was currently tabled.

Ms. Lash informed the Board of her background in Marketing, and would like to assist and provide ideas how to market the different activities.

ITEM 9. DISCUSSION of Board Reorganization (Mayor Riggle)

Mayor Riggle provided a discussion of the past organization of the Board and how it has been discussed to break the Board into two different groups, with one group to focus on park activities and improvement needs, and the other group to focus on recreation. She discussed the possibility of having the groups meet separately and then meet quarterly together.

Mr. Bricker discussed his past experience working for the City of Dublin Parks and Recreation Department, and the need for cross communication between the two groups.

Mr. Ratliff feels that smaller groups may allow for more focus on individual activities, but felt that the Board should wait a couple months before proceeding to help new members get acclimated to their new positions as board members.

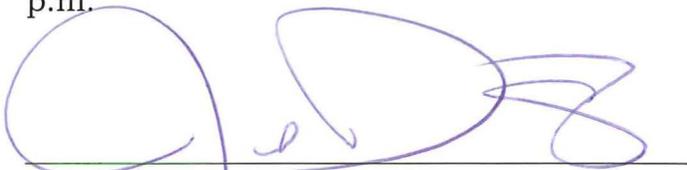
Ms. LaMar-Nelson discussed the lack of direction that she has felt in the past and feels that smaller groups will provide a benefit to focus on different tasks.

Mr. German discussed the benefit of completing an assessment of what activities or improvements that citizens would like to have to help provide direction to the Board. Mr. Homan discussed the citizen survey that is expected to be completed in the spring and that this would be a good opportunity to determine what the citizens would see as important improvements.

Mayor Riggle and Mr. Homan agreed with the Board to wait a couple months before reorganizing the Parks and Recreation Board.

ITEM 10. ADJOURNMENT

Motion: Mr. Polites moved to adjourn the Parks and Recreation Advisory Board meeting, seconded by Ms. LaMar-Nelson. The meeting adjourned at 8:08 p.m.



Chairman



Elaine McCloskey, Clerk

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: CONSENT ITEM E

DATE: 3/23/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.:

RESOLUTION NO.: 15-15

DESCRIPTION: A RESOLUTION AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE COOPERATIVE PURCHASE OF ROAD SALT THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION SUMMER (418-16) AND WINTER (018-16) SALT PURCHASE CONTRACTS.

**DEPARTMENT AFFECTED:
Public Works Department**

GROUP AFFECTED:

FINANCIAL INFORMATION

**COST:
210,000**

**FUND SOURCES:
Local**

**BUDGETED:
NO**

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:

**PRESENTER:
Bill Ferrigno, Public Works Director/City Engineer**

SUMMARY OF ITEM:

The City must participate in a cooperative purchasing agreement in order to obtain road salt for winter snow and ice management operations within the city. The City has participated in the SWOP4G cooperative for the past several years to obtain road salt. However recent changes in the supply and demand for road salt has limited availability through the current cooperative. Therefore, it is in the best interest of the City to participate in the Ohio Department of Transportation's statewide salt purchasing cooperative program whereby an adequate supply at competitive pricing is the most probable result. The summer contract with ODOT guarantees availability of 50% of the estimated salt required by October 15th, and 100% by November 30th, in time for the 2015/2016 winter season. Participation also allows the City to meet our obligation to Delaware County for the estimated 1,540 tons of road salt borrowed through the DCEO Road Salt Borrowing program. Estimated cost of participation is based on a purchase cost of \$100 per ton, though the final price will hopefully be lower.

ATTACHMENTS:

Winter 2014/2015 Salt Supply & Usage Summary

COUNCIL NOTES:

RESOLUTION NO. 15-15

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE COOPERATIVE PURCHASE OF ROAD SALT THROUGH THE OHIO DEPARTMENT OF TRANSPORTATIONS SUMMER (418-16) AND WINTER (018-16) SALT PURCHASE CONTRACTS.

WHEREAS, the City of Delaware is responsible for operating and maintaining public highways within the corporate limits of the City, and

WHEREAS, the Ohio Department of Transportation invites all local governments and political subdivisions to partner with ODOT for the cooperative purchase of road salt through the Summer Contract (418-16) and Winter Contract (018-16), and

WHEREAS, being a member of the State Cooperative Purchasing Program, the City of Delaware is eligible to participate in the ODOT program, and

WHEREAS, participation in the cooperative bidding and purchasing with ODOT will most likely ensure the best possible price and a reliable source of availability for road salt for the 2015-2016 winter seasons.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. That the City Manager is hereby granted authority to participate in the Ohio Department of Transportation Summer (418-16) and/or Winter (018-16) contracts for road salt.

SECTION 2. That the City Manager is hereby authorized to agree to and be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3. That the City Manager is hereby authorized to agree to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Delaware participates, for items it receives pursuant to the contract.

SECTION 4. That the City of Delaware agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of Delaware agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the City of Delaware may have or claim to have against ODOT



Department of Public Works
2014-2015 Winter Salt & Additives Purchase
 Report Updated 3/10/15

Agreement	Vendor	Material	Tons Salt	Tons #9's	Gallons	Cost/Ton	Cost/Gallon	Total Cost	PO No.	Amount
SWOP4G	Transfer from Cherry Street	Road Salt	1,350.00			\$45.06		\$60,831.00	N/A	N/A
SWOP4G	North American Salt	Road Salt	519.99			\$109.19		\$56,777.71	RG045196	\$60,000.00
SWOP4G	Franklin County Engineers	Road Salt	357.24			\$109.19		\$39,007.04	RG045361	\$39,100.00
DCEO	Cargill Corporation	Road Salt	1,200.41			\$100.00		\$120,041.00	RG045428	\$120,000.00
DCEO	Cargill Corporation	Road Salt (2/10-2/13)	339.99			\$100.00		\$33,999.00	RG045973	\$50,000.00
Private	Henderson Trucking	Road Salt 2/19	93.08			\$80.00		\$7,446.40	RQ020000	\$7,446.40
Private	Road Solutions	Ice-Bite			7,500		\$1.69	\$12,675.00	RG045500	\$23,000.00
Private	K-Tech Specialty Coatings	Beet Heet			1,861		\$1.36	\$2,530.96	RG045663	\$14,000.00
Private	K-Tech Specialty Coatings	Beet Heet			4,040		\$1.36	\$5,494.40	"	
Private	National Lime & Stone	#9 Aggregate		571.41			\$6.50	\$3,714.17	RG045686 RG045344	\$3,500.00 \$5,500.00
			3,860.71	571.41	13,401.00			\$342,516.67		\$322,546.40

Salt Usage and Stockpile Balance

Event	Dates	Precipitation	Accumulation	Status	Usage	Unit
Event #1	11/13 - 11/17	Snow	3.5	Complete	151.2	Tons
Event #2	11/21 - 11/22	Freezing Rain		Complete	82.0	Tons
Event #3	11/25 - 11/26	Snow	0.5	Complete	18.0	Tons
Event #4	12/2	Sleet & Freezing Rain		Complete	46.2	Tons
Event #5	12/4	Rain		Complete	2.0	Tons
Event #6	12/18	Snow Squalls	0.5	Complete	51.8	Tons
Event #7	12/30 - 1/3	Freezing Pavment		Complete	58.6	Tons
Event #8	1/5 - 1/6	Snow	4.0	Complete	284.4	Tons
Event #9	1/8 - 1/9	Snow Squalls	1.5	Complete	265.2	Tons
Event #10	1/11 - 1/12	Sleet & Freezing Rain		Complete	346.9	Tons
Event #11	1/15	Freezing Rain/Trace Snow		Complete	1.0	Tons
Event #12	1/19	Freezing Pavement		Complete	8.0	Tons
Event #13	1/20	Snow Squalls	0.5	Complete	48.0	Tons
Event #14	1/21-1/22	Freezing Pavement		Complete	29.0	Tons
Event #15	1/23-1/27	Snow	5.0	Complete	366.0	Tons
Event #16	1/29	Freezing Rain		Complete	106.0	Tons
Event #17	1/29-1/30	Snow Squalls	0.5	Complete	117.0	Tons
Event #18	1/30-2/1	Snow	3.5	Complete	194.4	Tons
Event #19	2/3 - 2/4	Snow	1.5	Complete	172.0	Tons
Event #20	2/12	Snow Squalls	1.0	Complete	115.0	Tons
Event #21	2/13-2/14	Snow	3.0	Complete	74.7	Tons
Event #22	2/16	Snow/Ice	0.5	Complete	34.3	Tons
Event #23	2/17-2/18	Snow	1.0	Complete	83.0	Tons
Event #24	2/21-2/22	Snow	6.9	Complete	142.0	Tons
Event #25	2/25-2/26	Snow	0.5	Complete	47.0	Tons
Event #26	2/28-3/1	Snow	6.0	Complete	177.0	Tons
Event #27	3/3	Sleet/Freezing Rain		Complete	35.0	Tons
Event #28	3/4	Sleet/Freezing Rain		Complete	56.0	Tons
Event #29	3/4-3/5	Snow	0.5	Complete	25.4	Tons
Concord Twsp	2/18	Per '14/'15 Agreement		Complete	9.6	Tons
PW Brine Mfg	Season	177,431 Gal Brine		Complete	275.0	Tons
Parks Dept	Season	Parking Lots/Walks		Complete	178.4	Tons
		Winter Totals	40.4	inches	3,600.1	Tons
				Available Balance	832.0	Tons

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

6459209 <small>PERMIT NUMBER</small>			TRFO <small>TYPE</small>	NOTLAD LLC DBA 1808 AMERICAN BISTRO & PATIO 29 E WINTER ST 1ST FL & BSMT DELAWARE OH 43015
02	01	2014 <small>ISSUE DATE</small>		
03	05	2015 <small>FILING DATE</small>		
D1	D2	D3	D3A D6 <small>PERMIT CLASSES</small>	
21	022	B	F13676 <small>RECEIPT NO.</small>	

FROM 03/09/2015

1890265 <small>PERMIT NUMBER</small>				DELSTEAK LLC DBA 1808 AMERICAN BISTRO & PATIO 29 E WINTER ST 1ST FL & BSMT DELAWARE OH 43015
02	01	2014 <small>ISSUE DATE</small>		
03	05	2015 <small>FILING DATE</small>		
D1	D2	D3	D3A D6 <small>PERMIT CLASSES</small>	
21	022			



MAILED 03/09/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/09/2015

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B TRFO 6459209**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF DELAWARE CITY COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OHIO 43015**

6459209 PERMIT NBR
NOTLAD LLC
DBA 1808 AMERICAN BISTRO
& PATIO
29 E WINTER ST 1ST FL & BSMT
DELAWARE OH 43015

_____, JOSHUA C DALTON

03/05/2015 ACTIVE

MNMB5%V5%M

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE



Delaware Police Department Liquor Permit Report

DPD Report Number L-15-2		Investigating Officer Sergeant Radabaugh	
Applicant (Primary Shareholder) Joshua Dalton		Company Name (LLC) Notlad LLC	
Common Name 1808 American Bistro		Address 29 East Winter Street Delaware, Ohio 43015	
<input checked="" type="checkbox"/> Existing Business <input type="checkbox"/> New Business (Supplement Attached)	Type of Business Restaurant	Notification Type Transfer	Date of Report March 17, 2015
Permit Type <input type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input checked="" type="checkbox"/> D1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input checked="" type="checkbox"/> D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. <input type="checkbox"/> D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am. <input type="checkbox"/> D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. <input checked="" type="checkbox"/> Other D3, D3A, D6			

Location Information

Churches, Libraries and or schools within 500 feet X Yes <input type="checkbox"/> No	School, Church, or Library Objection Yes (Supplement Attached) X No Note: Objections are only permitted for <i>new permits</i> .
Police Calls for Service in past 12 months: 0	Number of Police Reports in past 12 months: 0
Calls for Service excluding calls not related to the business in past 12 months: 0	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input checked="" type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file X Yes <input type="checkbox"/> No	Criminal History Checked by Dept. of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No	Contact made with Applicant X Yes <input type="checkbox"/> No

Determination on Objection

<input checked="" type="checkbox"/> The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.

<input type="checkbox"/> The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code. <input type="checkbox"/> Site does not conform to local building, safety and health codes (excluding zoning). <input type="checkbox"/> Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served. <input type="checkbox"/> Physical location causes a public nuisance. <input type="checkbox"/> Site has been officially classified as a nuisance according to State Law. <input type="checkbox"/> Conviction of a crime by the applicant that relates to operating a liquor establishment. <input type="checkbox"/> Past improper operation of a location with a liquor permit. <input type="checkbox"/> Misrepresentation of material fact on the application. <input type="checkbox"/> Addiction of the applicant to alcohol or narcotics. <input type="checkbox"/> Formal objection by specific types of other locations to which the site is in certain proximity. <input type="checkbox"/> Conviction of the applicant of food stamp or WIC fraud. (Supplement Attached)

3.17.15
 Investigating Officer Signature Date

3/17/15
 Supervisor Signature Date



**Delaware Police Department
Liquor Permit Report
Supplement**

Supplement Type <input type="checkbox"/> New Business Description <input type="checkbox"/> Police Department Objection <input type="checkbox"/> Community Objection <input checked="" type="checkbox"/> Other Transfer
This is a transfer of the existing liquor license at the 1808 American Bistro from the former majority owner to Josh Dalton, the former minority partner, who has bought out his business partner. There are no plans to change the business model or operating hours of the restaurant. As this is a transfer of the license, there are no objections allowed under Ohio State Law by churches, schools, or libraries.

Dgt Sgt Jk M RZ 3.17.15
Investigating Officer Signature Date

[Signature] 3/17/15
Supervisor Signature Date

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: 10

DATE: 3/23/15

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

READING: SECOND

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 STREET (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

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

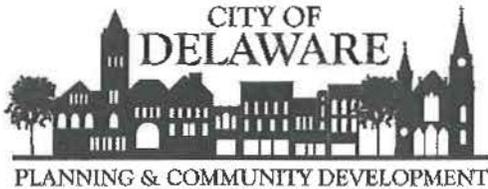
ATTEST: _____
CITY CLERK

ABSTAIN ____

YEAS ____ NAYS ____

ABSTAIN ____

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.

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.

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).

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).

FIDELITY FEDERAL SAVING AND LOAN AND TURNING POINT
PLANNED MIXED USE DEVELOPMENT TEXT
500 NORTH LIBERTY 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
(a) Residential	
(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) Community Facilities	
(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
(c) Office and Professional Services	
(1) Offices – administrative, business and professional	P
(2) Medical and dental offices, health and allied services	P
(f) Recreation and Entertainment	
(1) Park and Playground (including archery range)	P
(g) Accessory Uses & Structures	
(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.

FINAL APPROVED TEXT

- 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-

FINAL APPROVED TEXT

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

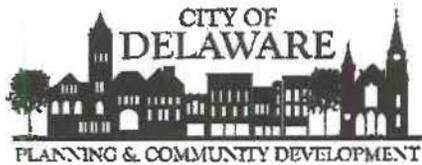
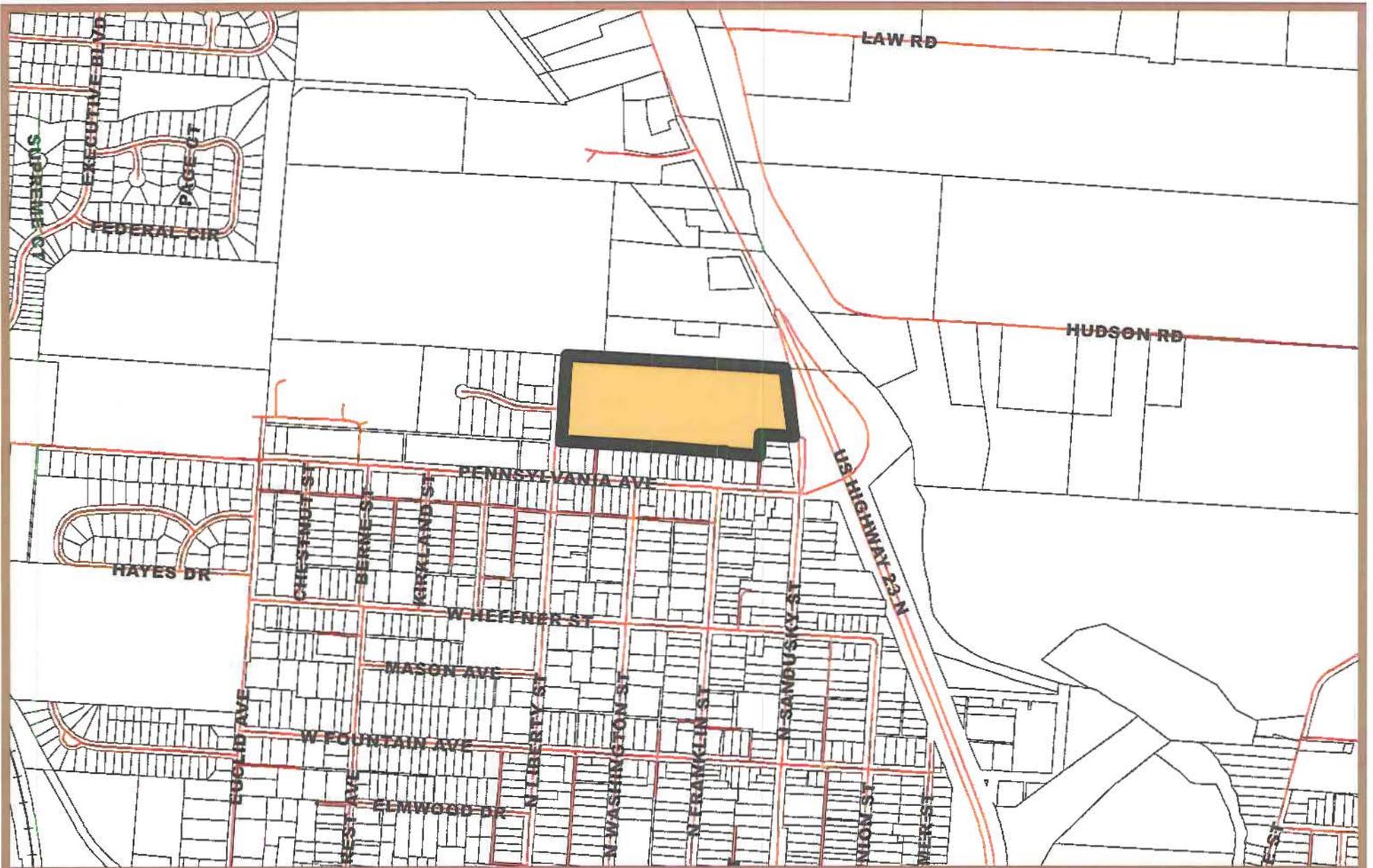
- b. **Maximum Building Height.** The maximum height of any building or structure shall be 40 feet as measured from finished floor elevation to the highest point of the roof.
- c. **Building Design.** All buildings regardless of use shall consist of brick, stone, cedar planking, cement fiber siding, 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.



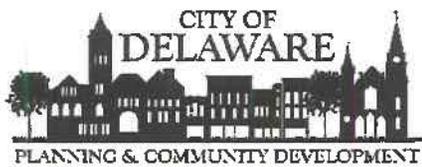
2015-0201, 0203-0204, & 0206
Conditional Use Permit, Preliminary & Final Development Plan,
Rezoning & Comprehensive Plan Amendment
500 North Liberty Street
Location Map





2015-0201, 0203-0204, & 0206
Conditional Use Permit, Preliminary & Final Development Plan,
Rezoning & Comprehensive Plan Amendment
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

Domestic Violence

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



Recent Posts

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

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

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

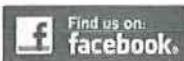
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Delaware-Morrow Mental Health & Recovery Services Board



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 GOOD DAY, CHILDREN AND THEIR FATHERS CAN ENJOY THE OUTDOOR BY PLAYING WITH THE TRUCKS AND TRAINS.



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

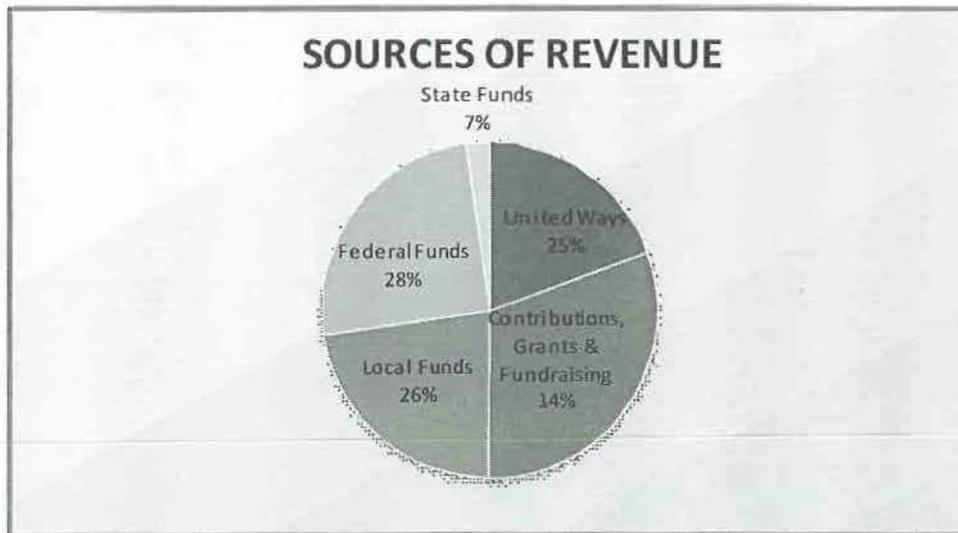
Kristi Butler
Community Education Coordinator
kbutler@turningpoint6.org

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



SUPPORT AND REVENUE	
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
TOTAL SUPPORT AND REVENUE	796,958

OPERATING EXPENSES	
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
TOTAL OPERATING EXPENSES	853,271

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



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

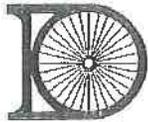
TURNING POINT

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

Acreege 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 29th 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.: 11

DATE: 3/23/15

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

READING: SECOND

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 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).

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

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.: 12

DATE: 3/23/15

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

READING: SECOND

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 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).

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

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.: 13

DATE: 3/23/15

PUBLIC HEARING: NO

READING: SECOND

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 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)

**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**

**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 STREET (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 Street (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 Street (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.: 14

DATE: 03/23/15

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

READING: SECOND

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

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 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).

WHEREAS, the Planning Commission at its meeting of March 4, 2015, recommended approval of 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) (PC 2015-0175), and

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

SECTION 1. That the 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), 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.

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 use 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.

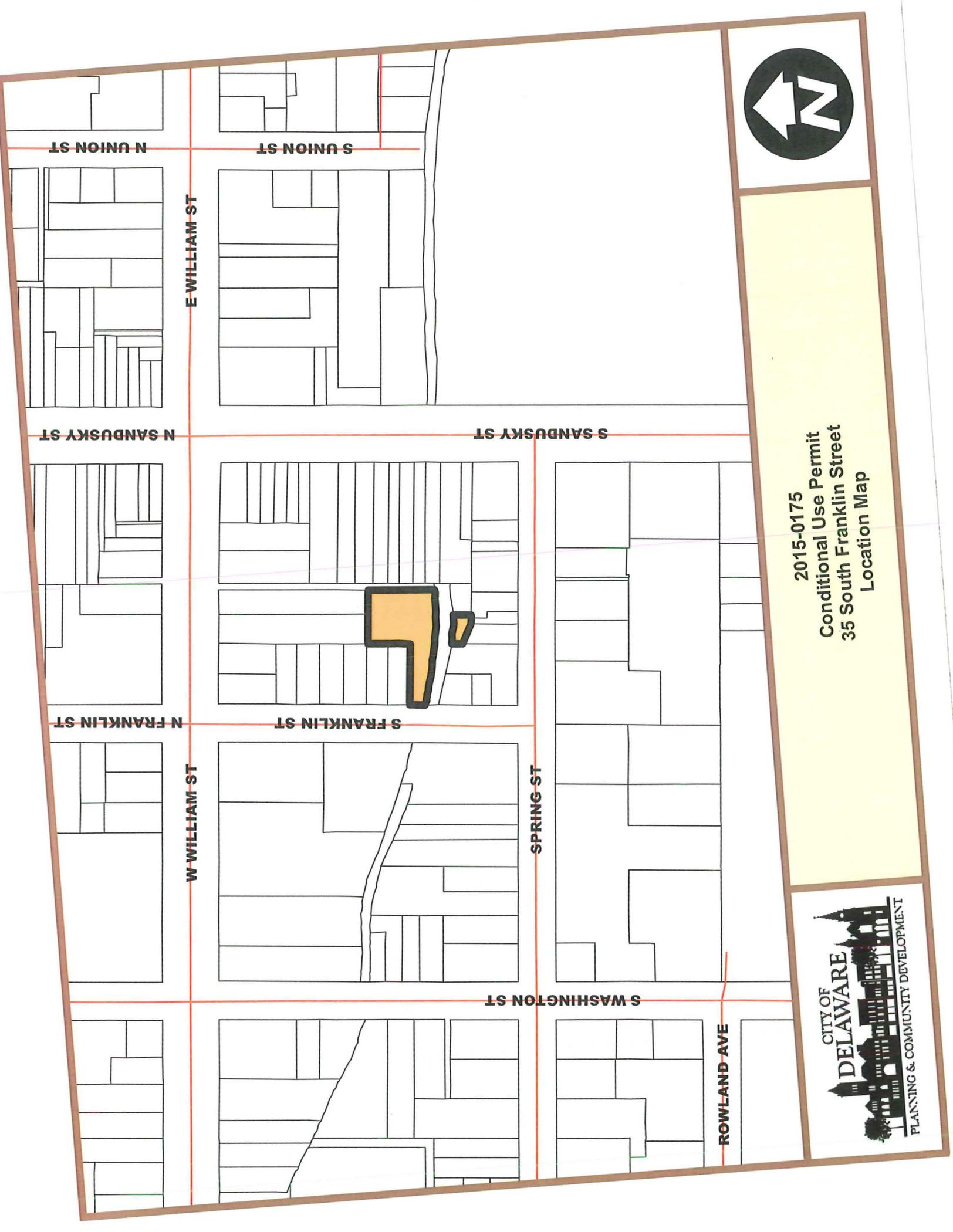
G. Michael Dickey, Partner

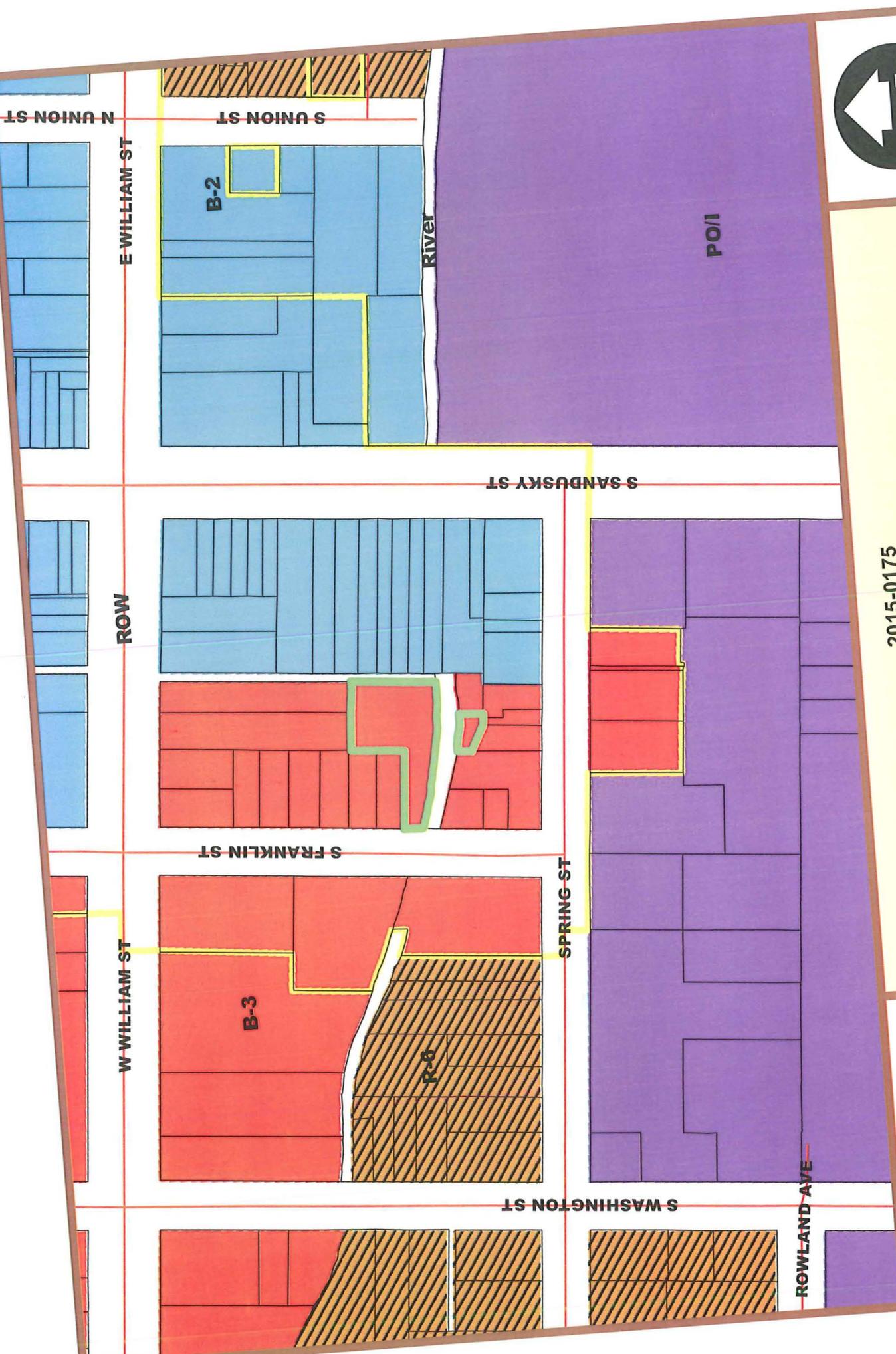
WRD Real Estate, LLC

January 30, 2015



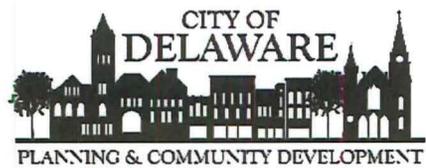
2015-0175
Conditional Use Permit
35 South Franklin Street
Location Map





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.: 15

DATE: 03/23/15

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

READING: SECOND

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

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.

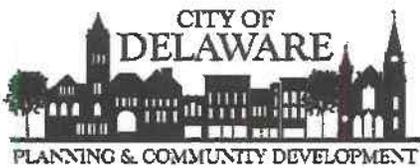
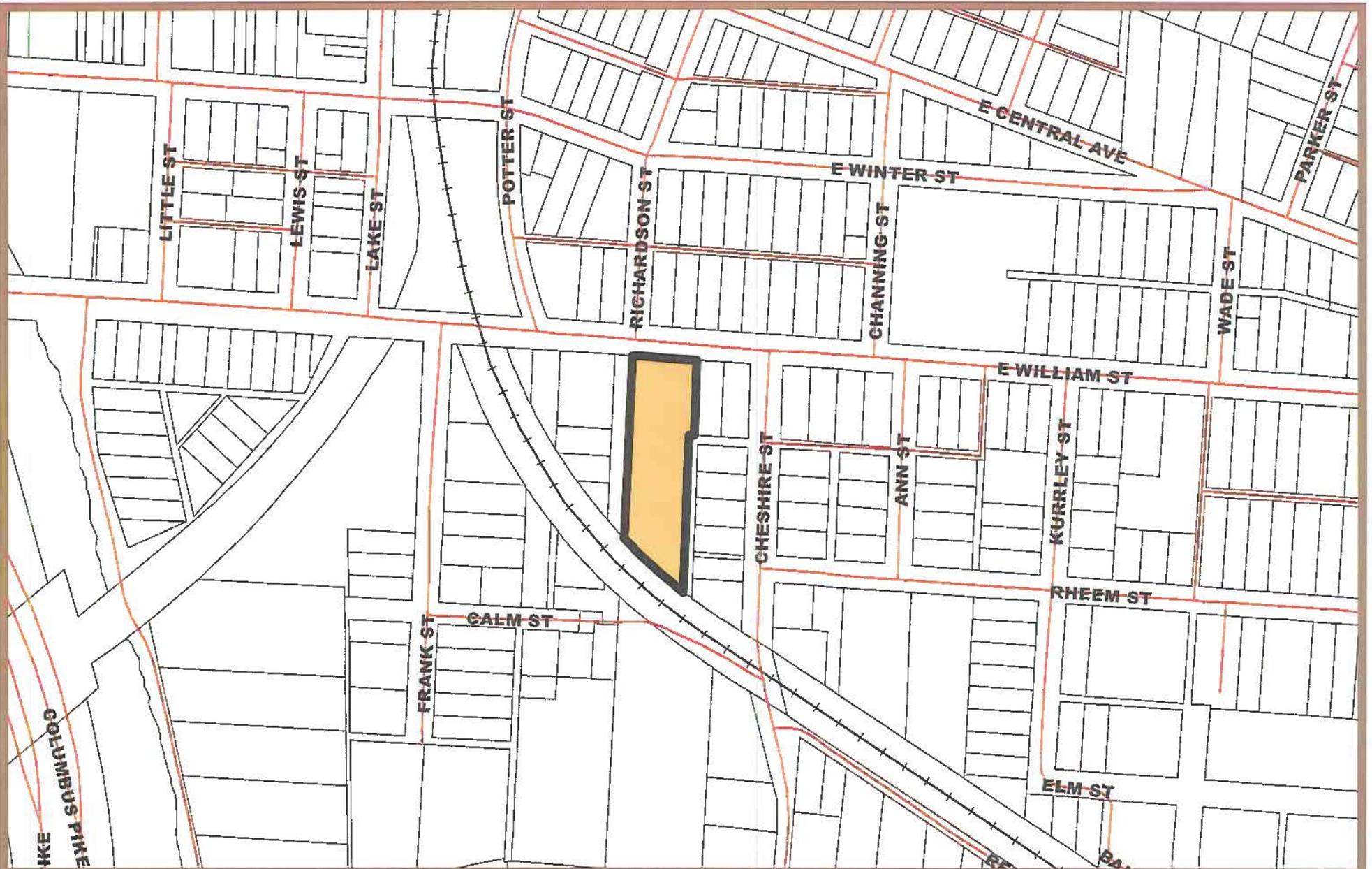
STAFF RECOMMENDATION – CONDITIONAL USE PERMIT 2015-0208)

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)

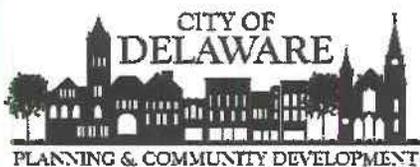
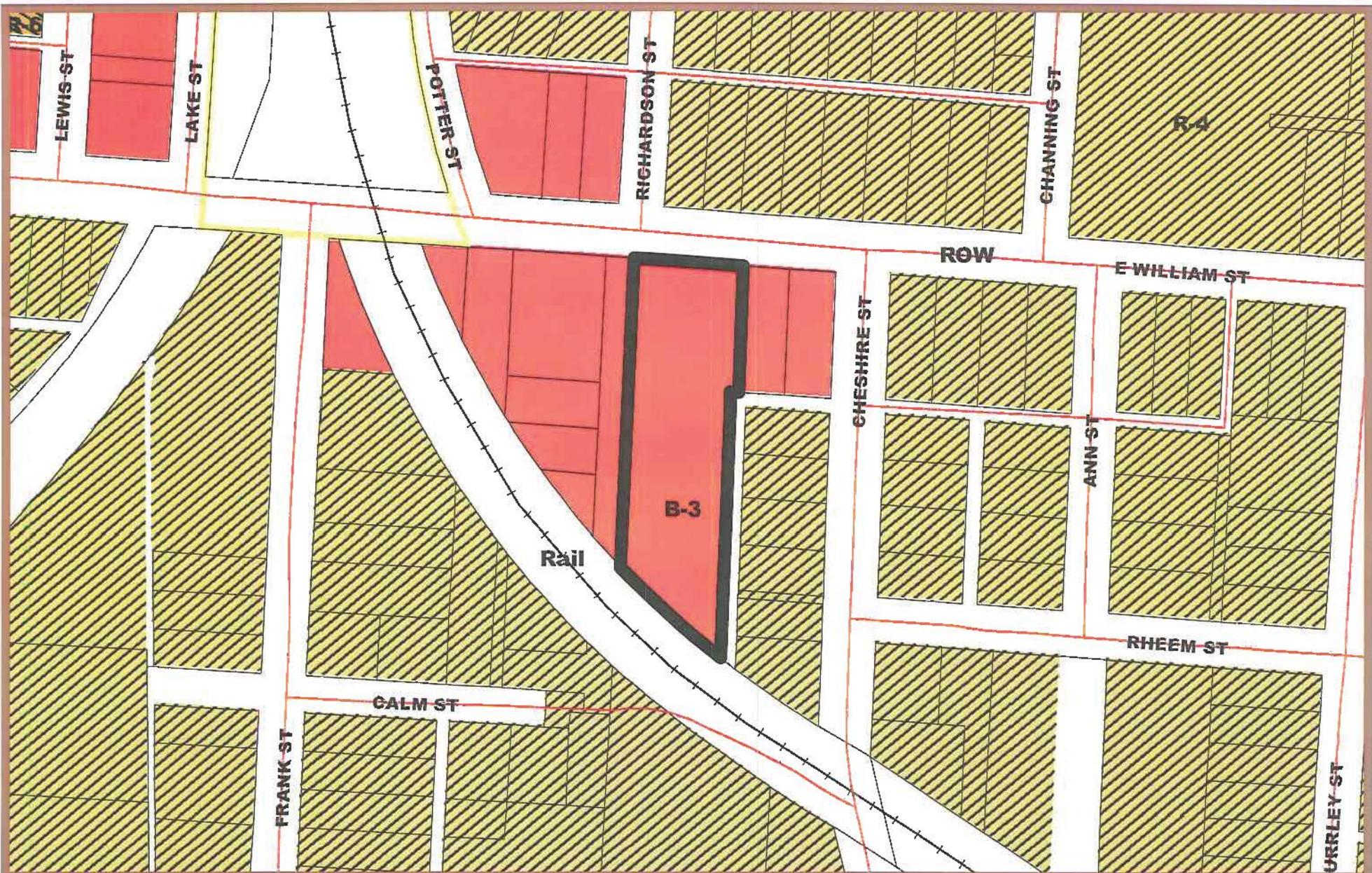
Staff recommends approval of a request by Brown Jug Storage for approval of a Development Plan Exemption to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street, with the following conditions that:

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.



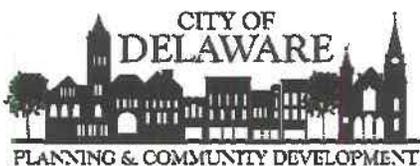
2015-0208 & 0209
Amended Conditional Use Permit & Development Plan Exemption
Brown Jug Storage - 224 East William Street
Location Map





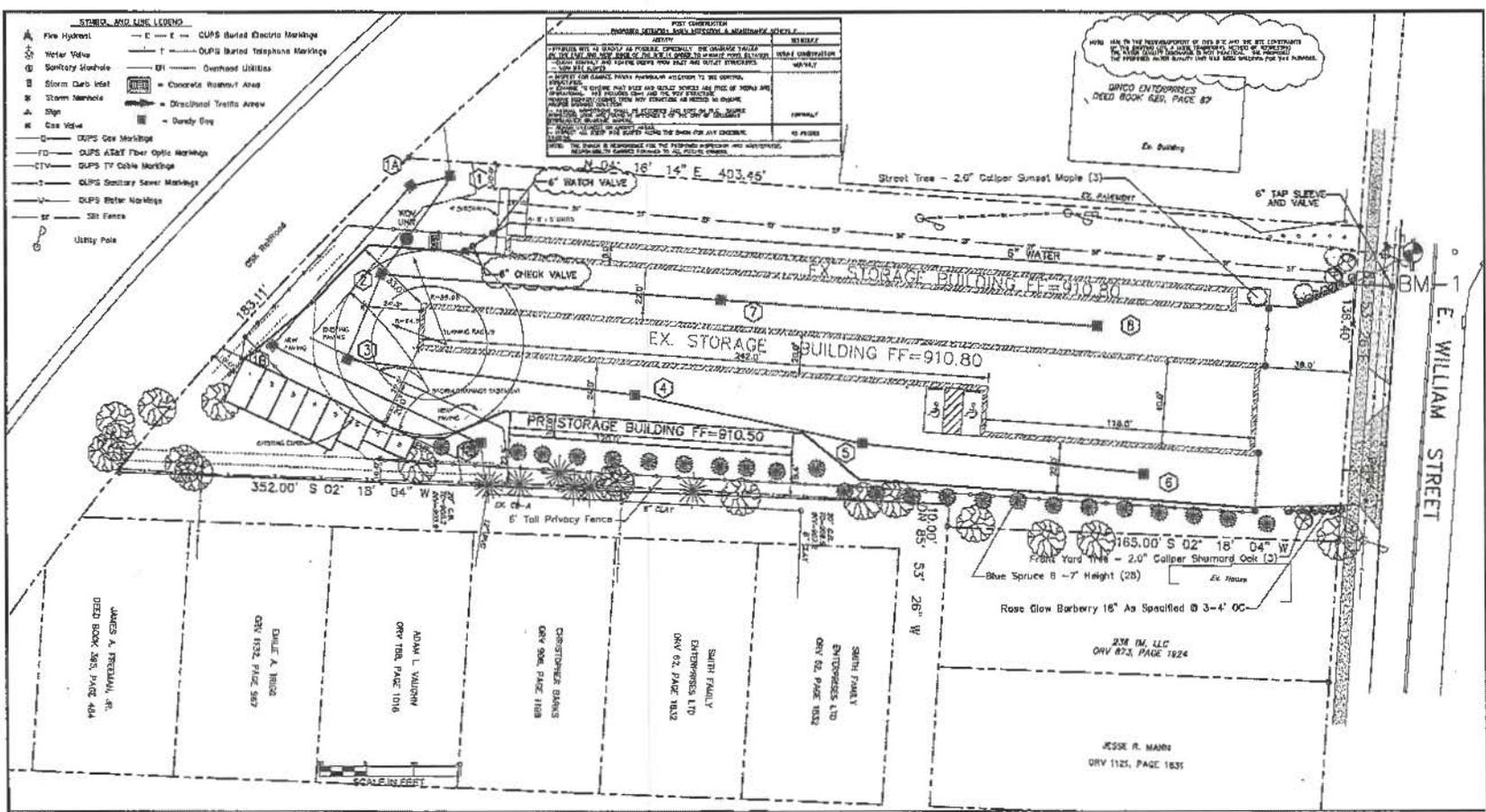
2015-0208 & 0209
Amended Conditional Use Permit & Development Plan Exemption
Brown Jug Storage - 224 East William Street
Zoning Map





2015-0208 & 0209
Amended Conditional Use Permit & Development Plan Exemption
Brown Jug Storage - 224 East William Street
Aerial (2013)





SYMBOL AND LINE LEGEND

Fire Hydrant	--- E --- E ---	CUPS Buried Electric Markings
Water Valve	--- T --- T ---	CUPS Buried Telephone Markings
Sanitary Stochole	--- U --- U ---	Overhead Utilities
Storm Drain Inlet	--- C --- C ---	Concrete Washout Area
Storm Manhole	--- S --- S ---	Discontinued Traffic Area
Sign	--- D --- D ---	Dandy Box
Gas Valve	--- G --- G ---	
CUPS Gas Markings	--- G --- G ---	
CUPS ASSEY Fiber Optic Markings	--- F --- F ---	
CUPS TV Cable Markings	--- T --- T ---	
CUPS Sanitary Sewer Markings	--- S --- S ---	
CUPS Water Markings	--- W --- W ---	
3ft Fence	--- F --- F ---	
Utility Pole	--- P --- P ---	

POST CONSTRUCTION

REPAIRS WILL BE MADE TO PROPERTY, ESPECIALLY THE STORAGE YARDS AS THE LIFT AND SET WORK OF THE EXISTING AND NEW PIPES IS COMPLETED. THESE REPAIRS WILL BE MADE WITHIN 10 BUSINESS DAYS OF THE COMPLETION OF THE PROJECT.	REPAIRS WILL BE MADE TO PROPERTY, ESPECIALLY THE STORAGE YARDS AS THE LIFT AND SET WORK OF THE EXISTING AND NEW PIPES IS COMPLETED. THESE REPAIRS WILL BE MADE WITHIN 10 BUSINESS DAYS OF THE COMPLETION OF THE PROJECT.
A LICENSED GAS CONTRACTOR SHALL BE Hired TO INSPECT AND VERIFY THE GAS PIPING AND TO VERIFY THE GAS PIPING IS CORRECTLY INSTALLED AND OPERATING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY.	A LICENSED GAS CONTRACTOR SHALL BE Hired TO INSPECT AND VERIFY THE GAS PIPING AND TO VERIFY THE GAS PIPING IS CORRECTLY INSTALLED AND OPERATING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY.
THE OWNER IS RESPONSIBLE FOR THE PERSONNEL APPROVAL AND MAINTENANCE OF THE GAS PIPING AND TO OBTAIN THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY.	THE OWNER IS RESPONSIBLE FOR THE PERSONNEL APPROVAL AND MAINTENANCE OF THE GAS PIPING AND TO OBTAIN THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY.

THIS PLAN IS THE REPRESENTATION OF THE SITE AND THE SITE CONDITIONS AS SHOWN ON THE SURVEY AND AS SHOWN ON THE SURVEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND INSURANCE FROM THE GAS UTILITY COMPANY.

UNICO ENTERPRISES
DEED BOOK 628, PAGE 87

REVISIONS

NO.	DESCRIPTION	APPROVAL DATE
1	ADD WATER QUANTITY NOTE	6-6-11
2	REVERSE WATER VALVING	4-1-11
3	MOVE CONCRETE WASHOUT OUTLINE AND LANDSCAPING FOR APPROACH REDUCATION	4-1-11

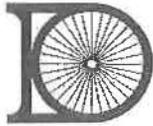
Cornerstone
Engineering and Planning Co.
Civil Design and Consulting Engineers
1000 N. 10th Street, Suite 100
Columbus, OH 43260
Tel: (614) 461-1111

CITY OF DELAWARE, OHIO

BROWN JUG STORAGE

PROJECT TITLE:	SWP3, LANDSCAPING AND FIRELINE PLAN	
SCALE:	1"=20'	SHEET: 6 OF 7
DATE:	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 | Board of Zoning Appeals |
| <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 9th 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.: 16

DATE: 03/23/15

PUBLIC HEARING: NO

READING: SECOND

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% 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, 201~~53~~.

The parties have evidenced their agreement by affixing their signatures below this _____ day of June, 201~~53~~.

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**

March 9

* Rotary

* Council meeting

March

2015

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3 Public Works 7	4 Civil Service Commission 3 Planning Commission 7	5	6	7
8	9 Council 7	10	11 BZA 7	12	13	14
15	16	17 Parks and Rec Ad Bd 7	18	19	20	21
22	23 Council 7	24 Shade Tree Commission 7	25 HPC 7	26	27	28 Council Retreat 8:30-2 location Columbus State Community College
29	30	31				

April

2015

Sun

Mon

Tue

Wed

Thu

Fri

Sat

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Planning 7

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BZA 7

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Council 7

Airport
Commission 7

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Parks & Rec Ad
Bd 7

HPC 7

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30

Council 7

Shade Tree
Commission 7

CONTRACT APPROVAL - MARCH 23, 2015

VENDOR	EXPLANATION OF AGREEMENT	2015 AMOUNT	DEPARTMENT
Taser International	Taser Replacements	\$27,895.25	Police
Ohio Machine	EMS Services	\$116/hr	Fire
Delaware County Building Dept	Back-up Inspection Services	\$0	Building
OWU	2015 Police Mountain Bike School	\$962.60	Police
OVIS	Fire Alarm Installation - 301	\$24,559	Fire
OVIS	Fire Alarm Monitoring - 301	\$35/mo	Fire
DKMM	Recycling Grant	\$20,000	Public Works
B&B Sealing	Safewalks 2015	\$126,510	Engineering